The Meeting was called to order by President Andes at 7:31 p.m. The Salute to the Flag was recited, followed by an Invocation given by Councilman Shaw. The Open Public Meetings Act Statement was read by Township Clerk Costello. Clerk Costello requested that all cell phones be either muted or turned off and reminded all that this is a non-smoking facility and anyone wishing to smoke must leave the property. The Clerk reported that Mr. Stecky advised that he will not be in attendance this evening.

ROLL CALL: FITZPATRICK, GOLINSKI, KUSER, SHAW, SMITH, ANDES
ABSENT: STECKY
ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR WARD, TOWNSHIP ATTORNEY SEMRAU, POLICE CHIEF WAGNER, CFO GOBLE, UTILITIES SUPERVISOR WARD AND DPW SUPERINTENDENT EGBERT.

President Andes announced that the first order of business will be a ceremonial matter concerning soccer. He introduced Mr. Don Casse to make his presentation.

Mr. Casse advised that he is here tonight to present the Den-Rock Challenge Cup Trophy to be displayed in the Municipal Building. He explained that the first tournament was held in Rockaway back in October, having as its goal the building of a relationship between the kids of Denville and Rockaway who will be playing soccer together at Morris Knolls High School. Mr. Casse noted that a fund-raiser was included to raise money for both clubs. He said that, to make it more meaningful for the kids, they provided a trophy to the team that won the most games that day. Mr. Casse happily reported that Denville won ten games while losing only three. He presented the trophy to Mayor Hussa to be displayed in Town Hall.

LIAISON REPORTS:
Councilman Shaw reported that the Senior Center Christmas Party was held at Zeris and everyone had a great time. Mr. Shaw advised that there is a hot buffet dinner coming up at Cook’s Pond on December 9th, from 5 p.m. to 8 p.m.
Councilman Golinski had no report.
Councilwoman Smith wished everyone a Happy Chanukah. She noted that she attended the Menorah lighting and added that it is a wonderful new Menorah that was constructed by a Boy Scout for his Eagle Project. Mrs. Smith commented that it seems that the night of the Menorah lighting is always the coldest night of the season so far. She said that Dr. David Smith and Dr. Terry Wulster opened their offices to provide warmth and Chanukah treats. Mrs. Smith also wished everyone a Happy Kwanza and a Merry Christmas.
Mrs. Smith reported that the Environmental Committee held a meeting last week,
which she was unable to attend. She mentioned that, at the October meeting, there was an application that came from the Board of Adjustment for a solar farm. Mrs. Smith noted that there were considerable concerns about it. She said that one concern was whether it is a permitted commercial use in a residential area and other concerns about loss of trees, steep slopes and storm water run-off. Mrs. Smith advised that Chairman Atkinson mentioned that, in order to complete the application for any future solar farm type of application, there must be a written guarantee that the local utility and the Board that governs the grid in N. J. will accept the power generated by the solar farm. She said that those notes were forwarded to the Board of Adjustment indicating that this requirement must be met.

Councilman Kuser had no report.

Councilman Fitzpatrick reported that the Board of Education Community Survey has been completed with a 30% return of the survey. He said that they are currently working on evaluating that survey.

Mr. Fitzpatrick announced that the PRIDE dinner will be held on March 25th. He said that it is a little later this year because it always seems to snow when they hold it in February.

President Andes reminded everyone that this Sunday the Senior Social will be held beginning at 1:30 p.m. He said that the Chamber of Commerce had a great weekend and that the Mayor will probably address that.

MAYOR’S REPORT:
Mayor Hussa reported that Cindy Randazzo of the DEP paid a visit to Denville and is interested in helping with some of our flood and mitigation projects. He said that he will send a copy of the e-mail concerning her visit to the Clerk for distribution to the Council. The Mayor noted that the MAC String Concert was held last night with about 60 people in attendance.

Mr. Hussa advised that the Rockaway River Watershed Cabinet met on December 1st and their Board of Directors has very seriously taken up the topic of what to do about the tires in the River. He said that they plan to follow up and contact the County to find out what laws and measures are in effect.

The Mayor noted that the Art Show concluded on November 22nd, was very successful and they will probably want to do it again next year.

Mayor Hussa stated that the Holiday events around town are too numerous to mention individually and so he will just wish everyone a very Happy Holiday Season.

President Andes thanked the Administrator and everyone involved in the celebration of the 50th Anniversary of Santa Land. He said that the float that was constructed was built to scale and was very impressive. Mr. Andes noted that it was too beautiful to display for one day, so it is on display in the Community Room in Town Hall. He added thanks to Kathy Bowditch and John Ciardi along with Steve Ward for all their effort.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that, after many months, an arrangement has been worked out with Morris Plains for an inter-local agreement for Animal Control. He said that he worked with the Attorney and they drafted an agreement that everyone was happy with; it was forwarded to Morris Plains and it was signed and adopted there. Mr. Ward noted that he has provided a copy to the Clerk and, if it has not already been done, it will be copied to the Council for the December 21st agenda. He said that they are aiming for a January 1st start date, so if the Council has any questions regarding the agreement, he would appreciate a call in advance of the meeting so he can address any concerns they may have.

Administrator Ward advised that he will be providing a draft form to the Clerk tomorrow for an item that will also be for the December 21st agenda. He said that it concerns our participation in the N.J. Clean Energy Direct Install Program. Mr. Ward explained that there is a Societal Benefit charge on everyone’s electric bill which goes into a State fund which is used to retrofit facilities to make them more energy efficient. He said that the improvements that we have implemented in the Police Department, Library, Public Works, Senior Citizens’ Building and Fire Houses is $171,000 worth of energy efficiency improvements. Mr. Ward added that $102,000 of that is paid through the State Fund which is accrued through the Societal Benefit charge, leaving a balance of approximately $68,000. He said that, if we get this approved and go forward, December 31st we will be eligible for an additional $25,000 in grant funding, which will make the local commitment right around $40,000. Mr. Ward advised that he will provide a breakdown of how the money has been spent and asked Council to call with any questions in advance of the meeting. He noted that John Ciardi spear-headed the program and can also provide information.

Administrator Ward reported that Kathy Bowditch, Municipal Housing Liaison, advised him late today about Senate Bill #1 and Assembly Bill #3447, which she received in an urgent League of Municipalities Legislative update. He explained that this legislation is attempting to abolish the Council on Affordable Housing and make other changes to the Affordable Housing laws; the bills are being fast-tracked during this legislative session. Mr. Ward advised that the League has grave concerns about the detrimental effect of these bills including potentially increasing the density that builders will be permitted to build and the re-zoning requirements.

President Andes interjected that a resolution in opposition to these bills is being added to tonight’s agenda. Mr. Andes further commented that the 136 COAH units that Denville sold to Newark, two decades ago, would come back into play and cost the Township $2,040,000.00. Mr. Ward noted that the bills could be heard as early as December 13th so time is of the essence. Mr. Andes said that R-10-253 will be added to the agenda and R-10-248 will be replaced by R-10-248A due to a change in the amount of money involved in the resolution. He noted that the figure changed from $141.54 to $148.65.

OPEN PUBLIC PORTION:
Gerry Idec, 1 East Longview Trail, stated that he asked a question last week and did not get the answer that he was looking for. He asked what makes it O.K. for an employee to take a town vehicle home. Mr. Ward replied that it is a contractual issue and certain of the collective bargaining agreements.... Mr. Idec interrupted and said that he is not talking about the deal that was made with the contracts, he is talking in general. He asked for the criteria that allows an employee to take a vehicle home that belongs to the town, or can anybody take one home. Mr. Ward replied that not just anyone can, it is defined in the collective bargaining agreements and there are five collective bargaining units. He added that, in certain collective bargaining units, there are provisions for certain employees that are on call or have haz-mat duty to have the ability to take a vehicle home. Mr. Ward further explained that in the Township’s policy manual there are specific policies as to what they can do in the commute; they can stop off on the way home to pick up a loaf of bread on the way home but cannot use it for personal use. He said that it varies by collective bargaining agreement. Mr. Idec asked if it is left up to the honor system. Mr. Ward replied that it is not, there is a specific contract with specific contractual provisions, defining specific titles that have the ability to take home a vehicle. He said that he would be happy to provide Mr. Idec with copies of those contracts as they are open public records.

Mr. Idec had a question regarding stipends. He said that he is under the impression that on the weekend if someone goes home with a cell phone they receive a $200 stipend. The Mayor replied that he does not believe that is true. It was then noted that it is an on-call cell phone that would be taken home. Mr. Idec asked then if a person goes home with an on-call phone, they get a $200 stipend. CFO Goble replied that it is in their contract, it was a negotiated item, and they are on call for 24 hours, seven days a week. She said that for that whole week they are given $100, they do not receive $200 for a weekend. Mrs. Goble reiterated that it is part of their contract. Mr. Andes noted that when a person is on-call with that phone, they are required to respond at any time of day, even on holidays. Mr. Idec asked if the same person is on call continuously throughout the year. CFO Goble advised that it rotates on a weekly basis so that each employee takes a turn at being on call for a week. Administrator Ward added that whoever is on call is required to check all of the well houses and pump stations everyday, including holidays. He said that they are not paid $100 to just hold a phone; they have specific duties that must also be attended to while they are on-call.

Mr. Idec asked if there are any limitations imposed, such as having to remain in Morris County. Superintendent Egbert advised that a 20 minute response time is required. Mr. Idec's next subject was comp time. He said that he is sure that a few years ago the Federal government enacted a law mandating that people in certain positions could not be paid overtime, they had to take comp time. Mr. Idec asked if Attorney Semrau knows anything about comp time rather than overtime. Mr. Semrau said that he is not sure he understands Mr. Idec's question. Mr. Idec asked if Mr. Semrau would look into
it, because he is wondering if there is such a law that applies to municipalities. Administrator Ward replied that it again involves contracts. He said that, as long as a contract is not in conflict with a Federal or State law, the contract is the controlling document. Mr. Ward noted that, in the majority of the contracts, the employee has the ability to choose between comp time and compensation at time and a half. He said that is governed by the Fair Labor Standards Act.
Mr. Idec said that he would appreciate it if the lawyer would take a quick look to see if Mr. Idec is right or wrong that certain positions have to take comp time.
Councilwoman Smith advised that, in her company, it is a matter of whether you are an exempt or non-exempt employee, meaning hourly or non-hourly. She further explained that the government reclassified different positions of employment and people who had been “salaried” people, like tele-marketers and inside sales people, could no longer be salaried they had to be paid on an hourly basis. Mrs. Smith said that, being hourly workers, it was required that they be paid overtime as opposed to a salaried person who works whatever hours it takes to get the job done. Mrs. Smith noted that she thinks that is what Mr. Idec is referring to.
Mr. Ward added that a lot of private corporations have classified certain employees as exempt employees to avoid paying them overtime.
Mr. Idec asked if any of Denville’s employees fall into that category. Mr. Ward replied that they do; managerial employees such as himself are exempt employees and do not receive overtime or comp time.
CLOSE PUBLIC PORTION.
CORRESPONDENCE: All copied to Council.
MATTERS OF OLD AND/OR NEW BUSINESS:
President Andes noted that next week’s workshop meeting has been cancelled.
Mr. Andes stated that Mr. Fuertges is in attendance and should be recognized for an award that he recently received.
Mayor Hussa asked Mr. Fuertges to come forward and tell everyone the exact nature of his award.
Mr. Fuertges explained that, as a member of the N. J. Nursery & Landscape Association for over 40 years, he was very instrumental in the creation of the N. J. Flower and Garden Show. He said that the Association recognized his participation in the show, after his being awarded the Nurseryman of the Year, and inducted him into the Association’s Hall of Fame.
President Andes congratulated Mr. Fuertges on behalf of all the Council members.
Mr. Andes asked if there is any other old or new business from the Council. No one responded
ORDINANCE(S) FOR ADOPTION:
#29-10 AMENDS FEE ORDINANCE RELATIVE TO O.P.R.A. - OPEN PUBLIC RECORDS ACT
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE AMENDING A PORTION OF CHAPTER 2-A, FEES, RATES AND CHARGES, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER SHAW
AYES: SMITH, SHAW, FITZPATRICK, KUSER, ANDES
ABSTAIN: GOLINSKI
ABSENT: STECKY
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE AMENDING A PORTION OF CHAPTER 2-A, FEES, RATES AND CHARGES, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE 12-15-10 ISSUE OF THE CITIZEN,
MOTION TO ADOPT: MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK
AYES: SMITH, FITZPATRICK, KUSER, SHAW, ANDES
NAY: GOLINSKI
ABSENT: STECKY

#30-10 WATER RATE FEE ORDINANCE AMENDMENT
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV, SEWER AND WATER, SECTION 15-2, WATER RATES AND CHARGES, SUBSECTION 15-2.1 RATES FOR WATER USE, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON.
MOTION TO READ BY TITLE: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER SHAW
AYES: GOLINSKI, SHAW, FITZPATRICK, KUSER, SMITH, ANDES
ABSENT: STECKY
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV, SEWER AND WATER, SECTION 15-2, WATER RATES AND CHARGES, SUBSECTION 15-2.1
Township Clerk Costello advised President Andes that Mr. Golinski had e-mailed a question and she asked Attorney Semrau if it was a substantive change. Attorney Semrau said that it is in Section 6-7.3 under “exceptions”. Mr. Golinski noted that, right now, it reads that the exception is acceptable “in the presence of and with the permission of a parent or guardian”. Mr. Golinski said that, in his opinion, if the parent is there, the permission is implied and, if the parent isn’t there but would like to give his permission, it wouldn’t be possible under that combination. Mr. Golinski stated that he would like to change the “and” to “or”. Mr. Semrau noted that it is a good point to raise but he would like to have a brief discussion and bring the Chief into it. Clerk Costello asked if it should be read by title before it is discussed. Mr. Semrau replied that this is just a preliminary before we decide to go forward. He said that it is limited to this change only and then we can go forward. Mr. Semrau explained that what is being said by this change is that the exemption would apply if the adult is not there but that they give their permission. Chief Wagner replied that he and Councilman Golinski did meet and discuss this and the Chief’s understanding is that the 2C law for underage possession of alcohol is similarly written. He said that the 2C law states that, if you are with your parent, or have the permission of your parent, while you are with an adult of legal age, it is o.K. The Chief noted that he is alright with it, as long the parents consent to it and there is an of-age adult present. Mr. Semrau explained that, by using “or”, it means that the parent can give consent but not be present at the time. The Chief gave a brief scenario where the permission of the parent would be granted to another adult to serve alcohol to teenagers at the adult’s home. He said that situation is what he is seeking with this ordinance: permission of the parent with an of age adult present. Councilman Kuser asked what would happen if the parent is home but sleeping in another room and not giving permission. The Chief replied that “in their presence” means their physical presence. He said that in the instance of a sleeping parent, we would have to prove that the parent knew that drinking was going on. Mr. Kuser asked what would happen if the parent states that permission was not given to the kids that are found drinking in the house while the parent was asleep. The Chief replied that the kids would receive summonses in violation of this ordinance. Attorney Semrau clarified that Mr. Golinski would like the ordinance to read, “the
exemption will apply... Mr. Golinski continued “with the permission of a parent and in the presence of at least one adult of legal age”. Mr. Semrau said that he thinks it is consistent with the ordinance and is not a substantive change. He read the section of the ordinance with the proposed change: “alcoholic beverage in the presence of an adult of at least 21 years of age and with the permission of a parent, guardian or relative who has attained legal age”. Mr. Semrau added, in summary, that an underage drinker must be in the presence of an adult and have permission. It was agreed that the wording would satisfy everyone. Mr. Semrau said that, as we go forward, he will recommend an amendment to the wording.

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 6, ALCOHOLIC BEVERAGE CONTROL, OF THE REVISED GENERAL ORDINANCES WITH THE ADDITION OF SECTION 6-7 ENTITLED “POSSESSION OR CONSUMPTION BY UNDERAGE PERSONS”
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER SHAW, SECONDED BY MEMBER FITZPATRICK
AYES: SHAW, FITZPATRICK, KUSER, SMITH, GOLINSKI, ANDES
ABSENT: STECKY
OPEN PUBLIC HEARING:
Bruce D’Adamo, 6 Wilson Ave., stated that in light of the discussion that was just held, he would like to know what provisions are in place to be sure that permission has been given. The Chief advised that there is wording in the ordinance that requires the Police to contact the parent for verification. He explained that, if there are four underage drinkers at a home and only two have parents present, the Police must call the other two parents to verify that they are aware that their children are consuming alcohol. Chief Wagner said that, if the parents are not aware of that fact, the minors are in violation of the ordinance.
Mr. D’Adamo commented that it sounds unusually intrusive, especially if the parents are not available.
Attorney Semrau replied that it is a unique ordinance in the sense that we are dealing with minors. He said that it is up to the Police to do their due diligence in contacting the parent.
Chief Wagner noted that, even now without this ordinance, minors are taken into custody if they come upon a drinking party and cannot contact some of the parents. He said that the difference in this ordinance is that it provides the Police with a ticket that they can write. The Chief advised that, even if this ordinance is not adopted, the Police would still take minors into custody for their own safety until their parent or guardian can be contacted.
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 6, ALCOHOLIC
BEVERAGE CONTROL, OF THE REVISED GENERAL ORDINANCES WITH THE
ADDITION OF SECTION 6-7 ENTITLED “POSSESSION OR CONSUMPTION BY
UNDERAGE PERSONS”
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE 12-15-10 ISSUE OF THE CITIZEN
MOTION TO ADOPT: MOVED BY MEMBER KUSER, SECONDED BY MEMBER
SHAW
Attorney Semrau suggested that, based on the previous discussion, in Section 6-7.3, 4th
sentence down would read “alcoholic beverage in the presence of an adult of at least 21
years of age and with the permission of a parent or relative”. He said that he would ask
for that amendment to be included, which would not be a substantial change.
AYES: KUSER, SHAW, FITZPATRICK, SMITH, GOLINSKI, ANDES
ABSENT: STECKY
ORDINANCE(S) FOR INTRODUCTION:
#32-10 AMENDS CERTAIN PORTIONS OF FEE ORDINANCE
Township Clerk Costello explained that the fee ordinance was circulated to all
departments and a minuscule number have been changed to keep us in line with
Township policy and other requirements. She advised that copying the entire fee
schedule is cost-prohibitive and the Attorney has put together a summary indicating the
fee changes. Mrs. Costello added that, as always, the full document is on file in the
Clerk’s office.
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE AMENDING AND SUPPLEMENTING PORTIONS OF CHAPTER 2-A,
FEES RATES AND CHARGES, OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER
SHAW
DISCUSSION: Councilman Golinski asked if the 2A-11, Special Readings on Water, is
eliminated because there is a line through that item. Mrs. Costello replied that is correct
but it must be shown for auditing purposes.
AYES: SMITH, SHAW, FITZPATRICK, KUSER, GOLINSKI, ANDES
ABSENT: STECKY
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE AMENDING AND SUPPLEMENTING PORTIONS OF CHAPTER 2-A,
FEES RATES AND CHARGES, OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY
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 12-21-10 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 SMITH, SECONDED
BY MEMBER SHAW
AYES: SMITH, SHAW, FITZPATRICK, KUSER, GOLINSKI, ANDES
ABSENT: STECKY
President Andes asked if anyone from the public or the Council wished to have anything
removed from the Consent Agenda. No one responded.

CONSENT AGENDA:
R-10-242 RESOLUTION OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY,
STATE OF NEW JERSEY AUTHORIZING ASSIGNMENT OF SPECIAL
LABOR COUNSEL’S AGREEMENT
R-10-243 RESOLUTION AUTHORIZING ENDORSEMENT OF N.J.D.E.P. CP-#1
APPLICATIONS IN CONJUNCTION WITH VARIOUS SEWER
EXTENSIONS, DRAINAGE STRUCTURES AND WATERWORKS
APPURTENANCES
R-10-244 RESOLUTION OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY,
STATE OF NEW JERSEY OPPOSING ASSEMBLY BILL NO. A-2095
AND SENATE BILL NO. S-818 WHICH REVISE REQUIREMENTS FOR
MEDICAL SERVICE DELIVERY
R-10-245 RESOLUTION ESTABLISHING THE MEETING DATES OF THE
MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE FOR THE
YEAR 2011
R-10-246 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE
REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF
$433.69
R-10-247 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE
REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF
$454.95
R-10-248A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE
REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF
$148.65
R-10-249 RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP
OF DENVILLE

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER SMITH, SECONDED BY MEMBER SHAW
AYES: SMITH, SHAW, FITZPATRICK, KUSER, GOLINSKI, ANDES
ABSENT: STECKY

NON-CONSENT AGENDA:
R-10-250 RESOLUTION AUTHORIZING THE EXECUTION OF END-USER LICENSE, HARDWARE, SETUP AND SUPPORT AGREEMENT FOR E-TICKETING SYSTEM WITH GOLD TYPE BUSINESS MACHINE, INC.
MOTION TO APPROVE R-10-250: MOVED BY MEMBER KUSER, SECONDED BY MEMBER SHAW
DISCUSSION: Councilman Kuser asked if it is correct that the funds for this project are left over from the capital budget and will be no additional cost to the taxpayer. Chief Wagner replied that is correct, part is coming from the capital improvement fund for in-car computers and part from the regular budget computer line item. Chief Wagner added that the feedback that he received from other municipalities on the system was all positive. Mr. Kuser asked if he understands correctly that it does not download directly to the State. The Chief replied that is not correct; it does not download directly into the computer dispatch system yet. He further explained that it does automatically work with what is called the Administrative Office of the Courts and when it is sent from the patrol car it automatically goes to the Court office here in this building. Mr. Kuser commented that he understands that when it comes to the Police Department it does not go to the State. The Chief replied that it is the other way around; it goes to the State but does not yet go to the Township’s Enforsys system, which is our computer-aided dispatch system. The Chief explained how the systems work with each other and how it will eventually all come together.
AYES: KUSER, SHAW, FITZPATRICK, SMITH, GOLINSKI, ANDES
ABSENT: STECKY

R-10-251 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $5,269.92
MOTION TO APPROVE R-10-251: MOVED BY MEMBER SHAW, SECONDED BY MEMBER FITZPATRICK
AYES: SHAW, FITZPATRICK, KUSER, SMITH, GOLINSKI, ANDES
ABSENT: STECKY

R-10-253 RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE URGING ITS LEGISLATORS TO REVISE ASSEMBLY BILL #3447 TO ENABLE THE SENDING MUNICIPALITY TO SECURE THE RIGHT TO COUNTY AFFORDABLE UNITS IT FUNDED AGAINST THE
NUMBER OF QUALIFYING UNITS IN THE MUNICIPALITY
The resolution was read into the record by the Township Clerk and a copy of it is attached to these minutes.
MOTION TO APPROVE R-10-253: MOVED BY MEMBER KUSER, SECONDED BY MEMBER SHAW
AYES: KUSER, SHAW, FITZPATRICK, SMITH, GOLINSKI, ANDES
ABSENT: STECKY

R-10-252 RESOLUTION AUTHORIZING CLOSED SESSION RELATIVE TO CONTRACTUAL NEGOTIATIONS - ACTION MAY BE TAKEN UPON LEAVING CLOSED SESSION.
MOTION TO APPROVE R-10-252: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER FITZPATRICK
Attorney Semrau commented that another matter should be discussed in this Closed Session. He said that matter concerns the contract that was awarded for the Air Conditioning system in the Computer Server room. Mr. Semrau reiterated that there may be action after the Executive Session.
AYES: GOLINSKI, FITZPATRICK, KUSER, SMITH, SHAW, ANDES
ABSENT: STECKY

President Andes announced to the public that the Council will now go into Closed Session and anyone who wishes to return to the Council Chambers after that session will be welcome to do so.

Council went into Closed Session at 8:31 p.m.
Council came out of Closed Session at 9:42 p.m.

It was noted that action must be taken on R-10-254.
R-10-254 RESOLUTION AUTHORIZING THE RECISION OF THE CONTRACT FOR THE PROVISION OF A COMPUTER SERVER ROOM AIR CONDITIONING SYSTEM WITH RANCO MECHANICAL, INC. AND AUTHORIZING AWARD OF SAME TO CARRIER COMMERCIAL SERVICE
MOTION TO APPROVE R-10-254: MOVED BY MEMBER SHAW, SECONDED BY MEMBER GOLINSKI
AYES: SHAW, GOLINSKI, FITZPATRICK, KUSER, SMITH, ANDES
ABSENT: STECKY

MOTION TO ADJOURN: MOVED BY MEMBER SHAW, SECONDED BY MEMBER SMITH
AYES: SHAW, SMITH, FITZPATRICK, KUSER, GOLINSKI, ANDES
ABSENT: STECKY

Meeting adjourned at 9:43 p.m.

Respectfully submitted,

Kathleen A. Costello
Deputy Township Clerk