



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
August 9, 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 Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Absent: Alderman Delaney

Also present were Attorney Pennella, Administrator Close and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Township of Mine Hill Re: Providing for the regulation of the installation of wind generators within the Township of Mine Hill
2. Ordinance from the Township of Mine Hill Re: Providing for the regulation of the installation of solar panels
3. August 1, 2011 - Morris County Planning & Development News
4. NJ State League of Municipalities re: Monmouth polls results confirm citizen satisfaction with local government
5. NJ State League of Municipalities re: 10th Anniversary of September 11th
6. NJ State League of Municipalities re: Seminar – “Labor Negotiations Primer: Collective Negotiations & Interest Arbitration
7. NJ State League of Municipalities re: Program – “Governing with Less Yet Doing More: Options & Strategies in County & Municipal Government for 2011”
8. NJ State League of Municipalities re: Program – “A Review of Records Management & the Open Public Records Act (OPRA)”
9. NJ State League of Municipalities re: Program – “Understanding the New Pensions and Health Benefits Law”
10. NJ Natural Gas Notice for Public Hearing for the approval of an extension of energy efficiency programs & the associated Cost Recovery Mechanisms
11. NJ Natural Gas Notice for Public Hearing for the approval of the cost recovery associated with energy efficiency & preliminary greenhouse gas initiative programs
12. NJ Natural Gas Notice for Public Hearing for the approval of a pilot program for the installation of compressed natural gas infrastructure and an associated recovery mechanism with the approval of changes in the company’s tariff for gas service
13. Order issuing preliminary permit and granting priority to file license application to study the feasibility of the proposed Rockaway Pumped Storage Hydroelectric Project - Reliable Storage 2, LLC
14. June 2011 – Health Department Report
15. May 2011 – Police Department Report
16. July 2011 – Fire Department Report

CONSENT AGENDA

1. Resolution Approving Limo(s) – Schedule A
2. Resolution Approving Mobile Vendor Class II – K & R Hamburger & Hot Dogs
3. Resolution Approving Raffle License – Millpond Towers
4. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – 7/26/11
5. Resolution to join the National Moment of Remembrance of the 10th Anniversary of September 11th
6. Resolution Authorizing the application for funding from the Municipal Alliance

Alderman Visioli wanted to know if resolution #2 on the consent agenda was for a new or renewal mobile vendor license. It was noted that it was a new application and the mobile vendor would be located in the parks.

AGENDA ITEMS:

ORDINANCE(S) FOR SECOND 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”

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Supporting Senate Bill No. 2976-Amending the Open Public Records Act (OPRA) Law
3. Resolution Amending the Employment Agreement of William Close
4. Resolution Authorizing execution of memorandum of agreement with the PBA & SOA
5. Resolution Approving Mayor & Board of Aldermen Special Meeting – 7/18/11
6. Resolution Awarding Bid for Segur St, Sanford St, Losey St, Hinchman Ave, & Hoagland Roadway Improvements to Cifelli & Son General Construction
7. Resolution Rescinding renewal of inactive license – Sussex Street Holdings, LLC
8. Resolution Approving Liquor License Renewal – Sussex Street Holdings, LLC
9. Resolution Approving Salary Resolution – Non-Union
10. Resolution Concurring in the Award of a contract for Bid for Low Service Reservoir Rehabilitation to East Coast Painting & Maintenance, LLC
11. Resolution Authorizing the Mayor & Board of Aldermen to enter into executive session - Personnel matter

Alderman Timpani noted that there are two bills for a thousand dollars (\$1,000) each that have exceeded the ordinance; he noted that any bill that exceeds the thousand dollar (\$1,000) threshold would require the board’s approval. The two bills in question were for attorney fees that totaled two thousand dollars (\$2,000).

Attorney Pennella provided a brief description of the public contracts law regarding the bid threshold but noted that he would have to review the bills for further details.

Mr. Close explained that legal counsel had to be obtained since there was a conflict and noted that the two (2) bills are for two (2) separate issues.

After hearing Mr. Close’s representation, Attorney Pennella noted that there were no accumulation issues at all.

Mayor Dodd is satisfied with the explanations and will move forward with the bills list.

Alderman Timpani wanted to know if the recreation disbursement of eight thousand seventy-eight dollars and thirty-eight cents (\$8,078.38) was for clay and was it the only payment this year. Mr. Close noted that it was for clay and was not sure if it was the only payment since he didn’t have the back-up documentation at the meeting.

Mayor Dodd expressed that the bills list is issued on Friday prior to the meeting, so if a board member has any questions they can be discussed with the administrator before the meeting.

Mayor Dodd made a motion to enter into executive session for the discussion of personnel matter and the issue of payment of legal fees. He noted that formal action may be taken. (7:19pm)

**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:

1. **PERSONNEL ISSUES** such as: any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public office officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

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.

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

Mayor Dodd made a motion to return from executive session and duly seconded by Alderman Timpani and passed by the following roll call vote.

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

REGULAR MEETING MINUTES

August 9, 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 Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Absent: Alderman Delaney

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: Mayor Dodd provided an update on the Route 46 bridge project. He noted several road openings which he hopes will alleviate traffic in the area. Mayor Dodd thanked Alderwoman Blackman and Library Director Rob Tambini for the “Movie in the Park” event which was a huge success.

ATTORNEY’S REPORT: He noted that there has been no change in status of litigation. He will be meeting with the Tax Assessor and the Expert Appraiser on the 12th to review any outstanding tax appeals.

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

AXELS EXPRESS TAXI & LIMO

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
2007 Dodge Caravan (LIMO)	1D4GP 24R97 B1869 62	OL6080H

FIRST CLASS OF DOVER INC

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
2003 Lincoln Towncar	1LNHM 84W63 Y6439 44	OL7210H
2005 Lincoln Towncar	1LNHM 81W45 Y6550 64	OL7212H
2005 Lincoln Towncar	1LNHM 81W15 Y6038 13	OL6159H
1998 Toyota Sienna	4T3ZF 13CXW U0302 25	OL7211H

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

Nays: None Absent: Alderman Delaney Abstained: None

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

WHEREAS, a Class 2 license allows the licensee to set up on the paved portions of the following public parks and or playgrounds of the town: Crescent Field, Second Street Playground, Hooey Park, King Field, Hurd Park, Steffany Park at Waterworks and Overlook Park.

WHEREAS, the vendors 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.

WHEREAS, this approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

WHEREAS, the Police Department has approved the location of the vendors.

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 Karen Pabon of K & R Hamburger & Hot Dogs for a Mobile Retail Food Establishment, Class 2 license be approved.

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

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

Millpond Towers Residents Assoc.

To be held on Wednesday, September 7, 2011 from 10:00AM to 3:00PM
(50/50)

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

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

July 26, 2011 – Caucus & Regular

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

RESOLUTION THE TOWN OF DOVER JOINING THE NATIONAL MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF SEPTEMBER 11TH

WHEREAS, the governing body of the Town of Dover expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111–13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the governing body of the Town of Dover:

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and
- (4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and
- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the governing body of the Town of Dover calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED that the governing body of the Town of Dover encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING THE APPLICATION FOR FUNDING FROM THE MUNICIPAL ALLIANCE

WHEREAS, the Town of Dover, together with Victory Gardens, has been part of the Municipal Alliance to obtain funding for youth oriented programming; and

WHEREAS, the programs include such events as Teen Fun Night, Community Resource Center, ATOD community presentations, Youth Development Center “Hablamos,” Project Graduation, Dover Midget Football, Escucha, Teen Summer Programming, Tiger Alliance and Dover Strikers; and

WHEREAS, it is required that an annual budget and funding request be submitted; and

WHEREAS, the Alliance grant total is \$28,161.00 with a cash match of \$7,040.25 and an in kind match of \$21,121.75; and

WHEREAS, the Mayor and Clerk are required to sign the application for funding for the Municipal Alliance for the grant year 2012; and

WHEREAS, it is believed to be in the best interest of the youth of the Town of Dover to obtain such funding for the programs mentioned above.

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. It is hereby approved the application for the funding for the Municipal Alliance for the grant year 2012.
2. The Mayor and Clerk are hereby authorized to execute such application.

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

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

ORDINANCE FOR SECOND 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 Poolas and passed for second reading by the following roll call vote.

Mayor Dodd opened that meeting for public hearing on ordinance 13-2011.
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

Ayes: Aldermen Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd
Nays: None Absent: Alderman Delaney 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 Poolas and passed for second reading by the following roll call vote.

Mayor Dodd opened that meeting for public hearing on ordinance 14-2011.
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

Ayes: Aldermen Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd
Nays: None Absent: Alderman Delaney 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 Poolas and passed for second reading by the following roll call vote.

Mayor Dodd opened that meeting for public hearing on ordinance 15-2011.
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

Ayes: Aldermen Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd
Nays: None Absent: Alderman Delaney 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:	
CURRENT ACCT claims in the amount of:	\$629,030.77
CAPITAL ACCT claims in the amount of:	\$11,567.00
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:	\$17,355.70
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:	\$5,670.00
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$663,623.47

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:	\$339,007.40
WATER UTILITY ACCT claims in the amount of:	\$20,231.26
PARKING UTILITY ACCT claims in the amount of:	\$2,499.98
PAYROLL AGENCY ACCT claims in the amount of:	\$162,021.26
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$78.63
TOTAL CLAIMS PAID	\$523,838.53

TOTAL BILL LIST RESOLUTION **\$1,187,462.00**

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

RESOLUTION IN SUPPORT OF SENATE BILL NO. 2976
AMENDING THE OPEN PUBLIC RECORDS ACT (OPRA) LAW

WHEREAS, the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) was adopted to assure the public's access to sufficient information to enable it to understand and evaluate the actions of public bodies by making accessible for inspection or copying of government records; and

WHEREAS, since the adoption of OPRA, there has been an escalating series of requests from all over the nation for voluminous public records, already freely accessible to the general public through government websites; and

WHEREAS, providing information to requestors which is already freely available to the public on government websites constitutes an unnecessary additional expense to the tax payers; and

WHEREAS, in the new renaissance of fiscal responsibility, unnecessary expenses by government should strictly be curtailed; and

WHEREAS, Senate Bill No. 2976 Turner would address this issue by relieving the taxpayers of this additional unnecessary expense by allowing government agencies to refer OPRA requestors to their websites should the information desired be already freely available there;

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

1. That this Board supports the aforesaid legislation and requests that the current Open Public Records Law be amended as specified under Senate Bill No. 2976 Turner.
2. That a copy be sent to the President of the of the New Jersey State Senate and the Speaker of New Jersey State Assembly, and all our local representatives, urging adoption of this legislation and to the Honorable Governor of the State of New Jersey, Chris Christie, urging him to sign and execute the same upon its adoption
3. That Certified copies of this Resolution shall be provided to Senator Anthony Bucco, Assemblyman Anthony Bucco, Assemblywoman Michael Carrol, New Jersey League of Municipalities, Morris County League of Municipalities, Morris County Board of Chosen Freeholders, all Morris County Municipalities.

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING THE EMPLOYMENT AGREEMENT OF WILLIAM CLOSE

WHEREAS, the Town of Dover, a municipal corporation of the State of New Jersey, hereinafter "Dover," entered into an Employment Agreement with William Close, hereinafter "Administrator," to engage his services as the administrator of Dover pursuant to N.J.S.A. 40A:9-137; and

WHEREAS, Paragraph 5 of the Administrator's Employment Agreement provides for annual incremental adjustments of \$2,500.00 per year to the base salary; and

WHEREAS, the Administrator had requested that the governing body allow him to defer the \$2,500.00 salary stipend scheduled to be received in 2010, and to be paid in 2011; and

WHEREAS, the Administrator has again requested further deferral of the 2010 increase and deferral of the 2011 increase of \$2,500.00 for a total of \$5,000.00, such deferral being until the year 2012; and

WHEREAS, the Administrator feels it is appropriate to not accept the stipend this year but to defer it until next year and to further defer last year's salary stipend to demonstrate shared sacrifice with other Town employees;

NOW, THEREFORE, be it RESOLVED by the Mayor and Board of Aldermen the Town of Dover as follows:

1. The Employment Agreement dated April 14, 2009 between Dover and Administrator is hereby further amended to provide that the annual incremental adjustment to base salary of \$2,500.00 per year for the 2010 year and \$2,500.00 for 2011 are deferred until 2012.

2. All other terms and conditions of the Employment Agreement dated April 14, 2009 shall continue in full force and effect.

3. The Mayor and Clerk are authorized to execute an Amendment to the Administrator's Employment Agreement as set forth above.

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 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
AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT (MOA) WITH THE
PBA LOCAL 107 (PBA) AND SUPERIOR OFFICER'S ASSOCIATION (SOA)**

WHEREAS, Dover and the PBA and SOA are parties to a collective bargaining agreements PBA for a five (5) year contract commencing January 1, 2007 through December 31, 2011 and SOA for a three (3) year contract commencing January 1, 2009 through December 31, 2011; and

WHEREAS, the parties have agreed to amend the current contract; and

WHEREAS, a copy of the MOA is attached hereto;

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 Mayor and Clerk are hereby authorized to execute the MOA between Dover and the SOA in substantially the same formed as it is attached hereto.

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

July 18, 2011 – Special Meeting

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AWARDING BID FOR SEGUR ST., SANFORD ST., LOSEY ST., HINCHMAN AND
HOAGLAND AVE. ROADWAY IMPROVEMENTS

WHEREAS, the Town of Dover solicited bids for Segur St., Sanford St., Losey St., Hinchman and Hoagland Avenue, Roadway Improvements; and

WHEREAS, bids were received on August 3, 2011; and

WHEREAS, the three lowest bidders submitted bids as follows:

A.	Cifelli & Son General Construction, Inc., 4 Coppola St., Nutley, NJ	\$438,717.50
B.	Crossroads Construction Corp., 312 Emmet St., Newark, NJ	\$462,315.00
C.	Z Brothers Concrete Contractors, Inc., 304 Jernee Mill Rd., Sayerville, NJ	\$468,413.05 and

WHEREAS, the Engineering estimate for the project by the Town was \$509,980.00; and

WHEREAS, the Municipal Engineer recommends awarding the contract to Cifelli & Son General Construction, Inc., 4 Coppola St., Nutley, New Jersey in the amount of \$438,717.00; and

WHEREAS, the project will be funded with \$499,663.48 from the Department of Community Affairs Small Cities Grant Program Account G-01-10-707-301 and Capitol Account C-04-55-922-003; and

WHEREAS, the \$438,717.50 does not include police traffic directors.

