The Meeting was called to order at 7:31 P.M. The Salute to the Flag was recited, followed by an Invocation by Councilman Fitzpatrick. Municipal Clerk Kathryn Bowditch-Leon read the Notice of Compliance with the Open Public Meetings Act and noted that this is a non-smoking facility. The Clerk requested that all electronics be silenced at this time.

ROLL CALL:
Present: Gabel, Witte, Kuser, Lyden, Fitzpatrick, Murphy, President Golinski
Absent: None

ALSO IN ATTENDANCE: Thomas W. Andes, Mayor; Steven Ward, Administrator; John Jansen, Township Attorney

PRESENTATIONS/CEREMONIAL MATTERS:
NONE

LIAISON REPORTS:
Councilman Murphy stated that the BID Committee is currently meeting weekly in order to prepare for their organizational meeting which will be held on Thursday February 23, 2017 beginning at 7:00 PM in the Council Chambers at Town Hall. He then stated that he attended the Chamber of Commerce breakfast and reminded everyone that February is American Heart Month. Mr. Murphy then advised that the Green Sustainability Committee is diligently working towards achieving silver status for the Township and stated they will be presenting a few resolutions on sustainability to the Council.

Councilman Fitzpatrick stated that the Morristown St. Patrick’s Day Parade will be held on Saturday, March 11, 2017 beginning at 12:00 noon. If anyone would like to march in the parade, please let him know.

Councilwoman Lyden had nothing to report

Councilman Gabel stated that he will be attending the Planning Board meeting tomorrow, February 8, 2017.

Councilwoman Witte had nothing to report

Councilman Kuser had nothing to report.

President Golinski stated that he attended the Fire Department’s Mutual Aid Dinner and thanked the officers and members who provide the mutual aid to Denville.

MAYOR’S REPORT:
Mayor Andes encouraged all Council Members who are able to attend the Morris County League of Municipalities Dinner on Wednesday, February 15, 2017, where the League of Municipalities Director will be giving the State of the State from the municipalities point of view. He then asked for the support of the Council on all of the ordinances for introduction.

ADMINISTRATOR’S REPORT:
Administrator Ward stated that Steve Forte, Superintendent of Denville Schools, hosted a meeting for all sports organizations in Denville on January 25, 2017. Both Mr. Ward and Recreation Director Don Bogardus attended the meeting, where Mr. Forte presented their 3- to 7-year plan for use of their fields. He stated that the schools are preliminarily looking for some partnering opportunities with the sports organizations and possibly with the Township. He stated there seemed to be general interest and will be a follow-up meeting sometime within 60-90 days.
CORRESPONDENCE:
All correspondence has been copied and distributed to Council.

OPEN PUBLIC PORTION
There were a few Boy Scouts in the audience and President Golinski explained that this was the opportunity for people to speak about whatever they would like. No one wished to be heard.

CLOSE PUBLIC PORTION

MATTERS OF OLD AND/OR NEW BUSINESS:
None

ORDINANCES FOR ADOPTION
None

ORDINANCES FOR INTRODUCTION
02-17
BE IT RESOLVED that an Ordinance entitled:
An Ordinance Amending Chapter IV, General Licensing, of the Revised Ordinances of the Township of Denville, New Jersey to Amend Chapter IV, Section 4-13, Massage, Bodywork and Somatic Therapy Establishments and Chapter IIA, Fees, Rates and Charges

Be Introduced and Read by Title on First Reading:
MOTION TO READ BY TITLE:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER FITZPATRICK
AYES: WITTE, FITZPATRICK, GABEL, KUSER, LYDEN, MURPHY, PRESIDENT GOLINSKI

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Amending Chapter IV, General Licensing, of the Revised Ordinances of the Township of Denville, New Jersey to Amend Chapter IV, Section 4-13, Massage, Bodywork and Somatic Therapy Establishments and Chapter IIA, Fees, Rates and Charges

Be Passed on First Reading
BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 03-07-2017 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

MOTION TO PASS ON FIRST READING:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, GABEL, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

03-17
BE IT RESOLVED that an Ordinance entitled:
An Ordinance Authorizing the Acquisition of Block 31001, Lot 31 (30 Evergreen Road) and Block 30501, Lot 41 (17 Highview Road) in the Township of Denville, County of Morris, and State of New Jersey and Providing for
the Appropriation of $37,100 from the Municipal Open Space Trust Fund, $290,000 from a Grant from the Morris County Open Space Trust Fund and $35,000 from a Grant from New Jersey Green Acres Program

Be Introduced and Read by Title on First Reading:

MOTION TO READ BY TITLE:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER GABEL
AYES: MURPHY, GABEL, WITTE, KUSER, LYDEN, FITZPATRICK, PRESIDENT GOLINSKI

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Authorizing the Acquisition of Block 31001, Lot 31 (30 Evergreen Road) and Block 30501, Lot 41 (17 Highview Road) in the Township of Denville, County of Morris, and State of New Jersey and Providing for the Appropriation of $37,100 from the Municipal Open Space Trust Fund, $290,000 from a Grant from the Morris County Open Space Trust Fund and $35,000 from a Grant from New Jersey Green Acres Program

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 3-07-2017 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

MOTION TO PASS ON FIRST READING:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER GABEL
AYES: MURPHY, GABEL, WITTE, KUSER, LYDEN, FITZPATRICK, PRESIDENT GOLINSKI

04-17
BE IT RESOLVED that an Ordinance entitled:

An Ordinance Authorizing the Acquisition of Block 11101, Lot 3 (43 Smith Road) in the Township of Denville, County of Morris, and State of New Jersey and Providing for the Appropriation of $25,000 from the Municipal Open Space Trust Fund, $240,000 from a Grant from the Morris County Open Space Trust Fund and $25,000 from a Planning Incentive Grant from New Jersey Green Acres Program

Be Introduced and Read by Title on First Reading:

MOTION TO READ BY TITLE:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER WITTE
AYES: MURPHY, WITTE, GABEL, KUSER, LYDEN, FITZPATRICK, PRESIDENT GOLINSKI

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Authorizing the Acquisition of Block 11101, Lot 3 (43 Smith Road) in the Township of Denville, County of Morris, and State of New Jersey and Providing for the Appropriation of $25,000 from the Municipal Open Space Trust Fund, $240,000 from a Grant from the Morris County Open Space Trust Fund and $25,000 from a Planning Incentive Grant from New Jersey Green Acres Program

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 3-07-2017 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.
BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

MOTION TO PASS ON FIRST READING:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER FITZPATRICK
AYES: MURPHY, FITZPATRICK, GABEL, WITTE, KUSER, LYDEN, PRESIDENT GOLINSKI

President Golinski explained the procedure for introducing an ordinance for the benefit of the Boy Scouts present at the meeting.

05-17
BE IT RESOLVED that an Ordinance entitled:
Bond Ordinance Providing for the Acquisition of a Filing System in and by the Township of Denville, In the County of Morris, New Jersey, Appropriating $73,500 Therefor and Authorizing the Issuance of $70,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Be Introduced and Read by Title on First Reading:
MOTION TO READ BY TITLE:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER GABEL

Attorney Jansen confirmed that Municipal Clerk Bowditch-Leon had received the Supplemental Debt Statement.
AYES: WITTE, GABEL, KUSER, LYDEN, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

BE IT RESOLVED that an Ordinance entitled:
Bond Ordinance Providing for the Acquisition of a Filing System in and by the Township of Denville, In the County of Morris, New Jersey, Appropriating $73,500 Therefor and Authorizing the Issuance of $70,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 3-07-2017 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

MOTION TO PASS ON FIRST READING:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, GABEL, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

ITEMS FOR DISCUSSION AND/OR ACTION:
None

CONSENT AGENDA:
R-17-40: Resolution Extending Advice and Consent of the Township of Denville Municipal Council to a Mayoral Appointment to the Township Green Sustainability Committee
R-17-41: Resolution Authorizing a Refund of COAH Development Fees
R-17-42: Resolution Refunding 2016 Utility Overpayment
R-17-43: Resolution Refunding the Overpayment of 2017 Taxes in the Amount of $209.70
R-17-44: Resolution Authorizing Raffle License in the Township of Denville
President Golinski asked if anyone from the public or from the Council would like to have any resolutions removed from the Consent Agenda. No one responded.

MOTION TO APPROVE CONSENT AGENDA:

MOVED BY MEMBER LYDEN, SECONDED BY MEMBER FITZPATRICK
AYES: LYDEN, FITZPATRICK, GABEL, WITTE, KUSER, MURPHY, PRESIDENT GOLINSKI

NON-CONSENT AGENDA:

R-17-45: Resolution Authorizing the Submission of a Grant Application and the Execution of a Grant Contract with the New Jersey Department of Transportation for Old Boonton Road Resurfacing Project
MOTION TO APPROVE R-17-45:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL
AYES: KUSER, GABEL, WITTE, LYDEN, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

R-17-46: Resolution Authorizing Submission of an Application by the Denville Municipal Alliance Committee for a Grant for Fiscal Year 2018
MOTION TO APPROVE R-17-46:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER LYDEN
AYES: KUSER, LYDEN, GABEL, WITTE, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

R-17-47: Resolution Authorizing the Execution of Change Order No. 1 with Denville Line Painting, Inc. for the Franklin Road / Franklin Avenue Road Resurfacing NJ DOT Grant Project
MOTION TO APPROVE R-17-47:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER LYDEN
AYES: MURPHY, LYDEN, GABEL, WITTE, KUSER, FITZPATRICK, PRESIDENT GOLINSKI

R-17-48: Resolution Authorizing Treatment Works Approval (TWA) for 73 Watchtower Road (Block 70502, Lot 317) in the Township of Denville
MOTION TO APPROVE R-17-48:
MOVED BY MEMBER GABEL, SECONDED BY MEMBER WITTE
AYES: GABEL, WITTE, KUSER, LYDEN, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

R-17-49: Resolution Amending Certain Monetary Amounts Listed in Township of Denville Resolution R-16-266 Adopted on December 6, 2016
MOTION TO APPROVE R-17-49:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER FITZPATRICK
AYES: KUSER, FITZPATRICK, GABEL, WITTE, LYDEN, MURPHY, PRESIDENT GOLINSKI

R-17-50 Resolution Authorizing the Expenditure of an Additional $3,000 in Furtherance of the Purposes of the Municipal Shared Services Defense Agreement (‘MSSDA’) 
MOTION TO APPROVE R-17-50:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER FITZPATRICK
AYES: MURPHY, FITZPATRICK, GABEL, WITTE, KUSER, LYDEN, PRESIDENT GOLINSKI

R-17-51: Resolution Authorizing the Award of a Professional Service Contract for Municipal Public Defender Services for the Year 2017
MOTION TO APPROVE R-17-51:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER WITTE
AYES: KUSER, WITTE, GABEL, LYDEN, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

R-17-52: Resolution Authorizing a Temporary Capital Budget Pursuant to N.J.A.C 5:30-4.4B 
MOTION TO APPROVE R-17-52:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER FITZPATRICK
AYES: KUSER, FITZPATRICK, GABEL, WITTE, LYDEN, MURPHY, PRESIDENT GOLINSKI
MINUTES FOR ADOPTION:
January 10, 2017       January 17, 2017       January 21, 2017
MOVED BY MEMBER GABEL, SECONDED BY MEMBER KUSER
AYES:  GABEL, KUSER, WITTE, LYDEN, (for January 17, 2017 and January 21, 2017; ABSTAIN for January 10, 2017), FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

MOTION TO ADJOURN:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER GABEL
AYES:  UNANIMOUS

The Meeting adjourned at 7:54 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk