



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
June 28, 2011 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.

MOTION TO DESIGNATE ALDERWOMAN ROMAINE AS CHAIRWOMAN OF THE MEETING
DUE TO MAYOR DODD'S ABSENCE

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

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: None

Chairwoman Romaine 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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs
Absent: Aldermen Poolas and Mayor Dodd

Also present were Attorney Pennella, Administrator Close and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Borough of Riverdale Re: Supporting the Proposed Amendment to the Open Public Records Law to Preserve its Original Intent
2. Notice of Hearing from Randolph's Zoning Board of Adjustment - Application for Development
3. NJ State of League of Municipalities - Nominations for the 14th Annual Elected Officials Hall of Fame
4. Letter from Mr. Scott Dickerson re: Parking

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #11-2011 – Handicapped Parking Space – Guy Street

ORDINANCE(S) FOR SECOND READING

1. Ordinance #10-2011 – To exceed the municipal budget appropriation limits & establish a CAP Bank

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Authorizing the Town of Dover to Participate with the County of Morris & the Township of Parsippany in the Home Investment Partnership Program
3. Resolution Approving Renewal of Laughing Lion, Inc. for years 2009-2010 & 2010-2011
4. Resolution Approving Liquor License Transfer – Laughing Lion, Inc to Sussex Street Holdings, LLC
5. Resolution Approving Liquor License Renewals
6. Resolution Authorizing a Special Meeting on July 18, 2011 for the adoption of the 2011 Municipal Budget

REGULAR MEETING MINUTES

June 28, 2011

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 Alderwoman Romaine at 7:38 pm

ROLL CALL

Present: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs

Absent: Alderman Poolas and Mayor Dodd

Also present were Attorney Pennella, Administrator Close and Clerk Verga

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

ALDERWOMAN ROMAINE – provided details on the annual fireworks which are being held on Friday, July 1, 2011.

ATTORNEY’S REPORT – Attorney Pennella noted that there’s no change in status of any litigation.

ALDERWOMAN BLACKMAN – provided information on upcoming events at the Dover Free Public Library such as: July 18th at 2pm- live reptiles at JFK Park, July 25th at 10:30 am – petting zoo and on August 10th, Ronald McDonald will be at the library.

CONSENT AGENDA

**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

Elite Limo & Taxi Service, LLC

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
2000 Lincoln (LIMO)	1LNHM81W6YY914755	OL6133H

First Class of Dover, Inc

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
2005 Lincoln Towncar (LIMO)	1LNHM82W45Y619387	OL5351G

City Limo and Taxi, Inc.

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
2003 Lincoln Towncar (LIMO)	1LNHM81WX3Y607467	OL6131H

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman, and Downs

Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: None

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

WHEREAS, Paul Randazzo of Astro Dogs has filed for a Class IV Mobile Retail Food Establishment License; and

WHEREAS, Astro Dogs has 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 Astro Dogs for a Mobile Retail Food Establishment License be approved.
2. This approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Alderman Poolas & Mayor Dodd 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 Child Care Center
to be held on Wednesday, September 21, 2011 at 6:00PM
(50/50)

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: None

RESOLUTION AUTHORIZING CREDIT FOR SEWER CHARGES

WHEREAS, owner of 108-110 Thompson Ave. A&B 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 303870-0 be credited \$341.87.

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 \$341.87.

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: None

RESOLUTION AUTHORIZING A REFUND FOR WATER AND SEWER CHARGES

WHEREAS, owner of 306 E. Blackwell Street has contacted Dover Water Commission seeking a refund for Water and Sewer Charges paid because of an incorrect estimated reading; and

WHEREAS, the Dover Water Commission has calculated and found the property at 306 E. Blackwell Street has overpaid its' water and sewer bill and is entitled to a refund as follows:

1. \$115.86 for Water Charges
2. \$202.65 for Sewer Charges

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover that a water and sewer refund be issued in the amount of \$318.51.

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs

Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: None

AGENDA ITEMS:

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 11-2011

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND SUPPLEMENTING ARTICLE XXVII OF THE REVISED GENERAL CODE OF THE TOWN OF DOVER ENTITLED "PARKING" HANDICAPPED PARKING "SPACES" BY APPROVING A HANDICAPPED PARKING SPACE AT 19 KING STREET

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

SECTION 1. Said handicap parking space shall be located along the easterly curblineline of Guy Street beginning at a point 70 north of the northeasterly curblineline intersection of King Street and Guy Street thence, continuing in northerly direction for a distance of 20 feet.

SECTION 2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall take effect in accordance with law.

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

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs

Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: None

ORDINANCE FOR SECOND READING

ORDINANCE NO. 10-2011

CALENDAR YEAR 2011 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% 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 3.5% increase in the budget for said year, amounting to \$212,430 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 2011 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 \$495,671 and that the CY 2011 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.

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

Chairwoman Romaine opened the meeting to the public for public hearing
Seeing no hands and hearing no voice, Chairwoman Romaine closed the meeting to the public

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Alderman Poolas & Mayor Dodd 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:	\$45.00
CURRENT ACCT claims in the amount of:	\$1,271,453.23
CAPITAL ACCT claims in the amount of:	\$1,676.77
WATER UTILITY ACCT claims in the amount of:	
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$17,877.90
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:	
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:	\$18,633.23
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,309,686.13

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:	\$372,114.91
WATER UTILITY ACCT claims in the amount of:	\$19,767.72
PARKING UTILITY ACCT claims in the amount of:	\$2,500.09
PAYROLL AGENCY ACCT claims in the amount of:	\$116,117.95
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$129.92
TOTAL CLAIMS PAID	\$510,630.59

TOTAL BILL LIST RESOLUTION **\$1,820,316.72**

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

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, and Blackman
Nays: None Absent: Alderman Poolas & Mayor Dodd Abstained: Alderman Downs

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER TO PARTICIPATE WITH THE COUNTY OF MORRIS AND THE TOWNSHIP OF PARSIPPANY IN THE HOME INVESTMENT PARTNERSHIP PROGRAM

WHEREAS, certain Federal funds are potentially available to Morris County under Title II of the National Affordable Housing Act of 1990; and

WHEREAS, the U.S. Department of Housing and Urban Development requires an agreement to allow the Town of Dover to join the County of Morris in a Consortium in order to participate in the HOME Investment Partnerships Program; and

WHEREAS, an Agreement has been proposed under with the Town of Dover and the County of Morris will form a Consortium for the purpose of HOME Investment Partnership Program, funded by the National Affordable Housing Act; and

WHEREAS, the Interlocal Services Act (N.J.S.A. 40:8A-1 Seq.) provides a mechanism through which the urban county and a municipality may enter into agreements for the provision of joint services; and

WHEREAS, it is in the best interest of the Town of Dover to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, that the agreement between the County of Morris in the State of New Jersey and the Township of Parsippany-Troy Hills and the Town of Dover in the state of New Jersey to form a Consortium to conduct HOME Investment Partnership Program activities be approved, and that the Mayor and Municipal Clerk are authorized to execute the agreement, a copy of which is on file in the Municipal Clerk's office in accordance with the provisions of the law, is hereby approved, ratified and confirmed; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

RESOLUTION

WHEREAS, William J. Gold Esq., the Temporary Administrator of the estate of Oscar Alarcon, sole shareholder of Laughing Lion, Inc., who passed away on February 26, 2009 has submitted applications for the 2009-2010 and 2010-2011 years for License No. 1409-33-025-007; and

WHEREAS, it was necessary to file a verified petition in accordance with N.J.S.A. 33:1-12.18 requesting the issuance of a new license after the licensee failed to timely file a renewal application for the 2009-2010 license term; and

WHEREAS, a Special Ruling No. 10032519 was received authorizing the issuance of a new license for the 2009-2010 term; and

WHEREAS, proper advertisement has been made and no objections have been filed with the Town Clerk; and

WHEREAS, an application was filed with the municipal clerk for the 2010-2011 license term; and

WHEREAS, the required fees have been paid and all premises have been inspected and approved by the Police Department, Board of Health and the Bureau of Fire Prevention.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that said applications be approved and that the respective license renewals be granted; and

BE IT FURTHER RESOLVED that the Town Clerk or Director in the case of a conflict license be and hereby is authorized to issue license certificates accordingly as listed below.

1409-33-025-007	Laughing Lion, Inc. 40-42 N. Sussex St.	2009-2010 License Term, and 2010-2011 License Term
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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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

RESOLUTION

WHEREAS, William Gold, Esq., the Temporary Administrator of the estate of Oscar Alarcon, sole shareholder of Laughing Lion, Inc. who passed away on February 26, 2009. Laughing Lion, Inc., an inactive license in the Town of Dover, County of Morris and State of New Jersey of Alcoholic Beverage License No. 1409-33-025-007; and

WHEREAS, the present holder of Laughing Lion, Inc. has consented in writing to transfer the license to Sussex Street Holdings, LLC, and

WHEREAS, all applicable fees have been paid; and

WHEREAS, investigating agencies of the Town of Dover have approved; and

WHEREAS, proper advertisement has been made and no objections have been filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, that Plenary Retail Consumption License No. 1409-33-025-007 to be transferred to Sussex Street Holdings, LLC.

BE IT FURTHER RESOLVED that the Town Clerk is directed to execute the endorsement of said license effective June 29, 2011.

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

RESOLUTION

WHEREAS, the herein named duly filed an application for renewal of their Alcoholic Beverage License for their respective premises as shown below for July 1, 2011 to June 30, 2012; and

WHEREAS, no objections have been received from the public; and

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

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

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

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

MOTION TO RETURN FROM EXECUTIVE SESSION (8:56PM)

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

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING SETTLEMENT OF PARKING ARREARAGES WITH NEW JERSEY TRANSIT

WHEREAS, the Town of Dover and New Jersey Transit entered into a Lease Agreement for 42 parking spaces located adjacent to the Dover Train Station; and

WHEREAS, a dispute has arisen over increased parking fees; and,

WHEREAS, the Town of Dover and New Jersey Transit have negotiated a resolution of this dispute; 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 administrator and municipal attorney are hereby authorized to prepare and enter into a settlement agreement with New Jersey Transit wherein New Jersey Transit agrees to pay \$40,000.00 to the Town of Dover for all parking fees due through the second quarter of 2011.

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 Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

**Motion to adjourn made by Alderwoman Romaine at 8:02 p.m.,
and duly seconded by Alderman Visioli passed by the following voice vote.**

Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman and Downs
Nays: None Absent: Aldermen Poolas & Mayor Dodd Abstained: None

Respectfully submitted,

Margaret J. Verga, Municipal Clerk