



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
May 22, 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, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

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

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

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Township of Monroe re: In Support for Fair Distribution of State Aide for Education
2. Ordinance from the Township of Randolph re: Amending & Supplementing Chapter 39, Property Maintenance Code...with regard to commercial communications antenna and structures designed to support or cable of supporting commercial communications antenna.
3. Membership Advisory from NJLM re: Professional Development Program: "A Review of the OPRA"
4. Membership Advisory from NJLM re: Professional Development Program: "The Mini One Day Conference"
5. Membership Advisory from NJLM re: Professional Development Program: "Cloud Computing in Government"
6. Notice of hearing on application from 486 Rt. 10 LLC seeking variance approval "C" (Township of Randolph's Planning Board)
7. Notice of hearing on application from Denis & Cherub O'Shaughnessy seeking B-variance (Township of Randolph's Board of Adjustment)
8. Notice of hearing on application from 39-41 West Blackwell LLC seeking waiver of sight plan to allow a Church use (Town of Dover's Planning Board)
9. Notice of hearing on application from Valerie Roskaz seeking variance approval "C" (Township of Randolph's Planning Board)
10. Email from NJDEP re: Fire Danger Alerts and Campfire restrictions issued as spring forest fire risks increase
11. Notice from NJDEP re: Dover Town Sanitary Landfill
12. Notice from NJDEP re: Dover Water Works
13. Notice from NJDEP re: Area of Bowlby Rd
14. Letter from Assemblyman Anthony Bucco acknowledging receipt of resolutions supporting A-1503 & S-2904
15. Thank you card from Mrs. Cindy Romaine and family

*NJDEP = NJ Department of Environmental Protection

*OPRA = Open Public Records Act

NJLM =NJ State League of Municipalities

CONSENT AGENDA

1. Resolution Approving Municipal (Junk Dealer) License – C&M Metals Recycling, LLC
2. Resolution Approving the Settlement of a Tax Court Appeal – 241 E. Blackwell St, LLC
3. Resolution Approving the Settlement of a Tax Court Appeal -112 E. Blackwell St.
4. Resolution Approving Raffle Licenses – Schedule A
5. Resolution Authorizing Credit for Sewer Charges – 22 Mercer St.
6. Resolution Approving a Theater License – The Baker Theater
7. Resolution Approving an Annual Dance License – Tequila's 55 Bistro Grill
8. Resolution Approving a Billiard Hall License – Los Arrieros Bar
9. Resolution Approving Mobile Vendor Licenses – Class III

ORDINANCES FOR SECOND READING/PUBLIC HEARING

1. Ordinance #08-2012 - To exceed the municipal budget appropriation limits & establish a CAP Bank

**AGENDA ITEMS:
RESOLUTIONS**

1. Resolution Approving Bills List
2. Resolution Approving Taxi Drivers – Schedule A
3. Resolution Approving Mayor & Board of Aldermen Meeting Minutes from 4/24/12
4. Resolution Approving One-Day Special Permit for Club Colombia to be held on 7/21/12
5. Resolution Determining the form and providing for sale of water utility bonds to the NJ Environmental Infrastructure Trust Fund
6. Resolution Authorizing the Execution and Delivery of Loan Agreements to the NJ Environmental Infrastructure Trust Fund
7. Resolution Authorizing the Sale of Fire Equipment (Motorola Pagers) No Longer needed for Public Use to the Borough of Hopatcong Fire Department
8. Resolution Authorizing the Town of Dover to enter into an agreement with Dover Public School System for use of Town Sewer Easement within Hamilton Field
9. Resolution Authorizing the Mayor & Board of Aldermen to enter into Executive Session

Mayor Dodd suggested the One-Day ABC permit be held subject to a meeting with Club Colombia.
Mayor Dodd noted that the Board of Education and the Town of Dover will meet to discuss the agreement.

REGULAR MEETING MINUTES

May 22, 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 7:14 pm

ROLL CALL

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

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 hear no voice, Mayor closed the meeting to the public.

MAYOR'S REPORT: Mayor Dodd noted that milling and paving has started on the Route 15/Route 46 Bridge project with a completion date in July. He reminded the public about the free movie night at JFK Park being sponsored by the Recreation Commission. He thanked Alderwoman Blackman for organizing the event. Dover Memorial Association will be holding the annual parade celebrating Memorial Day. Mayor Dodd welcomed Big Lots to the Town of Dover and wished them much success.

ATTORNEY'S REPORT: No Report

CONSENT AGENDA

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING A JUNK DEALER LICENSE FOR C&M METALS RECYCLING, LLC**

WHEREAS, Section 229-2 of the Code of the Town of Dover requires any person or corporation who keeps or operates a Junk Dealership to apply to the Clerk of the Town of Dover for a license to operate; and

WHEREAS, James Witte t/a C & M Metals Recycling, LLC located at 160 Richards Ave., Dover, New Jersey has applied for renewal of a Junk Dealers License; and

WHEREAS, the applicant has submitted the appropriate fees and completed the application as 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 application of James Witte t/a C & M Metals Recycling, LLC is hereby approved for a license to operate as a Junk Dealer at 160 Richards Ave., Dover, New Jersey.

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

Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: None Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL 241 EAST BLACKWELL ST., LLC,
BLOCK 1904, LOT 10.01 - 2009, 2010 AND 2011 AGREEMENT**

WHEREAS, 241 East Blackwell St., LLC is the owner of 241 East Blackwell Street, Dover New Jersey, also known as Block 1904, Lot 10.01; and

WHEREAS, 241 East Blackwell St., LLC filed appeals with the Tax Court of New Jersey for the years 2009, 2010 and 2011 bearing Docket # 013282-2009, 017419-2010 and 012995-2011; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

WHEREAS, a settlement value of \$600,000.00 total assessment for all years was recommended by the expert appraiser for the Town; and

WHEREAS, the taxpayer has accepted the market value offer of judgment; and

WHEREAS, the original assessments and requested tax court judgment are as follows:

<u>2009</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 242,500	\$ 242,500	\$ 242,500
Improvements:	\$ 417,400	\$ 417,400	\$ 357,500
Total:	\$ 659,900	\$ 659,900	\$ 600,000

<u>2010</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 242,500	\$ 242,500	\$ 242,500
Improvements:	\$ 417,400	\$ 417,400	\$ 357,500
Total:	\$ 659,900	\$ 659,900	\$ 600,000

<u>2011</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 242,500	\$ 242,500	\$ 242,500
Improvements:	\$ 367,500	\$ 367,500	\$ 357,500
Total:	\$ 610,000	\$ 610,000	\$ 600,000

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 tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled for the fair market value of \$600,000.00 for years 2009, 2010 and 2011.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. David C. Pennella, Esq. is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL
CINJO ASSOCIATES, INC., BLOCK 1902, LOT 3
2010, 2011 AND 2012 AGREEMENT

WHEREAS, Cinjo Associates, Inc. is the owner of 112 East Blackwell St., Dover New Jersey, also known as Block 1902, Lot 3; and

WHEREAS, Cinjo Associates, Inc. filed an appeal with the Tax Court of New Jersey for the year 2010 bearing Docket # 005567-2010; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

WHEREAS, a settlement value of \$1,200,000.00 total assessment for year 2010, \$1,000,000.00 total assessment for year 2011 and \$800,000.00 total assessment for year 2012 was recommended by the expert appraiser for the Town; and

WHEREAS, the taxpayer has accepted the market value offer of judgment; and

WHEREAS, the original assessments and requested tax court judgment are as follows:

<u>2010</u>	<u>Original</u>	<u>County Board</u>	<u>Tax Court</u>
	<u>Assessment</u>	<u>Judgment</u>	<u>Judgment</u>
Land:	\$ 832,000	None	\$ 732,000
Improvements:	\$ 479,000	Direct	\$ 468,000
Total:	\$1,311,000	Appeal	\$1,200,000
<u>2011</u>	<u>Original</u>	<u>County Board</u>	<u>Tax Court</u>
	<u>Assessment</u>	<u>Judgment</u>	<u>Judgment</u>
Land:	\$ 832,000	None	\$ 632,000
Improvements:	\$ 479,000	Direct	\$ 368,000
Total:	\$1,311,000	Appeal	\$1,000,000
<u>2012</u>	<u>Original</u>	<u>County Board</u>	<u>Tax Court</u>
	<u>Assessment</u>	<u>Judgment</u>	<u>Judgment</u>
Land:	\$ 832,000	None	\$ 532,000
Improvements:	\$ 479,000	Direct	\$ 268,000
Total:	\$1,311,000	Appeal	\$ 800,000

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 tax court appeal bearing the above referenced docket number is hereby authorized to be settled for the fair market value amounts for years 2010, 2011 and 2012.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. David C. Pennella, Esq. is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

**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

DOVER BOXING CLUB INC

To be held on Friday, September 28, 2012
(50/50)

DOVER CHILDCARE CENTER

To be held on Wednesday, September 19, 2012
(50/50)

DOVER CHILDCARE CENTER

To be held on Saturday, October 6, 2012
(Tricky Tray)

DOVER CHILDCARE CENTER
To be held on Saturday, October 6, 2012
(50/50)

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

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

RESOLUTION AUTHORIZING CREDIT FOR SEWER CHARGES

WHEREAS, the owner of 22 Mercer Street has contacted Dover Water Commission seeking a credit for Sewer Charges because of 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 21690-7 be credited \$2,147.70.

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 \$2,147.70.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING A THEATER LICENSE FOR THE BAKER THEATER

WHEREAS, application for a Theater License has been made by the Baker Theater located at 41 West Blackwell Street; and

WHEREAS, the appropriate fees have been paid and the license shall be prominently displayed at the location; 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 theater license for the Baker Theater is hereby approved.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING ANNUAL DANCE LICENSE(S)

WHEREAS, Tequila's 55 Bistro Grill located at 55 E. Blackwell St, Dover, NJ has applied for an Annual Dance License(s) for the period July 1, 2012 - June 30, 2013; and

WHEREAS, all the applicant(s) have submitted appropriate licensing fee; and,

WHEREAS, the appropriate municipal departments have reviewed the request and have no objections thereto; 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 as follows:

1. An annual dance license is hereby granted for the period July 1, 2012 – June 30, 2013 to the following establishments:

Tequila's 55 Bistro Grill, 55 E. Blackwell St, Dover

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER APPROVING A BILLIARD HALL LICENSE**

WHEREAS, an application for a Billiard Hall license has been made by Just A Bar Corp. t/a Los Arrieros Bar located at 9W. Clinton St; and

WHEREAS, the applicant is requesting a license for one (1) pool table; and

WHEREAS, the appropriate fees have been paid and the license shall be prominently displayed; 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 Billiard Hall License for one (1) pool table is hereby approved.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT**

WHEREAS, Maria Paguay of Lincoln Soft Ice Cream, LLC, Zoyla Paguay of Ricky's Ice Cream & Julio Paguay of Julio's Ice Cream have 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 Lincoln Soft Ice Cream, Ricky's Ice Cream and Julio's Ice Cream 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.

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

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

ORDINANCE FOR SECOND READING

ORDINANCE NO. 08-2012

**CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK N.J.S.A. 40a:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.40A"4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover in the County of Morris finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Board of Aldermen hereby determines that a 1.0% increase in the budget for said year, amounting to \$148,183 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Board of Aldermen hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the Town of Dover, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Town of Dover shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$518,642 and that the CY 2012 municipal budget for the Town of Dover be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon; be filed with said Director within 5 days after such adoption.

Alderswoman Romaine has moved the ordinance be adopted and duly seconded by Alderman Visioli 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, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: None Abstained: None**

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:	\$4,156.84
CURRENT ACCT claims in the amount of:	\$1,349,558.80
CAPITAL ACCT claims in the amount of:	\$25,417.08
WATER UTILITY ACCT claims in the amount of:	\$21,556.28
WATER UTILITY RESERVE ACCT claims in the amount of:	\$288.27
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$159.99
PARKING UTILITY RESERVE ACCT claims in the amount of:	
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$32.40
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:	\$2,461.50
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,403,631.16

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:	\$295,584.32
WATER UTILITY ACCT claims in the amount of:	\$22,971.26
PARKING UTILITY ACCT claims in the amount of:	\$2,693.88
PAYROLL AGENCY ACCT claims in the amount of:	\$100,254.31
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$131.09
TOTAL CLAIMS PAID	\$421,634.86

TOTAL BILL LIST RESOLUTION **\$1,825,266.02**

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

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

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

AXEL'S EXPRESS LIMO & TAXI, INC.

Maximo C. Dela Cruz
Remberto A. Dela Cruz
Edison C. Hidalgo
Wilson L. Molina

FIRST CLASS OF DOVER, INC

Carlos Cabarca

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

**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:

April 24, 2012 – Caucus & Regular

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

RESOLUTION

WHEREAS, Club Colombia filed an application for their **second** Special Permit for Social Affair to be held at the Crescent Field, which is their **first** event; and

WHEREAS, Club Colombia, a non-profit organization is permitted to have twelve events per year and Crescent Field, 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. Club Colombia is approved for an event to be held on Saturday, July 21, 2012 (#2) at Crescent Field (#1) Second Street from 12:00 pm to 7:00 pm.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$261,250 WATER UTILITY BONDS, SERIES 2012, OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE SFY 2012 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Town of Dover (the “Local Unit”), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the “Project”) as defined in each of that certain Loan Agreement (the “Trust Loan Agreement”) to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the “Trust”) and that certain Loan Agreement (the “Fund Loan Agreement”, and together with the Trust Loan Agreement, the “Loan Agreements”) to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the SFY 2012 New Jersey Environmental Infrastructure Trust Financing Program (the “Program”);

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the “Trust Loan”) and the State (the “Fund Loan”, and together with the Trust Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit’s Water Utility Bonds, Series 2012A, to the Trust in an aggregate principal amount not to exceed \$96,250 (the “Trust Loan Bond”) and Water Utility Bonds, Series 2012B, to the State in an aggregate principal amount not to exceed \$165,000 (the “Fund Loan Bond”, and together with the Trust Loan Bond, the “Local Unit Bonds”) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$96,250 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$165,000 to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in bond ordinance Bond Ordinance No. 3-2011 of the Local Unit, which bond ordinance is entitled “entitled: **A Bond Ordinance Providing a Supplemental Appropriation for Water Utility Improvements, Appropriating the Sum of \$275,000 Therefor, and Authorizing the Issuance of \$261,250 of Bonds or Notes for the Purposes Set Forth Herein Authorized and Reauthorized to Be Undertaken in and by the Town of Dover, in the County of Morris, State of New Jersey**” and was finally adopted by the Local Unit at a meeting duly called and held on April 12, 2011, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 40 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and

- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-001. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-001;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Law Office of John G. Hudak, Esq., LLC, is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to the Law Office of John G. Hudak, Esq., LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

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

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF DOVER AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE SFY 2012 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Town of Dover (the "Local Unit"), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund

Loan Agreement”, and together with the Trust Loan Agreement, the “Loan Agreements”) to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the SFY 2012 New Jersey Environmental Infrastructure Trust Financing Program (the “Program”);

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the “Trust Loan”) and the State (the “Fund Loan”, and together with the Trust Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit’s Water Utility Bonds, Series 2012A, to the Trust in an aggregate principal amount not to exceed \$96,250 (the “Trust Loan Bond”) and Water Utility Bonds, Series 2012B, to the State in an aggregate principal amount not to exceed \$165,000 (the “Fund Loan Bond”, and together with the Trust Loan Bond, the “Local Unit Bonds”) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the “Escrow Agreement”) to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the “Financing Documents”) are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an “Authorized Officer”), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the “Local Unit Consultants”) and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the “Program Consultants”, and together with the Local Unit Consultants, the “Consultants”), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Law Office of John G. Hudak, Esq., LLC., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF
DOVER AUTHORIZING THE SALE OF FIRE EQUIPMENT (MOTOROLA PAGERS)
NO LONGER NEEDED FOR PUBLIC USE TO THE BOROUGH OF HOPATCONG FIRE DEPARTMENT**

WHEREAS, the Mayor and Board of Aldermen have received a request from the Borough of Hopatcong Fire Department for town fire equipment no longer needed for public use, to wit: Twenty-one Motorola Pagers; and

WHEREAS, the Town's Fire Chief has indicated that we possess pagers no longer needed as the Town has entered in a shared service agreement with Morris County Dispatch; 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 as follows:

1. The Municipal Administrator is directed to coordinate with the Town's Fire Chief to sell Twenty-one Motorola Pagers for the sum of One Hundred Twenty-five Dollars (\$125.00) each for a total of Two Thousand Six Hundred Twenty-Five Dollars (\$2,625.00) to the Borough of Hopatcong Fire Department.

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

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE DOVER PUBLIC SCHOOL
SYSTEM FOR USE OF A TOWN SEWER EASEMENT WITHIN HAMILTON FIELD**

WHEREAS, the Dover Public School System is the owner of that certain tracts of real property known as Lots 1 and 2 in Block 20-21, as shown on the tax maps of the Town of Dover, County of Morris, State of New Jersey, also identified as 300-302 Mc Farlan Street (hereinafter referred to as the "Property");

WHEREAS, the Town of Dover is the owner of a certain sewer easement recorded in the Office of the Morris County Clerk on July 29, 1924 in Book C27 Page 293 for the existing storm sewer, sanitary sewer and appurtenances thereto which were constructed for the benefit of the public (hereinafter referred to as the "Easement"); and

WHEREAS, the School wishes to construct an athletic facility on the subject Property which will require encroachment within the Easement area;

WHEREAS the Mayor and Board of Aldermen have determined that the construction of athletic facilities provides a significant public benefit and outweighs any detriment to public good; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, the following:

The Mayor and Board of Aldermen acknowledge and consent to entering into a license agreement with the Dover Public School System to allow for construction of athletic facilities within the sewer easement area., and hereby authorize James P. Dodd, Mayor and William Close, Administrator, to execute the documents necessary to effectuate the requested License Agreement.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR EXECUTIVE SESSION**

WHEREAS, the Open Public Meeting Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover wish to discuss:

Contract negotiations in which the public body is, or may become a party too and possible litigation.

Minutes will be kept and once the matter involving the confidentiality of the above no requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

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

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

Mayor Dodd opened the meeting to the public prior to entering into executive session. Seeing no hands and hearing no voices, the meeting was closed to the public.

**Motion to adjourn made by Alderman Romaine at 7:29 pm,
and duly seconded by Alderman Downs passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk