



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
March 10, 2009 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 by Pastor Johnson of Trinity Lutheran Church asking for guidance and strength to do what is right for our town and our citizens.

ROLL CALL:

Present: Aldermen Delaney, Poolas Visioli, Donofrio (late), Picciallo, Timpani, Romaine, Blackman and Mayor Dodd

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

PROCLAMATION: TRINITY LUTHERAN CHURCH'S 120TH ANNIVERSARY

PRESENTATION: "BABY PARADE IN THE TOWN OF DOVER"

Mayor Dodd received a call from Mr. Fred Houston, III (Florida) advising the Mayor that he was in possession of a 35mm film titled "Baby Parade in the Town of Dover" and that he would like to forward it to the town. Mayor Dodd explained that Rob Tambini, Library Director assisted with the film by applying for a grant to have the film converted into a digital format. Mayor Dodd had the video played for the board and the public (The video is 19 minutes long).

Mayor Dodd thanked Rob Tambini for his efforts in this great task.

PRESENTATION: MICHAEL HANSTON - MUNICIPAL SELF-ASSESSMENT REPORT

Mayor Dodd introduced Town Planner Michael Hantson to explain and update the Governing Body on the Municipal Self Assessment Report.

Mr. Hantson explained that the Plan Endorsement Committee approved the final Report and he is presenting it to the Governing Body for final approval and endorsement for forwarding to the State Planning Commission for consideration and review as part of the effort to pursue Plan Endorsement. Mr. Hantson summarized the Report which was provided to the Governing Body in December. He further explained that the Report captures the Planning Process that the Committee and Planning Board have undertaken in the last few years as part of the Master Plan.

Mayor Dodd asked if the board had any questions regarding the Report. Alderman Donofrio asked if there's a finite number that the state has provided. Mr. Hanston answered no.

Mayor Dodd opened the meeting to the public for any questions, seeing no hands and hearing no voices he closed the this portion of the meeting to the public.

The Governing Body unanimously passed Resolution RL-092, a "Statement of Intent to Pursue Plan Endorsement and Authorization to Submit the Municipal Self Assessment Report to the Office of Smart Growth.

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Township of Parsippany-Troy Hills re: Supporting Assembly Bill A-3570 Proposing the Abolition of the Council on Affordable Housing (COAH)
2. Resolution from the Rockaway River Watershed Cabinet re: 2009 meeting schedule
3. Letter from Rockaway River Watershed Cabinet re: 2009 budget appropriation for the River Cabinet of \$1,500
4. Letter from JCP&L re: Proposed Economic Stimulus Infrastructure Investment Program
5. Notification from DEP re: 136 Park Heights Avenue
6. Notice from DEP re: 82 Searing Street
7. Letter from Passaic River Coalition re: Membership Contribution
8. Letter from Robert L. Dann of Max Spann re: Auction Program
9. Press Conference announcing the "kick-off" of Domestic Violence in the Hispanic Community Public Awareness Campaign from Morris County Prosecutor's Office and Jersey Battered Women Services (JBWS)
10. Request to lease from Metro PCS a cellular carrier at 37 No. Sussex Street Monopole
11. "Transportation Fast Facts" from the Foundation of NJ Alliance for Action

AGENDA ITEMS:

ORDINANCE FOR INTRODUCTION

1. Ordinance #08-2009 Repealing ordinance 4-2002 establishing a no parking zone on a portion of Myrtle Avenue

ORDINANCE FOR SECOND READING

1. Ordinance #06-2009 Amending and Supplementing Section 2-8 "Town Administrator"
2. Ordinance #07-2009 Amending Article 28, "Parking"

RESOLUTION

1. Approving Bills List
2. Approving Raffle License for Millpond Towers to be held on May 2, 2009
3. Approving Raffle License for El Primer Paso, LTD to be held on May 19, 2009
4. Approving Raffle License for Perfect Pitch HRD, Inc. to be held on December 31, 2009
5. Approving Mayor & Board of Aldermen Meeting Minutes - January 1, 2009 to February 24, 2009
6. Authorization to submit the municipal self-assessment report to the Office of Smart Growth
7. Authorizing Participation in the Safe & Secure Communities
8. Authorizing for a loan from the NJ Environmental Infrastructure Financing Program
9. Authorizing grant agreement between Town of Dover & NJ Dept. of Environmental Protection
10. Authorizing refund of overpayment of Taxes
11. Tax Reimbursement Certification
12. Authorizing the Mayor & Board of Aldermen to execute the SHARE Grant Agreement

**REGULAR MEETING MINUTES OF
March 10, 2009**

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 7:30 pm

ROLL CALL

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

Also present were Administrator Close, 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.

MAYOR DODD'S REPORT – Mayor Dodd announced that the committee reports will be held till the next meeting. Mayor Dodd commented that Rob Tambini, Library Director will provide the board and the public with The Library's annual report.

Mr. Tambini provided the following library updates for 2008 and goals and objectives for 2009:

- Extensive review and revision of many library policies including staff policies and policies relating to the public
- Improvements and prioritize anticipated improvement to their physical plant including installation of video surveillance camera and commercial rate burglar and fire alarms
- Replacement of the exterior skill steps leading to the basement for emergency situations
- There's a contract for a design for a new, more efficient and up to date HVAC system. The current system is a boiler and a rooftop air conditioning unit which only affects two out of the four levels of the library. He noted that the system is inefficient, it's expensive to run and expensive to maintain.
- Painting of the library exterior will occur in the spring
- Upgrading of the standard of the technology facilities including the installation of new computers for the public
- One of the grants received for the restoration of the Baby Parade and noted that the Library's Board of Trustees also contributed \$500 for the restoration of the film since the grant didn't cover all the cost associated with the film.
- Grant was received from Commerce Bank for \$4,000 which was used for the new computers
- Increased enforcement of patron conduct policy
- Increased programs for teenagers and adults
- Increased level of community involvement
- Increased the amount of training for the library staff and board member
- Total number of item circulation for 2008 was 17,838 just slightly below Dover's population

Alderwoman Romaine commented that she receives emails regarding the upcoming library events and wanted to know how many people are receiving the same. Mr. Tambini commented that it's a large email list which also includes media outlets, people who have attended other events and card holders. Alderwoman Romaine commented that it's a good way to keep people updated.

Mayor Dodd commented that Mr. Tambini has done a fine job and noted the Board of Aldermen will continue to support their efforts.

ALDERMEN/COMMITTEE REPORTS

ALDERMAN PICCIALLO – Report held till the next town meeting

ALDERMAN POOLAS – Report held till the next town meeting

ALDERMAN DONOFRIO – Report held till the next town meeting

ALDERWOMAN ROMAINE – Report held till the next town meeting

ALDERMAN VISIOLI – Report held till the next town meeting

ALDERWOMAN BLACKMAN – Report held till the next town meeting

ALDERMAN DELANEY – Report held till the next town meeting

ALDERMAN TIMPANI – Report held till the next town meeting

ATTORNEY PENNELLA – There has been no change in status of any litigation since the last meeting.

CONSENT AGENDA

ORDINANCE FOR SECOND READING

ORDINANCE NO. 08-2009
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS,
STATE OF NEW JERSEY REPEALING ORDINANCE 4-2002 ESTABLISHING A NO PARKING
ZONE ON A PORTION OF MYRTLE AVENUE

Be it ORDAINED by the Mayor and Board of Aldermen of the Town of Dover as follows:

Section 1. Ordinance 4-2002 entitled “An Ordinance of Mayor and Board of Aldermen of the Town of Dover Establishing a No Parking Zone on a portion of Myrtle Avenue (Northerly side of Myrtle Avenue beginning at the northeasterly curb line of Myrtle Avenue and Nelson Street, thence running in an easterly direction on Myrtle Avenue along the edge of the roadway for a distance of 322 feet to an iron pin at the edge of the right of way and also along the southerly line of Myrtle Avenue beginning at the southeasterly curb line intersection of Myrtle Avenue and Nelson Street, thence running in an easterly direction on Myrtle Avenue along the edge of the roadway for a distance of 342 feet to an iron pin at the edge of the right of way) is hereby repealed in its entirety; and

2. 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.

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

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

ORDINANCE FOR SECOND READING

ORDINANCE NO. 06-2009
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND
SUPPLEMENTING SECTION 2-8 “TOWN ADMINISTRATOR” OF THE CODE OF THE TOWN OF DOVER

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 2-8, entitled, “Town Administrator” is amended and supplemented to read as follows:

A. The office of Municipal Administrator of the Town of Dover is hereby created pursuant to N.J.S.A. 40A:9-136.

B. Appointment to the office of Municipal Administrator shall be made by the Mayor of the Town of Dover with the advice and consent of the governing body pursuant to N.J.S.A. 40A:9-137.

C. The term of office of the Municipal Administrator shall be at the pleasure of the governing body pursuant to N.J.S.A. 40A:9-137.

D. The Municipal Administrator may be removed by a two-thirds (2/3rds) vote of the governing body. The resolution of removal shall become effective three (3) months after its adoption by the governing body of the Town of Dover. The governing body of the Town of Dover may provide that the resolution shall have immediate effect; provided, however, that the governing body shall be caused to be paid to the Administrator forthwith any unpaid balance of his or her salary and his or her salary for the next three calendar months following adoption of the resolution pursuant to N.J.S.A. 40A:9-138.

E. The balance of Code Section 2-8 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.

Attorney Pennella explained that ordinance #06-2009 is an amendment to the existing Code of Town of Dover with regard to the Administrator’s positions. He noted that over time, there has been some case law developed with regard to the interpretation of the statute that allows a municipality to provide for an administrator in the Office of Administrator. Attorney Pennella explained that the case that was authored by Judge Hanes and affirmed by the Appellate Division indicated that the term of office was “at will” which is indicated in the statute. The term of office is not for a set period of time. This ordinance is parodying the language of the statute as it as been interpreted in case law.

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

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

ORDINANCE NO. 07-2009
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING ARTICLE 28, “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:

Section 1. There is hereby imposed a 30 minute time limit for parking at the following location between the hours of 8:00am and 6:00pm:

On both the east and west sides of North Sussex Street beginning at the northerly curblin
intersection of Blackwell Street and North Sussex Street thence continuing in northerly
direction for a distance of 475 feet along the westerly curblin.

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

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

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

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

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

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:	\$295,355.13
CURRENT ACCT claims in the amount of:	\$726,877.78
CAPITAL ACCT claims in the amount of:	\$9,291.66
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:	\$3,563.88
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$297.89
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$10.80
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$93.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$607.55
TRUST/OTHER ACCT claims in the amount of:	\$6,659.70
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,042,757.39

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:	\$270,185.02
WATER UTILITY ACCT claims in the amount of:	\$24,344.00
PARKING UTILITY ACCT claims in the amount of:	\$4,487.19
PAYROLL AGENCY ACCT claims in the amount of:	\$74,584.65
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$281.81
TOTAL CLAIMS PAID	\$373,882.67

TOTAL BILL LIST RESOLUTION ***\$1,416,640.06***

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER APPROVING OF RAFFLE LICENSE**

WHEREAS, the below listed organization has applied for a Raffle License; and

WHEREAS, such license has 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:

1. The below listed raffle for the date set forth following their name is hereby approved:

Millpond Towers Resident Association to be held on May 2, 2009
(Tricky Tray)

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER APPROVING A RAFFLE LICENSE**

WHEREAS, the below listed organization has applied for a Raffle License; and

WHEREAS, such license has 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:

1. The below listed raffle for the date set forth following their name is hereby approved:

El Primer Paso, LTD. to be held on May 19, 2009
(Raffle)

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING OF RAFFLE LICENSE

WHEREAS, the below listed organization has applied for a Raffle License; and

WHEREAS, such license has 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:

1. The below listed raffle for the date set forth following their name is hereby approved:

Perfect Pitch HRD, Inc. to be held on December 31, 2009
(Raffle)

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

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:

January 1, 2009 - Reorganization

January 13, 2009 – Caucus and Regular

January 27, 2009 – Caucus and Regular

February 10, 2009 – Caucus and Regular

February 24, 2009 – Caucus and Regular

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, Donofrio, Picciallo, Timpani, Romaine, Blackman and Mayor Dodd
Nays: None Absent: None Abstained: None

STATEMENT OF INTENT TO PURSUE PLAN ENDORSEMENT AND AUTHORIZATION TO SUBMIT THE MUNICIPAL SELF-ASSESSMENT REPORT TO THE OFFICE OF SMART GROWTH

WHEREAS, the State Planning Act recognizes that New Jersey requires sound and integrated land use planning and coordination of planning at all levels of government in order to conserve the state’s natural resources, revitalize the urban centers, protect the quality of the environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, Plan Endorsement is a voluntary review process developed by the State Planning Commission to provide the technical assistance and coordination of the State for municipalities, counties, and regional agencies to meet the goals of the State Planning Act and State Development and Redevelopment Plan (State Plan); and

WHEREAS, the purpose of the Plan Endorsement process is to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and to facilitate the implementation of these plans and guide where and how development and redevelopment can be accommodated in accordance with the State Plan; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines incorporate, and expand upon, the principles of the Municipal Land Use Law in order to help towns plan for a sustainable future; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines require the preparation and submission of a Municipal Self-Assessment Report as the means by which a municipality assesses the consistency of its existing community vision and planning documents with the State Plan; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover desire to obtain Plan Endorsement from the State Planning Commission; and

WHEREAS, the Town of Dover has prepared a Municipal Self-Assessment Report pursuant to the State Planning Rules and Plan Endorsement Guidelines; and

WHEREAS, the Municipal Plan Endorsement Advisory Committee has reviewed the Municipal Self-Assessment Report and recommends that the Mayor and Council approve it for submission to the State Planning Commission and the Office of Smart Growth towards the Town of Dover’s pursuit of Plan Endorsement.

NOW THEREFORE BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover hereby expressly state the intention of the Town of Dover to pursue Plan Endorsement by the State Planning Commission; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the Town of Dover approves the Municipal Self-Assessment Report and authorizes it to be submitted to the Office of Smart Growth for consideration and review as part of the effort to pursue Plan Endorsement.

NOW THEREFORE BE IT FURTHER RESOLVED that the Clerk of the Town of Dover shall transmit a copy of this Resolution and the Notice as required by the State Planning Rules to the State Planning Commission and the Office of Smart Growth.

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

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

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

(See Attachment)

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

TOWN OF DOVER MAYOR AND BOARD OF ALDERMEN
RESOLUTION AUTHORIZING APPLICATION
FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL
INFRASTRUCTURE FINANCING PROGRAM

Resolution Number _____

Applicant _____ TOWN OF DOVER _____

Loan Number _____

WHEREAS, the Town of Dover Water Commission intends to file an application with the New Jersey Department of environmental Protection and the New Jersey Environmental Infrastructure Trust for the restoration of the 1,500,000 gallon low service water storage tank.

NOW, THEREFORE BE IT RESOLVED, that Carl Rossi, Director, Department of Public Works be authorized to act as the Authorized Representative to represent the Town of Dover Water Commission in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 37 North Sussex Street, Dover, NJ 07801 973-366-1221

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, Donofrio, Picciallo, Timpani, Romaine, Blackman and Mayor Dodd

Nays: None Absent: None Abstained: Alderman Delaney

**GRANT AGREEMENT BETWEEN TOWN OF DOVER AND THE
STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

GRANT AGREEMENT
BETWEEN

TOWN OF DOVER
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER:

GOVERNING BODY RESOLUTION

The governing body of _____ TOWN OF DOVER _____
(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$
3,000.00 to fund the following project:

Community Forestry Management Plan

2009 Green Communities Grant

Therefore, the governing body resolves that _____ James P. Dodd _____ or the successor to the office of the _____ Mayor _____ is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$ 3,000.00 and not more than \$ 3,000.00, and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

The Town of Dover authorizes and hereby agrees to with the match requirements of (print name of Grantee's governing body, e.g., board of chosen freeholders) the agreement. The match 33.3% of the Total Project Amount, in compliance availability of the match for such purposes, whether cash, services, or property, is hereby certified. _____ of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee Agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

*The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, braking out the in-kind services to be provided by the Grantee.

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

RESOLUTION FOR REFUND OF OVERPAYMENT OF TAXES

WHEREAS, there has been a double payment received for 2009 taxes from the homeowner and the bank resulting in an overpayment in the amount of \$1068.89 on Block 1101 Lot 9, otherwise known as 63 Thompson Avenue, Dover, New Jersey, and,

WHEREAS, the homeowner, Claudio Lopez has requested a refund of said overpayment, and since the account is escrowed for taxes, First American has authorized the return of funds to the home owner.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the treasurer be authorized to issue a check in the amount of \$1068.89 made payable to Claudio Lopez, on this tenth day of March, 2009, and

BE IT FURTHER RESOLVED that two certified copies of this resolution be returned to the Tax Collector.

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, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman and Mayor Dodd
Nays: None Absent: None Abstained: None**

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Town of Dover that the Town of Dover hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2008 in the amount of \$11,531.04. Documentation supporting this submission is available at 37 N. Sussex St., Dover, NJ and shall be maintained for no less than five years from this date.

NOW THEREFORE BE IT FURTHER RESOLVED the tax reimbursement is certified by Kelly N. Toohey, Chief Financial Officer of the Town of Dover on March 6, 2009.

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

RESOLUTION

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover received notice from the SHARE Program of its eligibility to receive a SHARE Grant in the amount of \$5,025.00; and,

WHEREAS, the purpose of the award is for a Feasibility Study to identify potential financial benefits for the consolidation of up to five (5) Morris County municipalities – Dover Town, Mine Hill Township, Mount Arlington Borough, and Wharton Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, that the Governing Body does hereby accept the award of \$5,025.00, for a Feasibility Study to identify potential financial benefits for the consolidation of up to (5) Morris County municipalities - Dover Town, Mine Hill Township, Mount Arlington Borough, and Wharton Borough.

BE IT FURTHER RESOLVED, that the Chief Executive Officer of the Town of Dover be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community on behalf of Town of Dover and all other local units that are party to the SHARE Grant Agreement, and upon execution of said Agreement, the Town of Dover does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

Alderman Delaney 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 Mayor Dodd
Nays: None Absent: Alderman Donofrio Abstained: None**

PUBLIC COMMENTS – Three Minutes per Person

LUIS GOMEZ – 172 South Morris Street – He commented that a couple of pedestrians have almost been hit near the Route 46 construction because there’s no sign stating the “sidewalk closed.” He wanted to know who is responsible for the traffic signals because the walking signals are not working properly in the Sussex and Warren Street area. He commented on the Dover Police Department and felt that he was treated unprofessional by an off duty police officer when he was trying to obtain vehicle information from a limo driver who cut him off. Mayor Dodd noted the Administrator will speak with the Police Chief regarding this incident.

WARREN DARNULC – 151 Grant Street – Mr. Darnulc wanted to know if there was a second reading for the PBA and SOA ordinance for the salary increase. The Town Clerk verified that there was an ordinance for second reading on the last agenda along with a salary resolution. Mayor Dodd clarified a salary resolution only requires one reading.

LUIS GOMEZ – 172 South Morris Street – Mr. Gomez wanted to know what happens to repeat offenders when they disregard the law and ordinances. Mr. Gomez was hoping to have a meeting arranged with the Alderman of his ward and Patrick Laverty from Code Enforcement to discuss the issue at 11 Boonton Street. Mayor Dodd requested to have the administrators meet with Mr. Laverty’s supervisor Bill Isselin to address the issue. He noted these steps will allow for the proper chain of command. He also commented that his neighbor is fixing cars in their driveway and there’s a car that has not been moved for over a month. Mr. Close will investigate the complaint with Code Enforcement. He noted that it has been mentioned to Code Enforcement. Mr. Gomez now has a problem with his recycling pick-up and he has mentioned it to the Donald Constanzo. Mr. Constanzo commented that the cans were not labeled correctly. Mayor Dodd commented that the issues will be addressed.

**Motion made by Alderwoman Romaine to adjourn at 8:07 p.m.,
Seconded by Alderman Timpani and passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga