



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

Caucus Meeting Minutes of August 28, 2007

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, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Absent: Aldermen Fahy, Visioli

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

- Resolution from Township of Monroe re: Urging NJ to take financial responsibility for the cost of a statewide Gypsy Moth Control Program
- Resolution from Borough of Wharton re: Urging NJ to take financial responsibility for the cost of a statewide Gypsy Moth Control Program
- Ordinance from Borough of Rockaway re: Amending Land Use Design and Performance Standards DPW Monthly Report for July 2007
- Letter from Dover Market Place re: Donation of \$2,500 to the Dover Fire Department
- Notice from Center for Government Services re: Municipal Elected Officials Certificate Program Fall 2007 Schedule

AGENDA ITEMS:

ORDINANCE(S) FOR SECOND READING AND PUBLIC HEARING

- Ordinance #25-2007 re: Amending Article 28 A "Parking" to permit parking on both sides of E. McFarlan Street between Conger and Perry Streets
- Ordinance #26-2007 re: Amending Article 38 to establish E. McFarlan as a one-way street between Conger and Perry Streets
- Ordinance #27-2007 re: Amending Chapter 72 "Salaries"

RESOLUTIONS

- Approving Bills List
- Authorizing application to the Local Finance Board
- Awarding bid for Searing Street Roadway Improvements to Jenicar Builders Contractors Co.
- Correcting error in Tax Records for Dover Properties Associates, LLC and 241 E. Blackwell Street
- Approving Noise Permit for Dover Christian Center to be held at 77 Bassett Highway on Fridays 7:00 p.m.-10:00 p.m., Saturdays 7:00 p.m.-10:00 p.m. and Sundays 10:00 a.m.-1:00 p.m. from 8/31/07 until 9/23/07
- Approving two (2) One-Day ABC Licenses for Global Reach International (#6 & 7) to be held at the Baker Theatre 41 W. Blackwell Street (#8 & 9) on 9/22/07 and 10/27/07 from 7:00 p.m. to 2:00 a.m.
- Approving One-Day ABC Licenses for Casa Puerto Rico 50 W. Blackwell Street (#6) to be held on 10/19/07 from 8:00 p.m. to 2:00 a.m.
- Approving three (3) Taxi Cab Driver Licenses for Queen's Limo



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Regular Meeting Minutes of August 28, 2007

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

The meeting was called to order by Mayor. Dodd at 7:03 pm

ROLL CALL

Present Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Absent: Aldermen Fahy, Visioli

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

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

Mayor Dodd opened this portion of the meeting to the public for agenda items only. Seeing no hands or hearing no voices this portion of the meeting was closed.

ADMINISTRATOR'S REPORT - No formal report given.

MAYOR'S REPORT - No formal report given.

ALDERMEN/COMMITTEE REPORTS - No formal report given

ATTORNEY REPORT - No formal report given

ORDINANCE(S) FOR SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 25-2007
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING AND SUPPLEMENTING ARTICLE 28 A "PARKING"
OF THE REVISED ORDINANCES OF THE TOWN OF DOVER, 1969
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. Article 28 A entitled "Parking" is hereby amended and supplemented to permit parking on both sides of the street on East McFarlan Street between Conger Street and Perry Street except that there shall be no parking on the south side of East McFarlan Street beginning at a point at the southeasterly curb line intersection of East McFarlan Street and Jackson Avenue continuing in an easterly direction a distance of 265 feet which described area is hereby designated as a school bus pick up and discharge area.

2. This ordinance shall become effective upon the approval by the Commissioner of the Department of Transportation of the one-way designation of East McFarlan Street between Conger Street and Perry Street.

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

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hereof.

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

This portion of the meeting was opened to the public for a hearing on Ordinance 25-2007. Seeing no hands and hearing no voices, Mayor Dodd closed his portion of the meeting.

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

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

ORDINANCE 26-2007
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING AND SUPPLEMENTING ARTICLE 38 OF
THE REVISED ORDINANCES OF THE TOWN OF DOVER, 1969,
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. Article 38, entitled "Streets, Gutters and Sidewalks, Chapter G, entitled "One-Way Streets" of the Revised Ordinances of the Town of Dover, 1969, Saved from Repeal under the Code of the Town of Dover is hereby amended and supplemented as follows:

A. East McFarland Street is hereby established as a one-way street eastbound between Conger Street and Perry Street. This ordinance shall take effect upon approval of the Commissioner of the New Jersey Department of Transportation.

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.

This portion of the meeting was opened to the public for a hearing on Ordinance 26-2007. Seeing no hands and hearing no voices, Mayor Dodd closed his portion of the meeting.

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

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

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ORDINANCE NO. 27-2007

*AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,
COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 72, SALARIES AND COMPENSATION*

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

A. CHAPTER C. "Salaries and Compensation for Certain Employees" is hereby amended and supplemented by the following:

CHAPTER C.
SALARIES & COMPENSATION FOR CERTAIN EMPLOYEES

1. Effective August 3, 2007 as indicated below, salaries, compensation or fees are hereby established for the following named officers, employees or positions in the Town of Dover at the rate of or within the salary ranges listed.

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

C. This ordinance shall take effect immediately upon final passage and publication.

Tax Assessor	\$ 38,000	\$ 42,000
Supv. Library Assistant	\$ 32,000	\$ 39,000
Emergency Management Coordinator	\$ 3,800	\$ 4,800
Part Time Tax Collector	\$ 32.00	\$ 35.00 Hourly

This portion of the meeting was opened to the public for a hearing on Ordinance 27-2007. Seeing no hands and hearing no voices, Mayor Dodd closed his portion of the meeting.

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

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

RESOLUTIONS

RESOLUTION APPROVING 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.

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RESERVE ACCT claims in the amount of:	\$1,245.00
CURRENT ACCT claims in the amount of:	\$2,282,121.74
CAPITAL ACCT claims in the amount of:	\$1,825.00
WATER UTILITY ACCT claims in the amount of:	\$223,685.74
WATER CAPITAL ACCT claims in the amount of:	\$9,561.17
PARKING UTILITY ACCT claims in the amount of:	\$2,354.28
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$288.00
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:	\$4,667.55
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$2,525,748.48

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:	\$301,945.07
WATER UTILITY ACCT claims in the amount of:	\$461.89
PARKING UTILITY ACCT claims in the amount of:	\$1,965.10
PAYROLL AGENCY ACCT claims in the amount of:	\$146,017.69
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$835.11
TOTAL CLAIMS PAID	\$451,224.86
 TOTAL BILL LIST RESOLUTION	 \$2,976,973.34

MANUAL DISBURSEMENTS

RESOLUTION AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(E)

WHEREAS, the Town of Dover, Morris County, New Jersey (the "Municipality"), desires to make application to the Local Finance Board for its approval of the issuance of obligations authorized by several bond ordinances adopted pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.) and for waiver of the maturity limitations of N.J.S.A. 40A:2-26(e); and

WHEREAS, the governing body of the municipality believes:

- (a) it is in the public interest to accomplish such purpose; and
- (b) said purpose of improvements for the health, welfare, convenience or betterment of the betterment of the inhabitants of the Municipality; and
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Municipality and will not materially impair the credit of the Municipality, substantially reduce its ability to pay punctually, principal and interest on its debts nor reduce its ability to supply other essential public services and improvements, nor will it create an undue financial burden to be placed upon the Municipality,

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NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Municipality that:

- (1) The applicant of the Local Finance Board is hereby approved.
- (2) The Clerk of the Municipality is hereby directed to prepare and file a copy of this resolution with the Local Finance Board.
- (3) The Local Finance Board is hereby respectfully requested to consider such application and to record Its approval as provided in the Local Bond Law.

Alderman Delaney has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Timpani and passed by the following roll call vote.

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER
AWARDING THE BID FOR THE SEARING STREET ROADWAY
AND IMPROVEMENTS SMALL CITIES GRANT PROJECT
TO ARNOLD'S ROADS, INC.***

WHEREAS, the Town of Dover received a Small Cities Grant for the Searing Street Road and improvement project; and

WHEREAS, the Town of Dover solicited for bids for such project; and,

WHEREAS, ten bids were received by the Town on August 8, 2007; and

WHEREAS, the municipal engineer has reviewed the bids; and

WHEREAS, the four lowest bidders of the ten are as follows:

A. Jenicar Builders Contractors, Co., Inc.	\$274,490.00
B. Arnold's Roads, Inc.	\$302,155.00
C. A & J Contractors Group, Inc.	\$302,900.00
D. Tomaro Contracting Co., Inc.	\$305,000.00; and

WHEREAS, all of these estimates were below the municipal engineer's estimate of project costs; and

WHEREAS, Jenicar Builders Contractors Co., Inc. by letter dated August 13, 2007 directed to the municipal engineer advised of a major error in its calculations of its bid price having mistakenly set forth a unit price of \$5.00 a square yard for concrete when it was meant to be \$50.00 per square yard for item # 14 and in item #15 mistakenly inserting \$6.00 a square yard when it should have been \$60.00 a square yard resulting in an error of \$68,400.00; and

WHEREAS, Jenicar Builders Contractors Co., Inc. has asked to be released from its bid due to this obvious error; and

WHEREAS, the municipal engineer has recommended that such bid be rejected as not responsible due to the clerical error; and

WHEREAS, Marvec Construction Corporation had indicated a total contract price of \$280,530 which would then make it the next low bidder but was incorrect in its calculated bid price in accordance with the

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specification which, if correctly calculated would have been in the amount of \$421,300.00, in excess of the low bidder; and

WHEREAS, the municipal engineer recommends that the Marvec Construction Corporation bid be rejected as not responsible due to the miscalculated summary price; and

WHEREAS, the municipal engineer has recommended the lowest responsible bidder to be Arnold's Roads, Inc. in the amount of \$302,155.00 and that Arnold's Roads, Inc. be awarded the contract for the Searing Street Roadway and Improvements Small Cities Grant Project; and

WHEREAS, this award is to be subject to the approval of the Department of Community Affairs;

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. Arnold's Roads, Inc. is hereby awarded the bid for the Searing Street Roadway and Improvements Small Cities Grant Project in the amount of \$302,155.00;

2. This award is subject to approval of this bid by the New Jersey Department of Community Affairs under the Small Cities Grant Project;

3. Jenicar Builders Contractors Co., Inc. is hereby released from its bid obligation due to the obvious substantive errors in its bid;

4. The municipal attorney is hereby authorized to draft a contract and the Mayor and Clerk are hereby authorized to execute such contract for the award of the bid as set forth above.

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

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER
CORRECTING ERROR IN TAX RECORDS
FOR DOVER PROPERTIES ASSOCIATES, L.L.C. and
241 EAST BLACKWELL STREET, L.L.C.***

WHEREAS, Dover Properties Associates, L.L.C. is the owner of property located at Block 1905, Lot 31;
and

WHEREAS, 241 East Blackwell Street, L.L.C. is the owner of property located at Block 1904, Lot 10.01;
and

WHEREAS, tax judgments were filed for each property for the year 2006; and

WHEREAS, the tax assessor did not amend the books to reflect the tax court judgments which lowered the assessed value; and

WHEREAS, there is a difference between taxes to be collected by the tax collector under the current tax

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books of the Town of Dover and that amount which should be collected under the judgment; and

WHEREAS, Block 1905, Lot 31 had a reduction in assessment from \$2,270,000.00 to \$1,855,000.00; and

WHEREAS, Block 1904, Lot 10.01 had a reduction in assessment from \$411,500.00 to \$311,500.00; and

WHEREAS, the tax collector needs authorization from the governing body to eliminate the collection on the over-assessed amount as to each lot;

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

1. The tax collector is hereby directed to only collect the amount of taxes for Block 1905, Lot 31 as shown on the 2006 judgment with a total assessment of \$1,855,000.00 and any other amount due which are in error are hereby waived.
2. The tax collector is hereby directed to only collect the amount of taxes for Block 1904, Lot 10.01 as shown on the 2006 judgment with a total assessment of \$311,500.00 and any other amount due which are in error are hereby waived.

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

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

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 Dover Christian Center Inc. has requested permits for the use of loud speakers or amplifiers at outdoor events located at 77 Bassett Highway on Fridays and Saturdays from 7:00pm to 10:00pm, and Sundays from 10:00am to 1:00pm from 8/31/07 through 9/23/07; and

WHEREAS, the purpose is to have outside services on Fridays and Saturdays for the remainder of the summer.

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 Dover Christian Center Inc. on Fridays and Saturdays from 7:00pm to 10:00pm, and Sundays from 10:00am to 1:00pm from 8/31/07 through 9/23/07.; and
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 Picciallo and passed by the following roll call vote.

Ayes: Aldermen Delaney, Poolas, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: None

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RESOLUTION

WHEREAS, Casa Puerto Rico Inc. filed an application for their sixth Special Permit for Social Affair to be held at 50 West Blackwell Street; and

WHEREAS, Casa Puerto Rico Inc. is permitted to have twenty-five events per year; and

WHEREAS, the Police Chief will determine what special conditions if any are needed.

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

1. That the application for Casa Puerto Rico, Inc. be approved for an Alcoholic Beverage Social Affair Permit to be held on October 19, 2007 at 50 W. Blackwell Street, Dover, NJ from 8:00pm through 2:00am.

2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

RESOLUTION

WHEREAS, the Global Reach International filed an application for their fifth and sixth Special Permit for Social Affair to be held at the Baker Theater, which is their seventh and eighth event; and

WHEREAS, Global Reach International, a non-profit organization is permitted to have twelve events per year and Baker Theater is permitted to have twenty-five; and

WHEREAS, the Police Chief will determine what special conditions if any are needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Global Reach International is approved for a concert/dance (6) to be held on September 22, 2007 at the Baker Theater, 41 W. Blackwell Street, Dover, NJ (8) from 7:00pm through 1:45am.

2. Global Reach International is approved for a concert/dance (7) to be held on October 27, 2007 at the Baker Theater, 41 W. Blackwell Street, Dover, NJ (9) from 7:00pm through 2:00am.

3. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

Ayes: Aldermen Delaney, Ryan, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: None

Absent: Aldermen Visioli and Fahy

Abstained: Alderman Poolas

