TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING
May 21, 2019

The Meeting was called to order at 7:32 P.M. by Council President Gabel. The Salute to the Flag was recited, followed by an Invocation by Council President Gabel. 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: Buie, Witte, Bergen, Borowiec, President Gabel
Absent: Murphy, Lyden

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

PROCLAMATIONS/PRESENTATIONS/CEREMONIAL MATIERS:
National Gun Violence Awareness Day - June 7th
Mayor Andes asked Laura Kaufmann and representatives of Moms Demand Action for Gun Safety to come forward. He then read the proclamation, which may be found at the end of these minutes, which declared June 7, 2019 to be National Gun Violence Awareness Day. Remarks were made by a member of Moms Demand Action, who then invited the Mayor, Council and members of the public to Gun Violence Awareness weekend, commencing June 7th in Morristown.

Veterans' Recognition Ceremony
Mayor Andes stated the Township would like to thank each active duty service member and every veteran from the Township for their service to their country by presenting each one with a Denville "Challenge" coin. At tonight's meeting, he introduced Andrew Fisher IV, an Army Veteran of the Vietnam War and thanked him for his service to his country. Mr. Fisher thanked the Mayor and Council for the recognition and stated it was a great honor.

LIAISON REPORTS:
Councilman Buie had nothing to report.
Councilwoman Witte stated that there were 75 volunteers at the Rivers and Streams Committee annual river clean-up held on May 11th. She then reported that a local rugby team and a corporate group from Parsippany have volunteered to clean the Rockaway River in the next two weeks.
Councilman Bergen had nothing to report.
Councilman Borowiec thanked Township Administration for almost immediately starting to address items on the list of field maintenance issues which had been provided a few weeks ago. President Gabel reported that the Historical Society is working with Administration to address some repairs which are needed. He stated that the Fire Department will be providing the first quarter statistics in the next few weeks. He then thanked everyone for the support of the Council Cruisers at the American Cancer Society's Relay for Life held at Parsippany Hills High School on May 13th.

MAYOR'S REPORT:
Mayor Andes stated that Kiwanis will be sponsoring the Bike Rodeo on June 6th and that Dogs Gone Wild, which was held on May 13th, was a great success. He reported that the First Avenue Streetscape Project contracts have been signed and that a pre-construction meeting date and time will be set in the near future. Mayor Andes explained that the Memorial Day parade is sponsored by the Rockaway, Marcella and Denville Memorial Association and that this year, because it is the 150th anniversary of the parade, the parade will...
travel the original route which is through Rockaway Borough. He stated the Township will still have dedications at the following locations beginning at 9:00 A.M. - at the American Legion, at Main Street fire house, at the obelisk along the Rockaway River and at town hall. He then reminded everyone that June 5th is the 75th anniversary of D-Day.

ADMINISTRATOR'S REPORT:
Administrator Ward reported that Morris County received a federal grant to repair and replace the one-lane Openaki Road Bridge and that, in advance of the replacement, the Denville DPW will be milling and paving the approaches to the bridge. Mr. Ward then explained that the delayed opening at Town Hall on Friday was due to repairs which needed to be done to the emergency generator and required the power to be cut to the building. He then announced that Suzanne Walsh will be starting in the Clerk's office on Wednesday and that Connor Luime has been hired as Ms. Walsh’s replacement in the Health Department starting May 28th. Councilman Buie asked if the Openaki Bridge will be widened, to which Mr. Ward responded that, according to the requirements of the federal grant, the bridge will be widened though the roadway configuration will remain unchanged.

CORRESPONDENCE:
All correspondence has been copied and distributed to Council.

OPEN PUBLIC PORTION
No one wished to be heard.

CLOSE PUBLIC PORTION

MATTERS OF OLD AND/OR NEW BUSINESS:
None

ORDINANCES FOR ADOPTION:
None

ORDINANCES FOR INTRODUCTION:
Ordinance No. 10-19A
BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating $44,000 from the Dog Trust Fund of the Township of Denville for the Purchase of a Replacement Animal Control Vehicle

Be Introduced and Read by Title on First Reading:
MOTION TO READ BY TITLE:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITIE
AYES: BERGEN, WITTE, BUIE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating $44,000 from the Dog Trust Fund of the Township of Denville for the Purchase of a Replacement Animal Control Vehicle

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 06-11-2019 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 BERGEN, SECONDED BY MEMBER WITIE
AYES: BERGEN, WITIE, BUJE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

Township Attorney Jansen explained that Ordinance 10-19A is being introduced at this meeting because
Ordinance 10-19 had not been properly published prior to being adopted at the May 7, 2019 meeting.

Ordinance No. 13-19
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, to Extend the
Lease Agreement with Ayres/Knuth Farm Foundation, Inc. for Block 20003, Lot 1, for a Period of 25 Years,
from May 30, 2029 to May 30, 2054

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

Administrator Ward explained that by extending the lease agreement, the Ayres Knuth Farm Foundation will
be able to apply for more federal and county grants which often require a lease agreement be in place for a
minimum of 15 years or more from the date of the grant application.

AYES: WITIE, BERGEN, BUJE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

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Lease Agreement with Ayres/Knuth Farm Foundation, Inc. for Block 20003, Lot 1, for a Period of 25 Years,
from May 30, 2029 to May 30, 2054

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the
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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 WITIE, SECONDED BY MEMBER BERGEN
AYES: WITIE, BERGEN, BUJE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
Township Council
05-21-2019

ABSENT: MURPHY, LYDEN

ITEMS FOR DISCUSSION AND/OR ACTION:
None

CONSENT AGENDA:
R-19-101: Resolution Authorizing Refund of Recreation Department Fees
R-19-102: Resolution Approving the Transfer of Federal Property from the U.S. Department of Defense to the Township of Denville Police Department

President Gabel 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 BERGEN, SECONDED BY MEMBER WITTE
AYES: BERGEN, WITTE, BUIE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

NON-CONSENT AGENDA:
R-19-103: Resolution Acknowledging and Confirming the Appointment of Jeffery Heintzelman as Township of Denville Fire Official
MOTION TO APPROVE R-19-103
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITTE
AYES: BERGEN, WITTE, BUIE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

R-19-104: Resolution Authorizing the Award of a Professional Services Agreement for Planning Consultant Services in Connection with a Tax Appeal Matter
MOTION TO APPROVE R-19-104:
MOVED BY MEMBER BUIE, SECONDED BY MEMBER BERGEN
AYES: BUIE, BERGEN, WITTE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

R-19-105: Resolution Authorizing Settlement of Certain Tax Appeals
MOTION TO APPROVE R-19-99:
MOTION TO APPROVE R-19-105:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITTE
AYES: BERGEN, WITTE, BUIE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

R-19-106: Resolution Authorizing the Renewal of an Agreement with the United Bow Hunters of New Jersey for the Management of Deer
MOTION TO APPROVE R-19-106:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITTE
Discussion: Ms. Witte explained the Deer Management Committee would like to recommend that the requirement set forth in paragraph 14 of the agreement that 15% of deer meat be donated be removed as Denville has not been a recipient of the meat and the cost for processing each deer has increased to $75.00. She stated that the Deer Management Committee also asked that the Agreement be for 5 years and not two. Mr. Ward advised that though the deer meat is no longer provided to the Denville Social Services due to health standards, the meat is still going towards other needy individuals within the State.
Mayor Andes agreed that being able to provide venison to others is a benefit that the Township is able to provide while maintaining the deer population in Denville. Attorney Jansen recommended keeping the Agreement at 2 years as it allows for the addition and/or removal of certain properties. Mr. Ward added that two open space properties were added to the list prior to this renewal.

AYES: BERGEN, WITIE, BUJE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

MINUTES FOR ADOPTION:
May 7, 2019
MOVED BY MEMBER WITIE, SECONDED BY MEMBER BERGEN
AYES: WITIE, BERGEN, BUJE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

R-19-107: Resolution Authorizing Executive Session to Discuss Pending Litigation in the Matter of the Application of the Township of Denville for Declaratory Judgment (Mount Laurel) and Matters Falling Within the Attorney-Client Privilege Regarding Affordable Housing Matters
MOTION TO APPROVE R-19-107:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER BUJE
AYES: BERGEN, BUJE, WITIE, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSENT: MURPHY, LYDEN

Council President Gabel advised that no action would be taken following the executive session.

The Council went into Executive Session at 8:09 P.M.

The Council came out of Executive Session at 9:51 P.M.

MOTION TO ADJOURN:
MOVED BY MEMBER WITIE, SECONDED BY MEMBER BERGEN
AYES: UNANIMOUS

The Meeting adjourned at 9:52 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
This proclamation declares June 7, 2019, to be National Gun Violence Awareness Day in the State of New Jersey, Township of Denville, to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, 100 Americans are killed by gun violence and countless others are wounded;

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other high-income countries;

WHEREAS, protecting public safety in the communities they serve is among a legislator's highest responsibility;

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people that should not have them;

WHEREAS, June 2019 would have marked the 22nd birthday of Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later;

WHEREAS, to help honor Hadiya - and the 100 Americans whose lives are cut short and the countless others who are wounded by gun violence every day - June 7, 2019, has been designated as the 5th National Gun Violence Awareness Day;

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to protect themselves and others, and orange is a color that has been embraced by the gun safety movement because it symbolizes the value of human life;

WHEREAS, by wearing orange and commemorating National Gun Violence Awareness Day on June 7, Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED, that I Thomas W. Andes, Mayor of the Township of Denville, do hereby declare June 7, 2019 to be National Gun Violence Awareness Day. I encourage all citizens to support their community's effort to prevent the tragic effects of gun violence and to honor and value human lives.

May 21, 2019