The Meeting was called to order by President Kuser at 7:32 p.m. The Salute to the Flag was recited, followed by an Invocation given by Councilman Golinski. President Kuser advised that Councilmen Shaw and Stecky will not be in attendance this evening. The Open Public Meetings Act Statement was read by Deputy Clerk Kathy Costello. Mrs. Costello requested that all cell phones be silenced and reminded all that this is a non-smoking facility.

ROLL CALL: ANDES, FITZPATRICK, GOLINSKI, SMITH, KUSER
ABSENT: SHAW, STECKY
ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR WARD, TOWNSHIP ATTORNEY DI YANNI AND TOWNSHIP PLANNER DENZLER.

CEREMONIAL MATTERS AND PRESENTATIONS
MAYORAL NOMINATION OF CFO CANDIDATE
Mayor Hussa noted that CFO Marie Goble is retiring, effective August 31st, and interviews were conducted to fill that vacancy. He introduced Michael Guarino and stated that Administration feels that he would be the proper person for the position. The Mayor advised that the Council all had an opportunity to meet Mr. Guarino before this meeting and asked for the Council's Advice and Consent on the appointment.

MOTION TO GIVE ADVICE AND CONSENT FOR THE APPOINTMENT OF MICHAEL GUARINO TO THE POSITION OF CFO: MOVED BY MEMBER ANDES, SECONDED BY MEMBER SMITH
AYES: ANDES, SMITH, FITZPATRICK, GOLINSKI, KUSER
ABSENT: SHAW, STECKY
President Kuser stated that he thinks that Mr. Guarino will be a fantastic asset to Denville and welcomed him to the Township.

Deputy Clerk Costello then administered the Oath of Office to Mr. Guarino and also welcomed him to Denville.

ADVICE AND CONSENT FOR LIBRARY BOARD NOMINATION OF SANDRA DOHRENWEND DANFORTH
Mayor Hussa advised that, since the untimely death of Nick Picciano who served the Township for a very long time, the Library Board has been clamoring for a replacement. He noted that he had a few people in mind but Ms. Danforth has agreed to serve, has served on the Board previously, was Superintendent of Schools and the Board is familiar with her. The Mayor said that Ms. Danforth is not present tonight because she is away on vacation. Councilwoman Smith asked when the term expires. The Mayor replied that it will be December 31, 2011.

MOTION TO GIVE ADVICE AND CONSENT TO THE APPOINTMENT OF SANDRA DOHRENWEND DANFORTH TO THE LIBRARY BOARD: MOVED BY MEMBER
SMITH, SECONDED BY MEMBER ANDES
AYES: SMITH, ANDES, FITZPATRICK, GOLINSKI, KUSER
ABSENT: SHAW, STECKY

LIAISON REPORTS:
Councilman Golinski had no report.
Councilwoman Smith had no report.
Councilman Fitzpatrick had no report.
Councilman Andes reported that the Second Annual Kiddie Triathalon was held on Saturday. He said that 109 children participated and it was a wonderful event.
President Kuser reported that the School will be replacing the wall near the Riverview playground because it is deteriorating. He noted that the School is instituting an anti-bullying policy and it sounds like a very good program.

MAYOR’S REPORT:
Mayor Hussa wished everyone a good summer and commented on how quickly it is passing.
He advised that Franz Fuertges hosted a very nice picnic at his home on the Saturday before Sri Lanka Day, for the Beautification Committee.
Mayor Hussa noted that it was the 36th Sri Lanka Day that was held in Denville this year. He said that he was unable to attend until 3:00 p.m. so Mr. Ward represented the Township. The Mayor stated that it was a very nice event and that a plaque was presented to the Mayor for his participation over the years.
Councilwoman Smith said that she understands that Denville lost the Cricket match and that Mr. Ward was in charge. She, jokingly, told Mr. Ward that it is unacceptable to lose. Mr. Ward noted that the score was 37 -36, so it was a close match.
Mayor Hussa noted that he had assumed that advice and consent was required for the areas that are being added to the deer hunt, but the Clerk advised that it is not needed. He said that areas have been added since the State changed the regulations and the Council has been provided with a memo identifying these new areas. The Mayor added that all areas have been reviewed by the Police and Administration.
President Kuser reminded the Mayor that there was another item, the Local Assistance Board, that he wanted to bring up. The Mayor thanked Mr. Kuser for the reminder and noted that he thought it would be on the agenda tonight and it is not. He commented that Clerk Donna Costello is recovering from surgery and omitted this from the agenda.
Mayor Hussa, after being advised by Mr. Ward, noted that another reason that this is not on the agenda is that the ordinance establishing this committee is on the agenda for adoption this evening. He said that this matter should wait until the ordinance is duly adopted, advertised and becomes effective. Mr. Ward noted that this can be taken care of at the next meeting and suggested that the Council examine the list of proposed members before that meeting. He said that Ms. Rock could then meet with the proposed members and reduce the lag time.
Councilman Golinski commented that he thinks it would be a great idea for Ms. Rock to meet with the members and advise them of what she would expect of them, as well as Administration’s expectations.

Mrs. Smith requested of President Kuser that, since she was liaison to the Local Assistance Board, she continue with the Local Assistance Committee until the end of the year and be included in the meetings. Councilman Golinski interjected that he has been the liaison for 2011, but has no objection to Mrs. Smith attending as well.

ADMINISTRATOR’S REPORT:
Administrator Ward reported on a number of vacancies, due to retirements, that will be filled. He noted that Mr. Guarino will fill the unexpired term of Marie Goble as Director of Finance upon Mrs. Goble’s retirement, effective August 31st. Mr. Ward advised that Mr. Guarino will begin on September 1st.

Administrator Ward reported that two police officers, David Longo and Christopher Megaro, have been hired and started on Monday. He added that Ms. Deirdre Rock started as Social Services Coordinator on August 3rd, Registered Environmental Health Specialist Laura Decker started on August 1st and a Utilities Clerk position was filled by Claudia Botta. Mr. Ward noted that there were 124 applications for the Utilities position. The Administrator advised that he would like to have a “Meet and Greet” for all of the new employees in September. He said that he would have them all come to a Council meeting and those who needed to be sworn in, could be at that time and the Council and Mayor would then be able to recognize the new faces at Town Hall. Mr. Ward suggested that the families would also be invited to attend.

Councilwoman Smith asked, for purposes of clarification, what salary guide the new police officers will be hired under. Mr. Ward replied that it will be the new guide with 9 steps.

Administrator Ward advised that we have an individual, Phil Morlock, who is a retired Health Officer from Sussex County, filling in until we can enter into a contractual arrangement for a permanent Health Officer position. He noted that the Township is currently in negotiations with a couple of the other, neighboring public entities to come up with a permanent solution and permanent arrangement for Health Officer services. The Administrator reported that the local PBA had filed for Interest Arbitration in May, an arbitrator was assigned, a hearing was held and an award was issued by the arbitrator, J. J. Pierson on July 31st. He noted that the award resulted in a four (4) year contract with percentages of 2%, 2%, 2.25% and 2.25% from January 1, 2010 through December 31, 2013. Mr. Ward explained that, because of the time-frame of the preceding contract, the arbitrator was not bound by the hard 2% cap guidelines. He added that, since the contract is only for four years, we will have one bite of the apple and come under the hard 2% cap guidelines for the 2014 contract.

Administrator Ward advised that for two of the other unsettled contracts a mediator has been assigned, however, they are not under the statutory 45-day arbitration law that the Police fall under, so it may take a considerably more time to hear from the mediator.
Mr. Ward reported that the new solid waste vendor, Waste Management, began on August 1st and every effort was made to make the transition as smooth as possible. He said that the first week was a bit rocky but that we are in daily contact with the vendor and the number of misses is decreasing. Mr. Ward advised that the Utilities office and Waste Management are working together to smooth out the kinks.

The Administrator noted that the road re-surfacing was completed last week and came in within budget, even though more milling was needed than anticipated.

Mr. Ward gave the following report from Superintendent of DPW, John Egbert:

To date, 52 basins have been repaired, 36 of which were in the road re-surfacing project; 16 others in town were addressed and additional basins are being done in order of priority. Of the 52 that were repaired, 31 were done during regular working hours and 21 were done on overtime hours. There are 48 basins remaining to be repaired and they are being addressed on a daily basis.

Administrator Ward advised the Council that a tracking program called Primepoint went on line today. He explained that it is a method of tracking attendance, as well as leave time, for our employees. Mr. Ward noted that both the electronic system and the paper system will be used until the end of the year in order for any kinks to be ironed out, and to give the employees an opportunity to become familiar with the program. He added that there is a fingerprint recognition unit on the wall at the entrances to the building that employees use to clock in and out.

President Kuser asked if Waste Management was the low bidder for the solid waste contract. Mr. Ward replied that they were the lowest responsible bidder for the three-year contract. He added that we had a very good experience with Blue Diamond however, they were not the low bidder for the three year term. Mr. Ward advised that Waste Management received very positive references from other towns that Administration checked with.

President Kuser asked if there is enough money left in the road budget for micro-paving and testing.

Mr. Ward replied that when the striping of the roads is finished, they will determine that. He noted that our Consulting Engineer is also the Engineer for Chatham, and he visited Chatham with Mr. Ruschke to see the micro-paving process. Mr. Ward explained that a slurry is spread on the road and it hardens. He said that it is basically an oil and stone mixture without the stones flying up into the wheel-wells of vehicles that drive on it after it hardens. The Administrator advised that there are only one or two companies in all of New Jersey that do this process. He further explained that it is not a replacement for road re-surfacing and is meant for roads that will need re-surfacing in four or five years but that are beginning to crack. Mr. Ward noted that this process will extend the road life for eight to twelve years, at one-quarter to one-third less than the cost of re-surfacing. Administrator Ward commented that, after the re-surfaced roads are striped, the road budget will be examined and, if funds are still available, a test road will be done with this process.

Mayor Hussa made some brief comments on the types of micro-paving and the benefits
it can provide. He noted that he hopes we will be able to do about twelve roads with the micro-paving, if the funds are available. The Mayor stated that, with the use of crack sealer, micro-paving and regular road re-surfacing, we should all see a tremendous improvement in our roads over the next several years. He added that Mr. Ruschke is very familiar with each type of road repair and we are fortunate to have him on our staff. President Kuser noted that it has been suggested that crack sealer be added into our road budget for next year.

Administrator Ward advised that Mr. Ruschke is working on a project, with Engineering and DPW, that involves mapping out and doing quantities for each and every road in Denville. He said that the Engineering Dept. is calculating all of the various aspects involved with road paving. Mr. Ward stated that the DPW will then go out and evaluate the roads and do a spread sheet of the current condition of each road, making it easier to classify roads for paving.

Councilwoman Smith commented that Openaki Road and Casterline Road, particularly at the Openaki Bridge, are in serious disrepair. She asked that DPW be dispatched to repair the pot holes. Mrs. Smith noted that it is one of the roads that was re-paved not too long ago and points up her frequent complaint about roads not being properly paved. She asked if someone from Mr. Ruschke’s firm was present at the road paving sites every day to test the material, depth, compacting and proper specs were observed. Mr. Ward replied in the affirmative and added that a lot more milling material was used than was used in previous years.

Prior to opening the Public Portion, President Kuser requested that all questions pertaining to any of the Ordinances that are scheduled for Adoption be held until the Public Hearing on that particular Ordinance.

OPEN PUBLIC PORTION:
Joan Lisi, 16 Ridgewood Parkway East, thanked the Mayor, Administrator and Council for partnering with POWWW in the purchase of the Curtis property. She gave kudos to Mary Ann Cuneo for her invaluable assistance with solving various problems along the way. Ms. Lisi also recognized the help she received from Sue DeJessa at Attorney Semrau’s office.

Sue Schmidt, 12 Birch Run Ave., advised that the Ayres/Knuth Farm Foundation will be holding its annual Fall Festival on September 17th, with a rain date of September 18th. She spoke about the events that will be held at the Festival. Mrs. Schmidt noted that the Foundation used its own funds for the repair of a leaking roof on a garage on the property. She advised that the Foundation will be coming to the Council to ask for matching funds for an HVAC system at the farmhouse.

Fred Lash, 14 Mirador Rd., asked for an explanation of R-11-181, which reinstates the sewer assessment plan. Administrator Ward explained that this has to do with a former sewer project assessment and allows for several families to go on a payment plan to pay that assessment.
Mr. Lash asked if the sewer assessment installment plan for the current sewer project is in place yet.
Mr. Ward replied that it is in the process and will be coming forward within the next couple of months. He explained the process that will be followed.
CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilwoman Smith noted that, in these economic times, it is difficult to find any new means to find money. She said that one item that has come up is liquor licenses. Mrs. Smith commented that she believes that when the State first started to issue them, the number of licenses permitted in a municipality was on a per capita basis. She asked if the Township would receive the money for a new liquor license, if one were available, or would it be auctioned. Attorney DiYanni said that the most cost productive would be an auction. Mrs. Smith stated that, if the Council agrees with her, she would like to send a resolution to the State to recommend that more liquor licenses be made available to the municipality. Mrs. Smith said that she is not recommending a bar on every block, but is just suggesting a way to generate revenue for the municipality to help defray taxes in the coming years. She asked that Administration and our Attorney investigate that and put together a resolution, if she has the interest and support of her fellow-Council people.
Mayor Hussa commented that, traditionally, he has not been in favor of additional liquor licenses. He added, however, that Trader Joe's did not come to Denville because there was no liquor license available. The Mayor noted that, if we could attract someone like Trader Joe's, it would be worth it.
President Kuser advised that he had asked Donna Costello about this and she informed him that Denville is way over its limit for liquor licenses, but he has no problem investigating it.
Mrs. Smith stated that liquor licenses can go for anywhere from $400,000 to $1 million and that's probably the low end. She said that the Township gets a portion of that. Mrs. Smith noted that the new CFO wanted to comment. Mr. Guarino advised that it is a one-shot revenue for the Township. Mrs. Smith replied that anything will help. She said that if we can get one or two more it will help our economic development.
Mrs. Smith asked the Council if she has their support to investigate and perhaps do a resolution.
Councilman Golinski stated that there is no harm in investigating but he recommends that we evaluate after the new establishment opens up downtown and we see the impact. Mrs. Smith responded that, that is an existing liquor license. Mr. Golinski said that he is aware that it is existing but he has heard that the new establishment is expected to be tremendously successful, which he hopes it is, and he feels we should wait and see what the impact may be.
Mrs. Smith again noted that it is an existing license and she is talking about a means to bring in revenue.

Mr. Golinski replied that he feels there should be feedback from the Chamber of Commerce and we should consider the overall impact.

Mrs. Smith suggested that it be discussed at a workshop in September.

Mr. Kuser said that it could be work-shopped.

Mr. Andes commented that he thinks it should be investigated first and then consider discussion at a workshop.

Mrs. Smith said that she is also talking about a resolution.

Mr. Ward replied that he will work with our Attorney to discuss that.

Mr. Andes interjected that he is under the impression that we are at our limit. He said that, if there is any opportunity, we could put a resolution together and see what we can do about it. He agreed that it should be investigated.

Councilman Fitzpatrick agreed it should be investigated.

President Kuser also agreed to investigation.

ORDINANCE(S) FOR ADOPTION:

#12-11 REVISIONS TO SOCIAL SERVICES ORDINANCE

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING SECTION 2-22.4, LOCAL ASSISTANCE BOARD, AND AMENDING SECTION 2-21.4, DIVISION OF SOCIAL SERVICES OF THE REVISED GENERAL ORDINANCES

BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER FITZPATRICK
AYES: GOLINSKI, FITZPATRICK, ANDES, SMITH, KUSER
ABSENT: SHAW, STECKY
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING SECTION 2-22.4, LOCAL ASSISTANCE BOARD, AND AMENDING SECTION 2-21.4, DIVISION OF SOCIAL SERVICES OF THE REVISED GENERAL ORDINANCES

BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE 8-24-11 ISSUE OF THE CITIZEN.
MOTION TO ADOPT: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER FITZPATRICK
AYES: GOLINSKI, FITZPATRICK, ANDES, SMITH, KUSER
ABSENT: SHAW, STECKY

#15-11 OUTDOOR STORAGE REGULATIONS

President Kuser noted that there are several people in attendance with questions regarding this ordinance. He said that, before the Council votes on its adoption, our professionals will have some statements concerning the ordinance. Mr. Kuser noted that any questions will be answered during the public hearing portion of the ordinance.

Attorney DiYanni stated that he would like to bring to the Council's attention some additional potential revisions to this ordinance, which his office deemed to be non-substantial. He said that, if the Council agrees to these modifications, they can still go forward with adoption tonight.

Mr. DiYanni said that the first revision has to do with Section A (2) in the first sentence. He noted that no verbiage will be added but, they will strike the words “or repaired” and also the words in parentheses, “(including, but not limited to, removal of wheels)”. Mr. DiYanni advised that he believes that the slight modification will potentially alleviate concerns that were raised recently by people who said that, reading the ordinance as it stands, they would not be able to change the tires on their car, or change the oil in their car. He recommended that the amendment be made prior to conducting the public hearing.

President Kuser advised that the original ordinance was written in 1977 and the Council did not touch any part of the ordinance with the exception of one small modification to the residential section. He pointed out that it actually helped eliminate any ambiguity regarding whether or not your car is considered storage. Mr. Kuser noted that the change was made at the behest of Councilwoman Smith. He said that the only changes that were made were to business and industrial zones. President Kuser provided detailed background on how the Council was approached concerning outdoor storage of vehicles on commercial properties and the activity of a sub-committee to address those concerns. He advised that the Mayor, Council members and the Township Planner were all involved in working on this ordinance for almost a year and a half. Mr. Kuser noted that the Township Planner told them that he needed tools to fix this problem. He said that the sub-committee met five or six times and finally brought an ordinance to the Council, but the Council rejected it and it went back to the committee. Mr. Kuser advised that the Planning Board looked at the ordinance last week, found no inconsistencies in it and approved it, as written, to go forward.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 19, LAND USE REGULATIONS, SECTIONS 19-1.2, DEFINITIONS AND 19-5.714, OUTDOOR STORAGE, OF THE REVISED GENERAL ORDINANCES
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER FITZPATRICK, SECONDED BY
Township Council
8-16-11
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MEMBER GOLINSKI
AYES: FITZPATRICK, GOLINSKI, ANDES, SMITH, KUSER
ABSENT: SHAW, STECKY
OPEN PUBLIC HEARING:
Bob Grant, 114 Ridgewood Parkway East, stated that, even with the revision recommended by the Attorney, the ordinance is restrictive and causes difficulty to the homeowner. He cited instances where children’s cars need to be stored, unregistered and uninsured, while they are away at school. Mr. Grant listed the following as being problematic as a result of this ordinance:

- Project cars - re-building of vehicles in the driveway.
- Business/industrial changes - present an insoluble enforcement problem
- Sixty day restriction would require knowledge of when the vehicle/boat came to facility.

He stated that it is not a good piece of legislation, it raises selective enforcement problems and has the potential to restrict the areas of the community that are least served by outside parking. Mr. Grant urged the Council to “take this back to the drawing board and come up with something that would actually work”.

Councilwoman Smith asked Attorney DiYanni if it is legal to keep an unregistered vehicle on one’s property. Mr. DiYanni replied that there is no statute against it on private property, only on public highways.

President Kuser advised that there is enforcement and that it was part of their protracted issues as to how this was going to work. He repeated that a repair station is permitted to have up to two unregistered vehicles on their lot for up to 60 days; he also noted that it has nothing to do with residential property. Mr. Kuser stated that it has nothing whatsoever to do with a car in someone’s driveway. He said that if one looks at the residential section of the ordinance, it says that a car shall not be considered outside storage, unless it is dismantled. Mr. Kuser commented that some of the commercial establishments were contacted and they did not feel it would be a burden on them. He advised that there is an initial 60 day period, a 60 day extension can be granted and an additional 30 days requested from the Council. Mr. Kuser noted that it gives the business owner basically five months to get rid of the vehicle.

Ed Banagan, 38 Old Mill Road, commented that he had complained to the Administrator and Council regarding a particularly offensive lot and they sent someone out to investigate. He said that the Planner advised at the time that there was nothing on the books to rectify the situation. Mr. Banagan noted that he has looked all around town at commercial establishments and did not see the problem in other places. He expressed concern about what would happen if there was a fire in that area. Mr. Banagan stated that he thinks that the commercial section of the ordinance should be passed and the Council can look further into the residential concerns as they occur. He asked what the fine is for a violation of this new section of the ordinance.

Planner Denzler replied that there is a standard zoning fee, which is up to $2,500 per day. Mr. Banagan expressed concern over the time period and the extension that is
permitted in the ordinance. Mr. Kuser replied that it was put in to prevent people from removing a vehicle for a week and then bringing it back.

Councilman Golinski asked Mr. Denzler to expand on the “up to $2,500" a day fines. Mr. Denzler explained that the $2,500 is the maximum and, if there is a zoning violation, it is discussed with the Prosecutor. He said that a fair fine to ask for is determined, and it is then up to the Municipal Judge to impose the fine; sometimes it is raised and sometimes it is lowered.

President Kuser asked Mr. Denzler how many residents have been fined for changing their oil or rotating their tires in their driveway. Mr. Denzler replied that there have been none for that reason, but approximately a half dozen chronic offenders who have their car completely disassembled in the driveway.

Mr. Kuser reiterated that this change concerns outside storage, not auto repair. William Kolbe, 9 Bowers Place, suggested that all establishments in Denville, that sell tobacco products, be required to have a license. He said that the Township could take in revenue on the licenses and by revoking the license if they sell tobacco to juveniles. Mrs. Smith replied that she thinks that may be in the laws already and she thinks that we need to stay with the topic of this ordinance.

Mr. Kolbe stated that he will back the Council on certain things about this ordinance but will take issue with others. He said that he believes there is selective enforcement happening here and that the Council missed a lot of things. Mr. Kolbe mentioned steep slopes and Mr. Kuser asked him to stay on topic. Mr. Kolbe said that it is on topic because his question is how can people whose houses are built on a steep slope store tires at the side of the house. He stated that he has a problem with an ordinance that starts off by saying that all outdoor storage in residential zones is prohibited. Mr. Kolbe then spoke about the storage of tires and said that it needs to be addressed in the ordinance.

President Kuser responded that he has a sub-committee and that committee will review this ordinance completely. He said that it was written in 1977 and needs to be “tweaked”. Mr. Kuser stated that he understands what Mr. Kolbe is saying, but the objective of the sub-committee had nothing to do with the existing ordinance. He said the objective was to focus on one specific issue. Mr. Kuser suggested that if Mr. Kolbe has an issue with that specific item, that we talk about that and focus on commercial outdoor storage.

Mr. Kolbe replied that there are precedents to deal with different issues and, if the Council is going to change the ordinance, they should get everything in. He asked what would happen in the event that a boat or vehicle is repaired and the owner of the repair facility doesn’t get paid.

Mr. Kuser explained that it was addressed and that’s why the Council can give an additional thirty day extension. He said that the extra time is given because it takes time to file with the State to take over an abandoned vehicle.

Mr. Kolbe began talking about corner lots and how they are addressed in the ordinance. Mr. Kuser responded that he understands, but the ordinance was written in 1977 and the
Council did not change it. Mr. Kolbe argued that the Council should not adopt tonight’s ordinance without making the necessary changes.

Mr. Kolbe then spoke about the number of reefer trucks and trailers that are parked behind a business and noted that the reefer trucks run all night. Mr. Kuser replied that the sub-committee did not address that issue. Mr. Kolbe replied that he wants it addressed in this ordinance. He asked that the Council table this ordinance until the things that will satisfy him are put into the ordinance. Mr. Kolbe stated that the ordinance is just targeting someone who is being a bad neighbor.

Mrs. Smith commented that we don’t want to stop the changes to this 1977 ordinance that we are addressing here. She said it will fix multiple situations by giving teeth to the Planner in order for him to address them. Mrs. Smith further stated that defeating this ordinance does not make sense; going back and re-visiting it and making additional changes can be done. She said that it should go back to the sub-committee, with the suggestions of the residents in mind, and make further changes to this 1977 ordinance. Mrs. Smith again noted that no changes have been made to the residential section of the ordinance, only to the commercial section.

Charles Botti, 73 Mt. Pleasant Turnpike, took issue with the change in the residential section that stated, “Registered motor vehicles for residential use and parked on pavement or driveway area of residential lots shall not be considered outdoor storage”. He said that it allows for a resident to add additional pavement and park any number of vehicles.

Mr. Botti suggested that a time frame for repairs be added for the residential zone, just like the one being added for commercial zones.

Mr. Botti then addressed the car dealerships on Route 10, noting that there were elaborate landscaping plans included in their site plans. He urged the Council to have these areas looked at so that cars are not parked on those areas, ruining that landscaping.

Mr. Kuser asked Mr. Denzler to check with Mr. Sal Poli and have him look into that. Mr. Denzler replied that they have been active against all of the car dealership along Route 10.

Mr. Kuser noted that the interpretation of our attorney is that a resident cannot take the wheels off a car and store it on blocks, which would be outdoor storage. He said that it does not say that you cannot take your wheels off and rotate them.

Pat Kolbe, 9 Bowers Pl. asked about the storage of boats on residential property. Mr. Denzler replied that there is an existing ordinance which requires that a boat be on a trailer up to 30 feet in length, and located in the side or the rear yard.

John Skoufis, 31 Cedar Lake East, commented that he is a ward representative in his neighborhood and, in polling his neighbors, found that most were unaware of this ordinance. He said that, after reading the ordinance, they were outraged and said that they would be violating this ordinance at least once a month. Mr. Skoufis added that a lot of the concern has been answered by Mr. Kuser’s comments. He said that the people with whom he has spoken feel that they are losing their property rights. Mr. Township
Skoufis suggested that there should be some clarification with regard to a person’s property rights in connection with their own car. Mr. Skoufis stated that he had visited every garage in Denville and not one owner was aware of this ordinance. He added that over 60% of them stated that they would be in violation of it immediately and over half of them said that it would be very difficult to comply. Mr. Skoufis advised that he had received an anonymous complaint stating that the purpose of this ordinance is to make the properties on Route 10 untenable to the owners. Mr. Skoufis challenged the exemption of used car lots stating that there is no difference between them and a repair lot that keeps multiple cars on the lot.

President Kuser asked Mr. Denzler to clarify that what is written in the ordinance now has nothing to do with vehicle repair, and a homeowner can do limited repairs on their property. Mr. Denzler said that is correct, there has been no change to that. Mr. Kuser noted that the section on repair of vehicles is in another area of the ordinance. He said that this change deals with outdoor storage of inoperable vehicles. Mr. Denzler replied that is correct.

Ken Weber, 42 Clearmont Ave., noted that the Attorney stated that there is no statute prohibiting an unregistered and uninsured vehicle on one’s property. He said that he is building a race car and it cannot be registered or insured. Mr. Weber said that it will take several years to build it and it is kept on the side of his house and is covered. He commented that, according to this ordinance, he can’t keep it on the property. President Kuser replied that the Council understands why people are concerned but they did not write this ordinance. Mr. Weber noted that he takes his own car out of the garage when he works on the race car. Mr. Denzler asked if the race car is on a trailer. Mr. Weber replied that he has to rent space in Rockaway to keep his trailers because he can’t keep them on his property either. Mr. Weber suggested that a section should be added to the ordinance to cover specialty vehicles and antiques. President Kuser replied that he agrees with Mr. Weber.

Thomas Beecham, 57 River Road, asked if the Council is planning on adopting the ordinance with the amendment suggested by the Attorney. President Kuser replied in the affirmative. Mr. Beecham suggested that the residential section be stricken because it is an infringement on the residents and business owners in Denville. Mr. Kuser responded that it would be a substantive change and he explained that it would have to go through the entire process again. He said that people have suggested tabling this ordinance but that would not change what is on the books already.

Mr. Beecham asked if it is not so that, according to this ordinance, it would be a violation to have family members park on the lawn for a family gathering. He noted that the ordinance says vehicles must be parked on pavement or driveway. Councilwoman Smith interjected that it is referring to storage, not a temporary situation. Mr. Beecham asked why the Council doesn’t go back and fix this ordinance rather than continuing to add on to the problem. Mr. Beecham stated that the proposed changes do restrict high value projects such as classic boat or classic car restorations that would take longer than 60 days. Mr. Kuser reminded Mr. Beecham that the time limit it 60 plus 60 plus 30
days. Mr. Beecham responded that he feels there should be an unlimited number of
extensions and that he feels this is poor legislation.
Councilwoman Smith noted that the ordinance does not say anything about parking a
vehicle on the grass, it limits outdoor storage to the side and rear yards. She advised that
the addition to the residential section was meant to improve the ordinance that was
written in 1977, since parking in lake communities is challenging. Mrs. Smith
emphasized that it deals with storage, not parking.
Sue Schmidt, 12 Birch Run Ave., spoke about her family being very involved in repairing
vehicles and having tools, parts, etc. all over the property. She said that the ordinance
would take away a skill set, a hobby and property rights. Mrs. Schmidt also noted that it
is difficult to get parts, whether it is a homeowner or repair shop ordering them. She
stated that the ordinance is targeted towards one individual and she considers it
prejudicial legislation. Mrs. Schmidt also questioned the enforcement. She suggested
that the ordinance be taken off the book and a committee be formed to examine it. Mrs.
Schmidt noted that she understands that there was a committee but she suggested that
the committee be made up of more than Council people. She further suggested that the
members of the committee should also consist of business owners, hobbyists and "just
plain folks". Mrs. Schmidt stated that it should be re-crafted for modern times.
President Kuser noted that the Council does see issues with storage on private property
and they will work on it. He said that he would like people to limit their discussion to the
section that is being changed. Mr. Kuser added that the Council is conceding that they
have to go back and look at the rest of the ordinance and try to bring it up to current
standards.
Mary McGinnis, 6 Smith Road, commented that she was unable to find a definition of
"outdoor storage". She said that she thinks it should be made clear somewhere exactly
what outdoor storage is. Ms. McGinnis noted that she knows of someone who keeps an
unregistered vehicle, in good working condition, with a plow on their property year-round.
She said that they plow their entire property in the winter and she feels that should be
allowed.
Robert Canfield, 15 Meadows St., stated that he owns a repair shop in Denville. He
explained that parts are not always readily available to repair a vehicle that has been left
with him; people leave vehicles and he calls repeatedly to let them know it is done, and
they don’t come to pick it up. Mr. Canfield noted that it is not always the fault of the shop
owner that the cars are left on the lot. He related an incident concerning a vehicle that
was brought in 1 ½ years ago and his efforts to find the owner and then related the
process involved in trying to get a salvage title for the vehicle from the DMV. Mr.
Canfield said that his attorney told him to ask the Council about extensions.
Mr. Kuser noted that he was just conferring with Attorney DiYanni and, when it comes to
a point where a shop owner comes to the Council for an extension, the Council can grant
a longer extension than 30 days in cases such as the one Mr. Canfield is facing.
Mrs. Smith again explained the length of time allowed to remove vehicles from the lot.
Mr. Canfield replied that it sounds more reasonable than what he had originally thought.
Herb Trillich, 432 Diamond Spring Road, stated that he works for a new car dealership and they have numerous unregistered vehicles on their lot for far more than 60 days. President Kuser advised that car dealerships, new or used, are exempt.

Mr. Trillich then advised that he has a registered and insured camper parked in his side yard and has been told he can’t keep it there.

Mr. Denzler noted that there is a section in the existing ordinance that addresses motor homes and campers. He said that they are permitted to be there for a period of two weeks. Mr. Trillich responded that he has a neighbor who has a motor home sitting in his driveway and no one has approached him about it. He commented on areas of the ordinance that he feels need to be re-examined.

President Kuser noted that he feels this was an excellent discussion because a lot of things were brought to light and many good ideas were presented. Mr. Kuser stated that the one thing that he believes should be changed is the time frame of the extension that the Council can give. He said that he thinks the Council should be able to give a set period of time that would be in line with the specific circumstance. Mr. Kuser asked Mr. DiYanni if it was a substantive change. Mr. DiYanni said that it can be changed.

President Kuser then polled the Council on their thoughts about such a change. Councilman Golinski stated that he supports Mr. Canfield’s position that there should be more flexible extensions.

Councilman Andes asked if the extension could go through the Administrator, to the Township Clerk and be put on a Council agenda so that the applicant doesn’t have to appear. Attorney DiYanni noted that the extension would have to be granted by resolution, but the process can be through those channels.

CLOSE PUBLIC PORTION.

Councilman Fitzpatrick commented that this is the frustration with government. He said that there are some egregious circumstances that people want to have addressed and it doesn’t happen fast enough to satisfy them. Mr. Fitzpatrick noted that he is not targeting one specific location because there are many locations where things are stored outside indefinitely and it is one of the most common complaints that he receives.

Mr. Fitzpatrick stated that it took 15 months to get just one change in the ordinance and it is far from perfect but the Council will go back and look at specific areas of concern but we have to do something in the meantime. He said that we have to move forward on what we have been able to change and he will support the ordinance.

Councilman Andes noted that this change is not aimed at reputable mechanics. He said that it is the mechanic that allows his property to progress from a repair shop to a junk yard. Mr. Andes stated that we need to have something in place to take care of that kind of situation, in any location. He said that the Council wants to be sure that they don’t make it cumbersome for the good businessmen to be able to run their business. Mr. Andes noted that last year a sign ordinance was passed over the objection of many realtors but the Council promised to look into their concerns. He said that a month later the Council passed an amended sign ordinance that satisfied those concerns. Mr.
Andes advised that the original goal of this ordinance was just to handle commercial establishments not residential areas. He commented that the ordinance that has been in effect since 1977 was, for the most part, working. Mr. Andes said that, aside from an occasional complaint, the Council did not feel that the ordinance needed a complete overhaul. Councilman Andes noted that the public has spoken and, he does not think it would be prudent on the Council’s part to stop what they have been doing, with this ordinance. He said that he thinks we would be best served to pass the ordinance and commit to working on the rest within the next couple of months.

Councilman Golinski stated that, with regard to the residential part of the ordinance, there have been a lot of valid concerns, complaints, confusion and issues tonight. He said that we have an ordinance currently in effect and he agrees with a lot of the speakers tonight. Mr. Golinski noted, however, that voting yes or no, or tabling this ordinance does not change or address any of those concerns. He advised that, no matter what the Council does tonight with this ordinance, they will not address many of the concerns that have been raised this evening. Councilman Golinski stated that he will commit to working on it and going forward and trying to improve it, but regardless of how the Council votes tonight, that ordinance will still be in effect tomorrow.

Mr. Golinski commented that, with regard to the business part of the ordinance, he wants our businesses to be successful. He said that he is extremely mechanically illiterate but, he does think that for a mechanically-oriented business to be successful, cars have to come, be repaired, be paid for and go. Mr. Golinski stated that, if they are not coming and going, it is not a repair shop, it becomes a junk yard. He commented that he hopes we can get the word out about these changes and they can help businesses become more successful. Mr. Golinski noted that he is in favor of more flexible extensions because some problems take longer to resolve.

Mayor Hussa stated that he has six comments and hopes the Council will take them in totality.

1. He agrees with Mr. Golinski that, even if he were to veto this ordinance, it would not change the residential portion.
2. The Mayor said that he thinks the Council should follow the Attorney’s advice regarding the striking of certain language changes in the ordinance. He noted that it doesn’t solve all of the problems but it does allay some of the concerns that the residents raised.
3. Mayor Hussa advised that he doesn’t think that the five month period of extensions is unreasonable. He agreed that there are some extenuating circumstances that can arise, but they are not frequent occurrences.
4. The Mayor stated that he thinks that having residents come to the sub-committee meetings, on any subject, is an exceptional idea. He said that the meetings could be advertised and he hopes that the idea is pursued.
5. Mayor Hussa noted that he was glad to hear from Bob Canfield because he is the one individual present tonight who deals with this on a daily basis.
6. The Mayor commented that he does think that there should be additional
language in the business portion to allow for an extension for special cases. Mayor Hussa re-capped his comments, stating that the Attorney’s recommendation about striking the language concerning residential repairs and adding flexibility for special cases are the two most important items to be addressed, at this time. Mr. Kuser replied that the Council is in agreement with that. He made a motion to amend Ord. #15-11, 19-5.714 Outdoor Storage, Section 2, by striking the words “or repair” and the phrase which follows in parentheses (including, but not limited to, removal of wheels). Mr. Kuser also made a motion to strike “thirty (30) day” so that the section will read, “the Township Council shall have the discretion to grant an additional extension to the sixty (60) day compliance period set forth above.” This amendment is to Section B (2), Public Garages, Services Stations, and New or Used Auto Establishments. President Kuser noted that the request for the additional extension would have to come as a formal resolution to the Council. He added that it should be handled through Administration. The Mayor suggested that wording to that effect be added to the ordinance. Mr. Golinski stated that it a procedural matter as to how they would apply for the resolution.

MOTION TO ACCEPT AMENDMENTS TO #15-11 AS INDICATED: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, ANDES, FITZPATRICK, KUSER
ABSENT: SHAW, STECKY

BE IT RESOLVED THAT AN ORDINANCE ENTITLED: AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 19, LAND USE REGULATIONS, SECTIONS 19-1.2, DEFINITIONS AND 19-5.714, OUTDOOR STORAGE, OF THE REVISED GENERAL ORDINANCES BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE 8-24-11 ISSUE OF THE CITIZEN MOTION TO ADOPT AS AMENDED: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER GOLINSKI
AYES: FITZPATRICK, GOLINSKI, ANDES, SMITH, KUSER
ABSENT: SHAW, STECKY

President Kuser called for a brief break at 9:51 p.m. The Meeting resumed at 10:05 p.m.

#17-11 AMENDS PARKING REGULATIONS AT COOK’S POND SENIOR HOUSING
BE IT RESOLVED THAT AN ORDINANCE ENTITLED: AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 8, PARKING LOTS AND PARKING METERS, WITH THE ADDITION OF SECTION 8-4, COOK’S POND
SENIOR HOUSING PARKING LOT, OF THE REVISED GENERAL ORDINANCES
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH, SECONDED BY
MEMBER ANDES
AYES: SMITH, ANDES, FITZPATRICK, GOLINSKI, KUSER
ABSENT: SHAW, STECKY
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE
OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 8, PARKING LOTS
AND PARKING METERS, WITH THE ADDITION OF SECTION 8-4, COOK’S POND
SENIOR HOUSING PARKING LOT, OF THE REVISED GENERAL ORDINANCES
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE 8-24-11 ISSUE OF THE CITIZEN
MOTION TO ADOPT: MOVED BY MEMBER SMITH, SECONDED BY MEMBER
ANDES
AYES: SMITH, ANDES, FITZPATRICK, GOLINSKI, KUSER
ABSENT: SHAW, STECKY

#18-11 AMENDING BOARD OF ADJUSTMENT FEES
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE
OF N.J. REPEALING A CERTAIN PORTION OF CHAPTER 19, LAND USE
REGULATIONS, ARTICLE I, GENERAL PROVISIONS, SECTION 19-1.402, BOARD OF
ADJUSTMENT FEES, OF THE REVISED GENERAL ORDINANCES
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH, SECONDED BY
MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, ANDES, FITZPATRICK, KUSER
ABSENT: SHAW, STECKY
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE
OF N.J. REPEALING A CERTAIN PORTION OF CHAPTER 19, LAND USE
REGULATIONS, ARTICLE I, GENERAL PROVISIONS, SECTION 19-1.402, BOARD OF
ADJUSTMENT FEES, OF THE REVISED GENERAL ORDINANCES
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
Councilwoman Smith noted that Ordinance #19-11 is on the agenda for Introduction and there will not be a public hearing tonight.
President Kuser added that the public hearing on this ordinance will be held when it is on the agenda for adoption.

#19-11  PBA SALARY ORDINANCE
BE IT RESOLVED THAT AN ORDINANCE ENTITLED: AN ORDINANCE TO ESTABLISH THE SALARIES FOR THOSE EMPLOYEES OF THE DENVILLE POLICE DEPARTMENT GOVERNED BY THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AND THE POLICE BENEVOLENT ASSOCIATION LOCAL 142
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER ANDES
DISCUSSION: Councilwoman Smith stated that she feels that an explanation from our Administrator would be warranted at this time. President Kuser agreed.
Administrator Ward explained that the salaries and percentages contained in this ordinance were set through Interest Arbitration. He advised that on July 31st Arbitrator J. J. Pierson was assigned by the State, under that provision of the new Interest Arbitration Law. Mr. Ward further explained that, after hearings and briefs being submitted by the Township’s Special Counsel for collective bargaining and relations, as well as the PBA’s Attorney, Mr. Pierson made a ruling. Mr. Ward went on to say that there were several issues on both sides, however, Mr. Pierson’s ruling addressed only salary increases over the four-year cycle of the contract. He noted that some members of the Council had question how the arbitrator could award more than 2% with the new Interest Arbitration law in effect, because in the last two years of the contract, the award was 2.25% and 2.25% for 2012 and 2013. Mr. Ward explained that the Interest Arbitration Law that establishes the hard 2% cap for awards only applies to contract that expired after January 1, 2011. He noted that, since this contract expired on December 31, 2009, it didn’t fall under the new law. Mr. Ward advised that no awards have yet been given under the new cap due to the expiration dates of the contracts in dispute. He said that the first such award will likely be in 2012. Administrator Ward added that, in comparing this award with those given by other arbitrators, it is in line with what they are awarding. He said that there was a subsequent negotiation concerning one of the items that the Township sought. Mr. Ward advised that the starting salary for patrolmen for 2011,
based on the award, would have been over $57,000. He said that the PBA was willing to come to the table and he and the Mayor were able to negotiate for a revised starting salary plus two (2) additional steps, which included the new Sergeant’s salary. He noted that it resulted in a substantial savings with the new starting salary for 2010 being $45,900.00, which does go up due to the award. Mr. Ward stated that it was recognized that the market conditions warranted that in order to attract qualified new hires. He added that, over an 8 year period, the revised salary and additional steps will save roughly $116,000 per new hire versus what the salary scale would have been under the arbitrator’s award.

Councilwoman Smith commented that Mr. Ward had announced that there have been two new hires, so he is talking about a saving of $320,000 over two years, through the further negotiations.

Mr. Kuser interjected that it is over eight years.

Mrs. Smith replied that it is $320,000 over the eight years.

Mr. Ward clarified that the saving is $116,000 over eight years per new hire.

Mrs. Smith said that she had not heard the figure correctly but, nonetheless, it is a substantial savings. She noted that there is also the matter of retirements and replacing those retirees with new hires at these lower salaries. Mrs. Smith further stated that, since arbitration is binding, the PBA worked with the Township to come to a more beneficial and reasonable settlement.

President Kuser gave kudos to Administrator Ward and to the Police Department representatives for stepping up and seeing that we can work together, to the benefit of all concerned.

AYES: GOLINSKI, ANDES, FITZPATRICK, SMITH, KUSER
ABSENT: SHAW, STECKY

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO ESTABLISH THE SALARIES FOR THOSE EMPLOYEES OF THE DENVILLE POLICE DEPARTMENT GOVERNED BY THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AND THE POLICE BENEVOLENT ASSOCIATION LOCAL 142
BE PASSED ON FIRST READING
AND BE IT FURTHER RESOLVED THAT SAID ORDINANCE SHALL BE CONSIDERED FOR FINAL PASSAGE AT THE MEETING OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE ON 9-6-11 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 ACCORDING TO
LAW.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER ANDES
AYES: GOLINSKI, ANDES, FITZPATRICK, SMITH, KUSER
ABSENT: SHAW, STECKY

ITEMS FOR DISCUSSION AND/OR ACTION: None.

President Kuser asked if anyone from the public or the Council would like to have anything removed from the Consent Agenda. No one responded.

CONSENT AGENDA:
R-11-173 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF N.J., PLEDGING TO MAINTAIN VARIOUS BEAUTIFICATION IMPROVEMENTS IN THE RIGHT OF WAY OF THE STATE OF N.J.
R-11-174 RESOLUTION ESTABLISHING A "DEDICATION BY RIDER" FOR CONTRIBUTIONS, DEPOSITS AND FEES TO THE TOWNSHIP OF DENVILLE BUDGET
R-11-175 RESOLUTION AUTHORIZING SHARED SERVICES CONTRACT WITH THE MORRIS COUNTY MUA ("MCMUA") TO PROVIDE CURBSIDE COLLECTION AND DISPOSAL OF SINGLE STREAM RECYCLABLES
R-11-176 RESOLUTION AUTHORIZING ADVERTISING FOR BID FOR EMERGENCY TREE REMOVAL AND STUMP GRINDING
R-11-177 RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID DUE TO JUDGEMENT BY THE TAX COURT OF N.J.
R-11-179 RESOLUTION AUTHORIZING REFUND FOR TRICKY TRAY PERMIT FEE
R-11-180 RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEES
R-11-181 RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE
R-11-182 RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID FOR CALENDAR YEAR 2011
R-11-183 RESOLUTION AUTHORIZING RAFFLE LICENSE(S) IN THE TOWNSHIP OF DENVILLE
R-11-184 RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID FOR CALENDAR YEAR 2007
R-11-185 RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT TO INTEGRA REALTY RESOURCES FOR APPRAISAL SERVICES RELATING TO THE FELS PROPERTY, BLOCK 41301, LOT 8
RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO INTEGRA REALTY RESOURCES FOR APPRAISAL SERVICES RELATING TO BLOCK 21, LOT 4, 79 BROAD HOLDINGS PROPERTY

RESOLUTION AUTHORIZING LIMOUSINE LICENSE FOR JOHN CARNO CORP.

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS WITH CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12A

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE

RESOLUTION AUTHORIZING THE EXECUTION OF AND AMENDMENT TO THE CONTRACT OF SALE BETWEEN ANNEX BUILDERS, LLC AND THE TOWNSHIP OF DENVILLE DATED 4-19-11 REGARDING PROPERTY LOCATED AT BLOCK 21, LOT 4, 79 BROAD STREET, ROCKAWAY BOROUGH, N.J.

Councilwoman Smith questioned the Block number in R-11-172 and R-11-185 since the numbers were different. It was determined that there was a typographical error and the correct Block number is 41301.

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER SMITH, SECONDED BY MEMBER ANDES
AYES: SMITH, except for R-11-186 and R-11-190, ANDES, FITZPATRICK, GOLINSKI, KUSER
NAY: SMITH for R-11-186 and R-11-190
ABSENT: SHAW, STECKY

NON-CONSENT RESOLUTIONS:

RESOLUTION AUTHORIZING SETTLEMENT OF CERTAIN TAX APPEALS

MOTION TO APPROVE R-11-171: MOVED BY MEMBER ANDES, SECONDED BY MEMBER SMITH
AYES: ANDES, SMITH, FITZPATRICK, GOLINSKI, KUSER
ABSENT: SHAW, STECKY

RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO LANDMARK I APPRAISAL, LLC FOR APPRAISAL SERVICES RELATING TO THE FELS PROPERTY, BLOCK 41301, LOT 8

MOTION TO APPROVE R-11-172: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER SMITH
AYES: FITZPATRICK, SMITH, ANDES, GOLINSKI, KUSER
ABSENT: SHAW, STECKY

RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID FOR
CALENDAR YEAR 2011 IN THE AMOUNT OF $4,734.79

MOTION TO APPROVE R-11-178: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, ANDES, FITZPATRICK, KUSER
ABSENT: SHAW, STECKY

MOTION TO APPROVE MINUTES OF 6-14-11, 6-21-11 AND 7-12-11: MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK
AYES: SMITH, FITZPATRICK, ANDES, GOLINSKI, KUSER
ABSENT: SHAW, STECKY

MOTION TO ADJOURN: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER SMITH
AYES: UNANIMOUS
ABSENT: SHAW, STECKY

MEETING ADJOURNED AT 10:21 P.M.

Respectfully submitted,

Kathleen A. Costello, Deputy Township Clerk