



**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING MINUTES**  
**July 26, 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.

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 Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Also present were Attorney Pennella, Administrator Close and Clerk Verga

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

**BUDGET ADOPTION**

**RESOLUTION APPROVING 2011 MUNICIPAL BUDGET**

Mayor Dodd provided the public with details about the increased amount in the 2011 Municipal Budget. He noted a vote would not take place until after the executive session. He asked if the board had any questions or comments regarding the municipal budget. There were no questions or comments from the board. Mayor Dodd thanked the Finance Committee, Administrator Close and Kelly Toohey, Chief Financial Officer.

**PUBLIC HEARINGS - NEW APPLICATIONS FOR THE YEAR 2011 HOUSING REHABILITATION PROGRAM & PUBLIC FACILITY SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT**

Ms Lowy held the hearing and explained the Public Facilities project for Ekstrom, Schley, Simms and McFarlan Streets and also the Housing Rehabilitation program which the town would be applying for this year. The funding for both was also explained. There were no citizen comments or recommendations.

**PUBLIC HEARING** – Ms. Lowy reported on the status of the Housing Rehabilitation and the Segur, Sanford, Hinchman, Hoagland and N. Sussex Streets Public Facility Small Cities Community Development Block Grant Projects. There were no citizen comments or recommendations.

Mayor Dodd acknowledged Mrs. Lowy for the program's success.

**MUNICIPAL CORRESPONDENCE:**

1. Ordinance from the Borough of Rockaway Re: Amending Chapter 172, Zoning
2. Ordinance from the Township of Randolph Re: Amending Sections 15-26.2B and 15-26.4 of the Land Development Ordinance of the Township of Randolph
3. Resolution from the Township of Randolph, Urging the NJ Legislature to enact legislation in order to separate the Public Employees' Retirement System Pension and Police Fireman's Retirement System Pension from the State Public Employee's Retirement System Pension and Providing for a separate Board of Directors for the Local Government Public Employee's Retirement System Pension
4. Resolution from the Township of Randolph, Urging the swift passage of S-2762/A-4084
5. Letter from Mr. Francisco De Jesus commending Sgt. Richard Gonzalez & Detective Jose Matos on their presentation to the members of the community
6. Letter from the State of NJ, Dept. of Environmental Protection re: Dover Town Sanitary Landfill
7. Letter from the State of NJ, Dept. of Environmental Protection re: 22 Richboyton Rd.
8. Letter from the State of NJ, Dept. of Environmental Protection re: 23 Christopher St.
9. Email from the Dept. of Community Affairs re: 2011 Governor's Excellence in Housing & Economic Development Awards

10. June 2011-Legislative Bulletin from NJ State League of Municipalities
11. June 2011-Fire Dept. Report
12. Letter from Rockaway Valley Regional Sewerage Authority (RVRSA)re: Wastewater Treatment System Improvements Preliminary Treatment Facility
13. League Profession Development Program “Understanding the New Pensions & Health Benefits Law”
14. Letter from NJ Natural Gas on obtaining a daily list of disconnected residential customers

## **CONSENT AGENDA**

1. Resolution Approving Public Facilities grant application for Ekstrom, Schley, Simms and McFarlan Sts.
2. Resolution Approving Rehabilitation of housing in targeted areas of the community
3. Resolution Approving Citizen Participation Plan
4. Resolution Identifying CDBG Fair Housing Officer
5. Resolution Approving Grant Management Plan
6. Resolution Adopting the Housing Rehabilitation Policy and Procedural Manual
7. Resolution Approving Taxi Driver’s License
8. Resolution Approving Limo(s) – Schedule A

## **AGENDA ITEMS:**

### **ORDINANCE(S) FOR FIRST READING**

1. Ordinance #13-2011 – Amending & Supplementing “Parking” – Monmouth Street Resident
2. Ordinance #14-2011 – Repealing a portion of Ord. 20-2007 – Taxi Stands
3. Ordinance #15-2011 – Amending & Supplementing “Parking”

Alderman Visioli commented on ordinance #15 noting that the ordinance will be changed from 15 minutes to 30 minutes parking.

### **ORDINANCE(S) FOR SECOND READING**

1. Ordinance #12-2011 – Amending the Town of Dover Code Section 20-4, A, (1) – Residency & Age

Alderwoman Romaine noted that ordinance #12 removes the age requirement for volunteer fire members.

## **RESOLUTIONS**

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – 7/12/11
3. Resolution Approving Renewal of Annual Dance License – Pub 66
4. Resolution Approving a permit for use of loud speakers or amplifiers – The Salvation Army
5. Resolution Awarding Bid for Municipal Parking Lot Improvements
6. Resolution Authorizing the Mayor & Board of Aldermen to enter into executive session for Contract Negotiations

Mayor Dodd publicly acknowledged Mr. Acadia Matos, who was present in the audience, for serving our country.