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 for \$438,717.50 from Cifelli & Son General Construction, Inc. is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with Cifelli & Son General Construction, Inc. in the amount of \$438,717.50.

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

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, the renewal was approved by Resolution No. 170 on June 28, 2011, and

WHEREAS, the licensee needed a Special Ruling from the Director of the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control, pursuant to the provisions of N.J.S.A. 33:1-12.39, allowing the renewal of an inactive license; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that Resolution No. 170 is hereby rescinded for the licensee listed below.

Sussex Street Holdings, LLC	40-42 N. Sussex St.	1409-33-025-009
	Dover, NJ 07801	

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

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, the licensee received a Special Ruling from the Director of the State of New Jersey, Division of Alcoholic Beverage Control, pursuant to the provisions of N.J.S.A. 33:1-12.39, Docket No. 08-11-7181 allowing the renewal of an inactive license; and

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

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is authorized to issue license certificate accordingly as listed below.

Sussex Street Holdings, LLC 40-42 N. Sussex St. 1409-33-025-009
Dover, NJ 07801

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 and Mayor Dodd
Nays: None Absent: Alderman Delaney Abstained: Alderman Poolas**

Mayor Dodd welcomed the owner of Sussex Street Holdings, LLC to the Town of Dover and wished them luck.

Mayor Dodd provided details on the salary resolution. He noted that Captain Warner will help the Town of Dover with the transition and will also assist the Fire Chief with administrative duties. He encouraged the board to support the resolution.

Alderman Timpani noted that Scott Warner's salary should come out of the chief's stipend because he will be doing their job.

SALARY RESOLUTION

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

1. That the annual, hourly salaries and wages as set forth hereunder be and hereby are established for the officials and listed employees of the Town of Dover at the respective sums shown following their names and or position designation following their name listed below.
2. This resolution directs the Treasurer of the Town of Dover to withhold such monies from individual salaries and wages so there is no advance payment of salaries and wages and annual sums may be adjusted through December 31, 2011.

Non Union

Scott Warner - Confidential Assistant \$ 25.51 per hr. effective 8/10/11

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN
OF DOVER CONCURRING IN THE AWARD OF A CONTRACT FOR
LOW SERVICE RESERVOIR REHABILITATION**

WHEREAS, it has been established that the Low Service Area Reservoir was in need of rehabilitation; and

WHEREAS, the Dover Water Commissioners requested, through the public bidding pursuant to N.J.S.A. 40A:11-1 *et. seq.*, bids for such work; and,

WHEREAS, public bids were received for this project in November of 2010 and March of 2011 and on both occasions bids were rejected due to the responsive bids exceeding the Water Commissioners' budget for the project; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 (3) the Commissioners undertook to negotiate a contract in this matter; and

WHEREAS, after negotiations with the four bidders: East Coast Painting and Maintenance, L.L.C.; U.S. Tank Painting; Corrosion Control and Utility Service Co., Inc., a recommendation is being made by Suburban Consulting Engineers, Inc., the Water Commissioners' engineering expert in this matter, to award East Coast Painting and Maintenance, L.L.C., hereinafter "East Coast," the contract for \$585,000.00; and

WHEREAS, East Coast was the lowest quote received for the project; and

WHEREAS, a check of references provided by East Coast received positive feedback; and

WHEREAS, the only modification to the contract from the March 2011 public bid is the contract time which was modified to require that PRB work be completed in 30 days instead of 60 days to maintain the schedule of the tank being off-line for painting during the fall of 2011; and

WHEREAS, the approval is subject to the Dover Water Commissioners approving the award and the Water Commission attorney approving the document submission of East Coast and that it is administratively complete;

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 Town of Dover hereby concurs in the award of a contract by the Dover Water Commissioners to East Coast in the amount of \$585,000.00 for the Low Service Area Reservoir rehabilitation; and
2. This approval is conditioned upon the Dover Water Commissioners making award to East Coast for said amount; and
3. This concurrence is further conditioned upon the Dover Water Commissioners' attorney reviewing and approving of the document submission being administratively complete and correct.

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

PUBLIC COMMENTS

There were no comments from the public.

**Motion to adjourn made by Alderman Romaine at 7:59 p.m.,
and duly seconded by Alderman Visioli Dodd passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk