



# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### CAUCUS MEETING MINUTES September 25, 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 by Pastor Cheryl Johnson from Trinity Lutheran Church.

Mayor Dodd asked for a moment of silence for our troops past and present.

#### **ROLL CALL:**

Present: Aldermen Delaney, Poolas, Ryan, Visioli, Donofrio, Picciallo, and Mayor Dodd

Absent: Aldermen Fahy, Timpani, Administrator Garvin

Also present were Attorney Pennella and Clerk Verga

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

#### **MUNICIPAL CORRESPONDENCE:**

1. Letter from NJ State League of Municipalities re: Proposed dues increase
2. Notice from NJ State League of Municipalities re: "Making Your Words Count" seminar
3. Letter from NJDEP re: Biennial Report for CEA
4. Resolution from Borough of Wharton re: Supporting of legislation requiring beer kegs to be registered prior to sale
5. Ordinance from Township of Rockaway re: Amending Land Use Administration and Procedures – Section 169-49 Expiration of Variances
6. Ordinance from Township of Rockaway re: Amending Land Use and Development Section 54 Enforcement, Violations and Penalties
7. Ordinance from Township of Rockaway re: Amending Land Use and Development Section 54 Zoning Regulations and Accessory Structures and Uses
8. Ordinances from Township of Rockaway re: Vacating Site Easement, Vacation of Slope Easement and Vacation of Right-of-Way
9. Ordinances from Township of Randolph re: Amending Land Development Ordinance to rezone Professional Office/Residential to Residential/Professional Office District, Buffer Dimensional Requirements and Outdoor Storage
10. Ordinances from Borough of Wharton re: Bond Ordinance for new and additional fire fighting equipment, Abolishing Board of Adjustment and Funding of General Capital Project
11. Notice for "Ethics in the Age of Bioterrorism and Emerging Infectious Diseases" seminar
12. Dover Municipal Court Financial Report for August 2007

Mayor Dodd asked for any questions or comments from the Board regarding the correspondence. No questions or comments from the Board.

#### **AGENDA ITEMS:**

##### **ORDINANCE(S) FOR INTRODUCTION**

1. Ordinance #28-2007 re: Parking on Boonton Street/Ald. Visioli

Mayor Dodd stated this ordinance is in response to a constituent concern. Mayor Dodd asked Alderman Visioli to comment on Ordinance #28-2007. Alderman Visioli stated he has been researching to change the one-way direction of Boonton Street from east to west to west to east. Alderman Visioli stated the intersection of Boonton Street, South Morris Street and Penn Avenue are dangerous and with the business on the corner makes proceeding out of Boonton Street difficult. Alderman Visioli gathered input from the Public Works Department which states that plowing on Boonton Street during snow storms the vehicles gravitate to the north side of the street due to the pitch in the road. Alderman Visioli stated he proposed to change the direction of the one-way street and implement no parking on the north side of Boonton Street from South Highland Avenue to South Morris Street to alleviate the problems with plowing and the blind corner.

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**RESOLUTIONS**

1. Approving Bills List
2. Approving sale and issuance of bonds
3. Approving One-Day ABC License for Global Reach International to be held at 41 W. Blackwell Street on 10/13/07 from 7:00 p.m. to 2:00 a.m.
4. Approving Taxi Cab Driver License for Walter Cajiao (Axel's Express)
5. Approving Taxi Cab Licenses for 07 Taxi Limo (See Schedule A)
6. Approving Taxi Cab Licenses for First Class Taxi (See Schedule A)
7. Approving Taxi Cab Licenses for Axel's Express Taxi & Limo (See Schedule A)
8. Approving adjustment to sewer bill for Block 1206 Lot 7 (25-29 W. Blackwell Street)
9. Approving support of legislation requiring beer kegs to be registered prior to sale

Mayor Dodd commented on Resolution #2. Mayor Dodd stated the Town of Dover has \$2,135,000 in bonds and the ability to sell at a low interest rate as low as 3.9%. Mayor Dodd stated that by selling these bonds with the ability to spread payments out over 12 years will give the town a 1/3 of a tax point on the local portion of the budget which would benefit the town and create a savings for the town.

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### REGULAR MEETING MINUTES September 25, 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 7:05 pm

#### ROLL CALL

Present: Aldermen Delaney, Poolas, Ryan, Visioli, Donofrio, Picciallo, and Mayor Dodd

Absent: Aldermen Fahy, Timpani, Administrator Garvin

Also present were 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 any items on the agenda.

Seeing no hands, nor hearing no voices, Mayor Dodd closed this portion of the meeting to the public.

**Mayor Dodd's Report** – Mayor Dodd stated that NJ Transit is proposing to close South Morris Street for two weeks for railroad track and crossing improvements. Mayor Dodd stated there will be an onsite inspection and he will notify the public when the closing will take place. Mayor Dodd stated that the Salem Street bridge repairs and weekly meetings continue.

Mayor Dodd stated the Town of Dover received a \$200,000 grant from the Rockaway River Watershed Cabinet for Hurd Park improvements which will consist of bank restoration, walking trails throughout the Park and he suggested that the Town replace the bridge with the Town responsible for the cost of putting the bridge back with all permit fees, bank restoration and walking trails throughout Hurd Park would be through the grant. Mayor Dodd stated the project would go out to bid in the fall and work will commence in the spring.

Mayor Dodd stated negotiations still continue with Trammel Crow for the Bassett Highway Redevelopment.

#### ALDERMEN/COMMITTEE REPORTS

**Alderman Delaney** – stated he attended committee meetings and addressed constituent problems in his ward.

**Alderman Visioli** – stated the annual Fireman's Inspection dinner will be held on 10/13/07. He is in receipt of the Housing and Zoning Code Enforcement Information Summary and after review will have a report at the next meeting. He commented that the Salem Village water problems are in the process of being eliminated.

**Alderman Picciallo** – stated he and Alderman Poolas attended the Millpond Towers' monthly meeting along with Sgt. Milonas, from the Dover Police Department, to discuss solicitation by phone scams. He spoke with the Dover Postmaster regarding the removal of post office boxes from the street. He also addressed ward complaints of speeding, wild cats, an abandoned car and code enforcement issues. Reported on the improvements of the Dover Public Library, and that tree removals were completed at Berkshire and Rutgers Avenue.

**Alderman Poolas** – stated he met with Luis Acevedo, DPW Superintendent, to resolve a sewerage blockage with a Dover business. Alderman Poolas and Picciallo are surveying the First Ward for streets that should be considered for off street parking during snow storms. Alderman Poolas and Timpani removed the old vending machine at Millpond Towers. He is working with a vendor for the seniors to receive a percentage of the sales from the vending machine to help fund some of their projects. Alderman Poolas commended Connie Sibona-Foster, with the Mayor Assistance Program, for the work completed at Hurd Park. Alderman Poolas and Picciallo received tickets for 15 seniors to travel to Atlantic City. He attended the Moose Club to speak on cookie jar collecting.

Mayor Dodd stated that North Sussex Street will have three speed tables installed that are New Jersey Department of Transportation approved.

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**Alderman Ryan** – No report.

**Alderman Donofrio** – commended Luis Acevedo and the Department of Public Works employees for the work completed on Lawrence Street regarding water erosion issues.

**Attorney Pennella’s Report** – stated a Case Management Conference is scheduled regarding the taxi cab cases.

**CONSENT AGENDA**

**ORDINANCE(S) FOR INTRODUCTION**

*Ordinance #28-2007 re: Amending Boonton Street and establishing no parking for the north side of from South Highland Avenue to South Morris Street*

**ORDINANCE 28-2007**  
**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**AMENDING AND SUPPLEMENTING ARTICLE 28 A and 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, Morris County, 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 amended and supplemented as follows:

A. Boonton Street is hereby established as a one-way street easterly from South Morris Street to South Highland Street.

2. Article 28 A, entitled “Parking,” is hereby amended and supplemented to establish no parking for the north side of Boonton Street from South Highland Avenue to South Morris Street.

3. This ordinance shall be submitted to the municipal engineer and he shall, under his seal as a licensed professional engineer, certify to the governing body of the Town of Dover that the action taken above has been approved by him as municipal engineer after investigation of the circumstances, and that it appears to the engineer to be in the interest of safety and expedition of traffic on the public highways and conforms to the current standards prescribed by the manual of the Uniform Traffic Control Devices for Streets and Highways as Adopted by the Commissioner of Transportation, all as required by N.J.S.A. 39:4-8.

4. A certified copy of the adopted ordinance, as certified by the municipal engineer, shall be transmitted by the clerk of the Town of Dover to the Commissioner of Transportation within 30 days of adoption.

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

6. 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.

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

**AYES: Aldermen, Delaney, Poolas, Ryan, Visioli, Donofrio, Picciallo, and Mayor Dodd**  
**NOES: None                      ABSENT: None                      ABSTAIN: None**

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**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:	\$204.83
CURRENT ACCT claims in the amount of:	\$1,563,781.42
CAPITAL ACCT claims in the amount of:	\$4,225.00
WATER UTILITY ACCT claims in the amount of:	\$326,076.35
WATER UTILITY RESERVE ACCT claims in the amount of:	\$4,750.00
WATER CAPITAL ACCT claims in the amount of:	\$5,660.00
PARKING UTILITY ACCT claims in the amount of:	\$1,181.24
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:	\$8,289.79
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$1,914,168.63</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:	\$299,798.54
CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$2,567.46
PAYROLL AGENCY ACCT claims in the amount of:	\$149,876.59
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$43.13
<b>TOTAL CLAIMS PAID</b>	<b>\$452,285.72</b>

**TOTAL BILL LIST RESOLUTION** **\$2,366,454.35**

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

**AYES: Aldermen, Delaney, Poolas, Ryan, Visioli, Donofrio, Picciallo, and Mayor Dodd**  
**NOES: None**                      **ABSENT: None**                      **ABSTAIN: None**





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**RESOLUTION AUTHORIZING CREDIT FOR SEWER CHARGES**

**WHEREAS**, owner of 25-29 W. Blackwell Street has contacted Dover Water Commission seeking a credit for Sewer Charges because of a water leak; and

**WHEREAS**, the owner has corrected the leak and it was verified that the loss of water had not entered the sewer system. The owner is requesting an adjustment on the sewer portion of his utility bill.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Board of Aldermen of the Town of Dover that a sewer credit be issued in the amount of \$3552.01.

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

**AYES: Aldermen, Delaney, Poolas, Ryan, Visioli, Donofrio, Picciallo, and Mayor Dodd**  
**NOES: None                      ABSENT: None                      ABSTAIN: None**

**RESOLUTION IN SUPPORT OF LEGISLATION**  
**REQUIRING BEER KEGS TO BE REGISTERED PRIOR TO SALE**

**WHEREAS**, underage drinking is a serious problem affecting communities throughout the country; and

**WHEREAS**, beer kegs are often a main source of alcohol at teenage parties and, in addition, kegs may encourage drinking greater quantities of beer, increasing the risk of driving under the influence of alcohol and other alcohol-related problems; and

**WHEREAS**, when police arrive at underage keg parties, people often scatter, leaving the police no way of determining who purchased the alcohol for the underage drinkers; and

**WHEREAS**, adults who purchase alcohol for underage youth may be deterred only if they believe they will face legal or financial consequences for providing alcohol to people under age 21, and keg registration encourages people to think twice before purchasing kegs and allowing underage youth to drink from them; and

**WHEREAS**, the Town of Dover believes that the registration of kegs will provide additional protection from liability to licensed establishments within the Borough and county.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey does hereby endorse the continuing efforts of the Morris County Youth Drinking Prevention Coalition in its work to reduce underage drinking, by supporting legislation requiring beer kegs to be registered prior to sale.

**Alderman Fahy arrived at 7:22 p.m.**

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

**AYES: Aldermen, Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, and Mayor Dodd**  
**NOES: None                      ABSENT: None                      ABSTAIN: Alderman Poolas**

Mayor Dodd asked Alderman Visioli to discuss the Gang Awareness program being held on October 17, 2007 at Sacred Heart Church. Alderman Visioli stated the program will be hosted by the Dover/Victory Gardens Municipal Alliance with discussions by certified Dover Police Officers and Sheriff's officers.

Mayor Dodd welcomed the two new taxi companies into town, Axel's Express Taxi and Limo and First Class Taxi, and asked for

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respect to the residents and to educate their drivers of the laws of the community.

Mayor Dodd opened this portion of the meeting to the public.

Marie Tambini, E. Blackwell Street stated she has a petition in hand to request the flea market be moved from Blackwell Street.

Mayor Dodd stated he is researching several options to relocate the flea market.

Jim Mullin, West Fairview Avenue, asked for clarification regarding the term issues affecting the Mayor and Board's position and what is being placed on the ballot as a referendum. Attorney Pennella stated the referendum only relates to the change of term for Aldermen from two to four years, the Mayor's automatically becomes a 4 year term. Mr. Mullin asked who decides on the wording on the ballot. Attorney Pennella stated wording comes from the statute.

Mayor Dodd stated he looks forward to the four year term.

Joan Bocchino, 49 Princeton Avenue, commended on the progress of the Bravo Supermarket located on W. Blackwell Street. Mrs. Bocchino stated that taxi cabs should not be picking up customers in front of the store, but pick ups should be in the back of the store. Mayor Dodd stated that a taxi stand had been created in front of Bravo's for drop off and pick up in front of the store.

Antonio Acosta, 130 Madison Street, inquired on the status of the agenda being placed on the web-site. Mr. Acosta stated he is concerned that the Code Enforcement efforts have leveled off.

Mayor Dodd stated that the town is looking into a web master to create a new web site. Mayor Dodd stated that Code Enforcement does a phenomenal job but is lacking in manpower and as we project into 2008 to look into adding two more inspectors. Mayor Dodd stated that evening inspections have been created and are very successful.

Daniel Martinez, 50 Lawrence Street, stated a trailer parked in a municipal lot near Murphy's and St. John's Church with unwanted graphics was a concern. Alderman Visioli stated that the Police Department or members of the Board should be immediately contacted.

Seeing no hands, nor hearing no voices, Mayor Dodd closed this portion of the meeting to the public.

*Alderman Visioli made a motion to adjourn at 8:14 p.m. duly seconded by Alderman Picciallo and passed by the following voice vote. All ayes.*

*Respectfully submitted,*

*Margaret Verga  
Municipal Clerk*