Mayor Dodd opened the meeting to the public for any comments prior to the executive sessions.

LARRY DAVIS - 45 Brook Dr. – Mr. Davis expressed that during the Brook Drive Block Party he was notified of a noise complaint by a police officer. He noted that there was a permit but the officer didn’t acknowledge it. Mayor Dodd asked the administrator to look into the matter.

## **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

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 Mayor Dodd and passed by the following roll call vote.**

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: None Absent: None Abstained: None**

MOTION TO RETURN FROM EXECUTIVE SESSION 8:03PM

**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 Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: None Absent: None Abstained: None**

Mayor Dodd explained that the executive session was required for the Governing body to be brought up-to-date on negotiations that have taken place within the police department. He expressed that the goal of the Governing body was never to layoff or demote police officers, the goal was to provide an economic benefit to the community and to increase efficiencies within the police department. Mayor Dodd noted that it was accomplished and thanked Chief Valentine, the Superior Officers Associations (SOA) & Police Benevolent Associations (PBA), Matthew Giacobbe, Esq. for working with the Governing Body. Mayor Dodd provided details of the concessions. Mayor Dodd asked for the vote to be called on the Municipal Budget.

**RESOLUTION APPROVING 2011 MUNICIPAL BUDGET**  
**(RESOLUTION ATTACHED)**

**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 Poolas, Visioli, Picciallo, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: Aldermen Timpani & Delaney Absent: None Abstained: None**

Alderman Picciallo was happy that the executive session was held prior to the adoption of the budget but would've liked for the police committee to have been notified. Mayor Dodd explained to Alderman Picciallo that as chair of the committee, he could've called for a meeting and clarified that it was a personnel and finance matter.

Alderman Visioli expressed that the Mayor and Aldermen's duty is to protect our city's taxpayers and to be their voice.

**REGULAR MEETING MINUTES**  
**July 26, 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 Mayor Dodd at 8:15 pm

**ROLL CALL**

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

Also present were Attorney Pennella, Administrator Close and Clerk Verga

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

Mayor Dodd opened the meeting to public.

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

**MAYOR'S REPORT:**

- He noted that progress continues at the Route 46/Route 15 project.
- Movie Night at JFK Park has been rescheduled to August 5<sup>th</sup>
- Mayor Dodd encouraged the public to support the Fire Department by attending the Fire Dept.'s Clam Bake event on August 6<sup>th</sup>.
- Bids are being accepted for the Segur, Sanford, Losey, Hinchman & Hoagland Roadway Improvements. The anticipated work should start in September and be completed in October.
- Top Line Construction has been recommended as the lowest responsible bidder for the Municipal Parking Lot Improvements which will be awarded this evening. Mayor Dodd noted that the bulk of the parking lot improvements will be paid for through parking fees.

**ATTORNEY'S REPORT:**

Mr. Pennella provided an update on the Briad case and the Jersey City vs. Dover case.

**CONSENT AGENDA**

**RESOLUTIONS: NEW APPLICATIONS FOR THE YEAR 2011 HOUSING REHABILITATION PROGRAM & PUBLIC FACILITY SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT**

**EKSTROM, SCHLEY, SIMMS AND MCFARLAN**  
(RESOLUTION ATTACHED)

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

**REHABILITATION OF HOUSING IN TARGETED AREAS OF THE COMMUNITY**  
(RESOLUTION ATTACHED)

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

**CITIZEN PARTICIPATION PLAN**  
**TOWN OF DOVER, MORRIS COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for Town of Dover public facilities and housing rehabilitation projects; and

**WHEREAS**, the Grant Agreements require the Town of Dover to comply with all federal regulations with respect to citizen participation; and

**WHEREAS**, the Town of Dover has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees;

**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 Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Dover; and

The Town of Dover will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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

**RESOLUTION IDENTIFYING CDBG FAIR HOUSING OFFICER**

**WHEREAS**, the Town of Dover has applied for two Small Cities Community Development Block Grants from the New Jersey Department of Community Affairs (hereinafter DCA) for a public facilities and a housing rehabilitation project within the Town of Dover; and

**WHEREAS**, the public facilities project will be constructed in the Harrison, Harding, Taft and Wilson Street area; and, the housing rehabilitation project will be provided on a town wide basis, and

**WHEREAS**, the Town of Dover must make efforts to affirmatively further fair housing; and

**WHEREAS**, The Town of Dover has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the Town of Dover has made assurances in the grant agreement that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and

(4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**NOW, THEREFORE, BE IT RESOLVED** that William Close, Administrator shall be designated as the Fair Housing Officer for the Town of Dover.

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall contact the US HUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Dover; and

**BE IT FURTHER RESOLVED** that the Town of Dover will publish in the local newspaper of record and post at the Town Hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

**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 Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: None Absent: None Abstained: None**

**RESOLUTION**  
**GRANT MANAGEMENT PLAN**  
**TOWN OF DOVER, MORRIS COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a public facilities and housing rehabilitation projects; and

**WHEREAS**, that Grant Agreement requires the Town of Dover to comply with all federal regulations with respect to grant management; and

**WHEREAS**, the Town of Dover has reviewed the Grant Management Plan prepared for Small Cities Community Development Block Grant submission;

**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 Grant Management Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Dover; and

The Town of Dover will follow all regulations set forth in that document throughout the term of the Grant Agreement.

**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 Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: None Absent: None Abstained: None**

**RESOLUTION**  
**ADOPTION OF HOUSING REHABILITATION POLICY AND PROCEDURAL MANUAL**

**WHEREAS**, the Town of Dover is submitting an application for a Small Cities Community Development Program Housing Rehabilitation Fund Grant from the New Jersey Department of Community affairs, and

**WHEREAS**, in accordance with application terms and conditions, it is necessary that the Governing Body of the Town prepare and approve a Housing Rehabilitation Policy and Procedural Manual for submission to the Department of Community Affairs, and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Town of Dover that the HOUSING REHABILITATION POLICY AND PROCEDURAL MANUAL FOR THE SMALL CITIES PROGRAM IS APPROVED and the Administrator is authorized and directed to submit a copy of this resolution and the Manual to the Department of Community Affairs.

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

**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**

**FIRST CLASS TAXI**

Maria Mora

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

**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**

**First Class of Dover, Inc**

<b>YEAR/MAKE/MODEL</b>	<b>Vehicle Identification #</b>	<b>Plate #</b>
2003 Lincoln Towncar (LIMO)	1LNHM81W23Y613456	OL7595G

**Elite Limo & Taxi Service LLC**

<b>YEAR/MAKE/MODEL</b>	<b>Vehicle Identification #</b>	<b>Plate #</b>
2007 Lincoln Towncar (LIMO)	1LNHM84W27Y610025	OL6149H

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

**ORDINANCE FOR FIRST READING**

**ORDINANCE NO. 13-2011  
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
AMENDING AND SUPPLEMENTING ORDINANCE 19-2010 AMENDING AND SUPPLEMENTING  
REVISED ORDINANCE 1969 ENTITLED “PARKING, TITLE 28, SAVED FROM REPEAL”  
MONMOUTH STREET RESIDENT PARKING**

**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:

1. Ordinance 19-2010 which amended and supplemented Revised Ordinance 1969 entitled, “Parking, Title 28, Saved from Repeal,” Monmouth Street Resident Parking, is further amended and supplemented to include in Paragraph 2 the property located at 46 South Morris Street which is sited on the corner of South Morris Street and Monmouth Street but with the limitation that only two decals/permits will be issued for the entire building and not per dwelling unit.
2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
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.
4. This ordinance shall take effect in accordance with law.

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

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

**ORDINANCE NO. 14-2011**  
**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS,**  
**STATE OF NEW JERSEY REPEALING A PORTION OF ORDINANCE NO. 20-2007**  
**ESTABLISHING TWO TAXI STANDS AND VACATING THREE EXISTING TAXI STANDS**

**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:

1. Ordinance No. 20-2007, 1A established one taxi stand described as follows:

A. On West Dickerson Street near the train station described as follows: Said taxi stand shall be located along the southerly curb line of West Dickerson Street beginning at a point 214 feet east of the curb line intersection of South Morris Street and West Dickerson Street, thence, continuing in a westerly direction for a distance of 42' to a point.

This section of Ordinance No. 20-2007 establishing one taxi stand as described above is hereby repealed.

2. The balance of Ordinance 20-2007 shall remain in full force and effect.

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

4. 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.

5. This ordinance shall take effect in accordance with law.

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

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

**ORDINANCE NO. 15-2011**  
**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS,**  
**STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING REVISED ORDINANCE 1969**  
**ENTITLED "PARKING, TITLE 28, SAVED FROM REPEAL"**

**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:

1. There is hereby established two 30-minute parking spaces on West Dickerson Street near the train station described as follows:

Said 30-minute parking spaces shall be located along the southerly curb line of West Dickerson Street beginning at a point 214 feet east

of the curb line intersection of South Morris Street and West Dickerson Street, thence continuing in a westerly direction for a distance of 42 feet to a point.

2. The balance of Ordinance 1969 shall remain in full force and effect.

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

4. 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.

5. This ordinance shall take effect in accordance with law.

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

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

#### **ORDINANCE FOR SECOND READING**

**ORDINANCE NO. 12-2011**  
**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,**  
**COUNTY OF MORRIS, STATE OF NEW JERSEY**  
**AMENDING THE TOWN OF DOVER CODE SECTION 20-4, A, (1)**

**WHEREAS**, the case of Pineman v. Paramus, 4 N.J. A.R. 407 (1981, aff'd by the Appellate Division, A-5336-80, in an unreported opinion), declared age was not a bona fide occupation qualification for the position of volunteer firefighter as it conflicts with N.J.S.A. 10:3-1, (the law against discrimination);

**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:

1. Section 20-4, A, (1) is amended and supplemented to read as

A) Residency and Age.

(1) No person shall become a member of the Fire Department unless he or she lives within one mile, measured as the crow flies, of the Town of Dover at the time they submit their application.

Section 20-4, A, (2) shall remain in full force and effect.

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

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.

4. The Ordinance shall take effect in accordance with law.

**Alderman Romaine has moved the foregoing 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 the required public hearing  
Seeing no hands, hearing no voices Mayor Dodd closed the meeting to the public.

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

**RESOLUTIONS**

**Bill 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:	\$1,735.00
CURRENT ACCT claims in the amount of:	\$202,814.40
CAPITAL ACCT claims in the amount of:	\$122,865.60
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:	\$2,727.93
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:	\$486.00
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:	\$42,319.33
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$372,948.26</b>

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

CURRENT ACCT claims in the amount of:	\$347,418.28
WATER UTILITY ACCT claims in the amount of:	\$20,444.97
PARKING UTILITY ACCT claims in the amount of:	\$2,495.22
PAYROLL AGENCY ACCT claims in the amount of:	\$93,064.22
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$85.16
<b>TOTAL CLAIMS PAID</b>	<b>\$463,507.85</b>

**TOTAL BILL LIST RESOLUTION** **\$836,456.11**

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

**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:

**July 12, 2011 – Caucus & Regular**

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

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

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

**WHEREAS**, Pub 66 located at 3 So. Bergen St, Dover, NJ has applied for renewal of their Annual Dance License(s) for the period July 1, 2011 - June 30, 2012; and

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

**WHEREAS**, the appropriate municipal departments have reviewed the renewal 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, 2011 – June 30, 2012 to the following establishments:

- A. Pub 66, 3 So. Bergen St, Dover

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
APPROVING A PERMIT FOR USE OF LOUD SPEAKERS OR AMPLIFIERS**

WHEREAS, the Salvation Army has requested a permit for the use of loud speakers or amplifiers at outdoor events located at 76 N. Bergen Street; and

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. There is hereby approved a permit for the use of loudspeakers or amplifiers by The Salvation Army located at 76 N. Bergen Street as listed below:

Saturday, August 13<sup>th</sup> – Picnic & Summer Day Camp Closure – 12pm till 7pm

2. This authorization is conditioned upon the use of the loudspeakers or amplifiers being in conformance with all regulations of the Code of the Town of Dover.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: None    Absent: None    Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
AWARDING BID FOR MUNICIPAL PARKING LOT IMPROVEMENTS**

WHEREAS, the Town of Dover solicited bids for Parking Lot Improvements; and

WHEREAS, bids were received on July 20, 2011; and

WHEREAS, the three lowest bidders submitted bids as follows:

- |  |                   |
|--|-------------------|
| A. Top Line Construction Corp, 22 Fifth Ave., Somerville, NJ | \$ 489,107.35     |
| B. AJM Contractors, 300 Kuller Rd., Clifton, NJ              | \$ 491,724.15     |
| C. SCS Contracting Inc., 87 Shadyside Rd, Ramsey, NJ         | \$ 541,903.00 and |

WHEREAS, the Municipal Engineer recommends awarding the contract to Top Line Construction Corp., located at 22 Fifth Ave., NJ in the amount of \$489,107.35;

WHEREAS, the project will be funded with Bond Ordinance No. 04-2011- Parking Utility Lot Improvements, and

NOW THEREFORE, it is hereby RESOLVED by the Mayor and the Board of Aldermen of the Town of Dover, Morris County, New Jersey as follows:

1. The bid of in the amount of \$489,107.35 for Top Line Construction Corp is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with Top Line Construction Corp., Inc. in the amount of \$489,107.50.

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

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

**PUBLIC COMMENTS –**

ANTONIO ACOSTA – 130 Madison St – Mr. Acosta is concerned with the amount of trash that is piled up in the town, specifically the litter from the downtown flea market and the NJ Transit property.

Alderman Poolas suggested that the painting by Emanuel Lute, which was donated to the Town of Dover (Library), be sold to the Metropolitan Museum of Arts, NYC. He believes the museum attracts more people which allows for more people to view it. He expressed that the money can be used towards recreation programs, without touching the principle using only the interest.

Mr. Pennella expressed that the matter would have to be looked into. Discussion continued on the painting.

**Motion to adjourn made by Alderwoman Romaine at 8:38 p.m.,  
and duly seconded by Mayor Dodd passed by the following voice vote.**

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

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**