TOWNSHIP OF DENVILLE  
MUNICIPAL COUNCIL  
REGULAR MEETING  
July 16, 2019

The Meeting was called to order at 7:30 P.M. by Council President Gabel. The Salute to the Flag was recited, followed by an Invocation by Councilwoman Witte. 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: Murphy, Buie, Witte, Bergen, Lyden, Borowiec, President Gabel
- Absent: None

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

PROCLAMATIONS/PRESENTATIONS/CEREMONIAL MATTERS:
- None

LIAISON REPORTS:
- Councilman Murphy had nothing to report.
- Councilman Buie had nothing to report.
- Councilwoman Witte had nothing to report.
- Councilman Bergen had nothing to report.
- Councilwoman Lyden had nothing to report.
- Councilman Borowiec expressed his excitement about the Vamp-Up Vets field improvements.
- President Gabel had nothing to report.

MAYOR’S REPORT:
Mayor Andes reported that the 4th of July events went very well and then listed the July events still to come, which include the Junior Police Academy graduation on July 19, the Denville Triathlon on July 21 and the Downtown Denville Block Party on July 25. He then asked for the Council’s support of Resolution R-19-141, which authorizes the submission of a grant application to the NJ Department of Transportation for the Bloomfield Avenue Transit Enhancement Project.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that the resurfacing of Cooper Road, Franklin Avenue and Knoll Drive has been pushed back and is now scheduled to be completed during the week of July 29. He then advised that the NJ Department of Transportation asked to have a meeting at Town Hall on August 2, 2019 to discuss NJ Transit’s aspiration to close the at-grade railroad crossing at Lackawanna Avenue. He stated that the Township representatives at the meeting will be prepared to defend the position that the crossing should remain open.

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

OPEN PUBLIC PORTION
Kathy Xanthos (14 Rosewood Lane) stated that the recent changes made to the Michael Street Park have not lessened the water runoff but have changed the flow and direction of the runoff so that it now runs closer to her house. She stated that she received and has reviewed the report prepared by John Ruschke, Township Engineer, entitled Michael Street Park Improvements Drainage Analysis, dated June 19, 2019. She questioned
some of the information in the report and expressed her opinion that the report does not address the root cause of the issue, which she believes is the construction of the pocket park. Ms. Xanthos asked that the Township not rely on John Ruschke’s report and urged the Township to look further into the issues in order to address the problem which she believes is the result of the construction of the Michael Street Park.

President Gabel advised Ms. Xanthos that the Council Members received a copy of the report on Monday and need time to review it before making any determinations.

CLOSED PUBLIC PORTION

MATTERS OF OLD AND/OR NEW BUSINESS:
None

ORDINANCES FOR ADOPTION:

Ordinance No. 14-19:
BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating $300,000 from the Water Capital Improvement Fund of the Township of Denville for Hydrant Upgrades

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, MURPHY, BUIE, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

OPEN PUBLIC HEARING
No one wished to be heard.
CLOSED PUBLIC HEARING

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating $300,000 from the Water Capital Improvement Fund of the Township of Denville for Hydrant Upgrades

Be passed on Final Reading and that a Notice of Final Passage be published in the 07/24/2019 edition of The Citizen newspaper.

MOTION TO ADOPT:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, MURPHY, BUIE, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

ORDINANCES FOR INTRODUCTION:

Ordinance No. 15-19
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, Amending Chapter 2, Administration, of the Township Code to Establish a Length of Service Award Program for the Denville Volunteer Fire Department and First Aid Squad

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, Amending Chapter 2, Administration, of the Township Code to Establish a Length of Service Award Program for the Denville Volunteer Fire Department and First Aid Squad

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 08-06-2019 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 WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, MURPHY, BUJE, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

ITEMS FOR DISCUSSION AND/OR ACTION:
None

CONSENT AGENDA:
R-19-136: Resolution Supporting the Implementation of the Hope One Project – PAARI (Police Assisted Addiction and Recovery Initiative) by the Township of Denville Police Department
R-19-138: Resolution Granting Permission to Advertise and Accept Bids for a Two-Year Contract for Insert Valves, Line Stops and Tapping Valve Services
R-19-139: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville
R-19-140: Resolution Authorizing Refund of a Building Permit Fee
R-19-141: Resolution Authorizing the Submission of a Grant Application and the Execution of a Grant Contract with the New Jersey Department of Transportation for the Bloomfield Avenue Transit Enhancement Project
R-19-142: Resolution Authorizing Refund of Recreation Department Fees
R-19-143: Resolution Authorizing the Township of Denville to Enter into a Cooperative Pricing Agreement with the New Jersey Cooperative Purchasing Alliance #CK04, Hereinafter Referred to as the “Lead Agency” for the Conduct of Certain Functions Relating to the Provision of Work, Materials and Supplies for Their Respective Jurisdictions

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.
Councilman Murphy asked for further information on Resolution R-19-141. Mr. Ward explained that this is a grant opportunity, which would allow for the extension of the Broadway Streetscape improvements to Bloomfield Avenue.

**MOTION TO APPROVE CONSENT AGENDA:**

MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN

AYES: WITTE, LYDEN, MURPHY, BUIE, BERGEN, BOROWIEC, PRESIDENT GABEL

NAYS: NONE

**NON-CONSENT AGENDA:**

R-19-144: Resolution Authorizing the Award of Two-Year Contract for General Contracting Construction Services

**MOTION TO APPROVE R-19-144:**

MOVED BY MEMBER LYDEN, SECONDED BY MEMBER WITTE

AYES: LYDEN, WITTE, MURPHY, BUIE, BERGEN, BOROWIEC, PRESIDENT GABEL

NAYS: NONE

R-19-145: New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award State Aid Project for Paving to Tilcon New York, Inc.

**MOTION TO APPROVE R-19-145:**

MOVED BY MEMBER MURPHY, SECONDED BY MEMBER WITTE

AYES: MURPHY, WITTE, BUIE, BERGEN, LYDEN, BOROWIEC, PRESIDENT GABEL

NAYS: NONE

R-19-146: New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award State Aid Project for Line Striping to Denville Line Painting, LLC

**MOTION TO APPROVE R-19-146:**

MOVED BY MEMBER WITTE, SECONDED BY MEMBER MURPHY

AYES: WITTE, MURPHY, BUIE, BERGEN, LYDEN, BOROWIEC, PRESIDENT GABEL

NAYS: NONE

R-19-147: Resolution Authorizing the Award of a Contract for the Purchase of a 2019 Dodge Durango Pursuit Rated All-Wheel Drive Vehicle for the Animal Control Officer in Accordance with the Cranford Police Cooperative Pricing System Council Contract No. 47-CPCPS, Item No.5

**MOTION TO APPROVE R-19-147:**

MOVED BY MEMBER BERGEN, SECONDED BY MEMBER BUIE

AYES: BERGEN, BUIE, MURPHY, WITTE, LYDEN, BOROWIEC, PRESIDENT GABEL

NAYS: NONE

R-19-148: Resolution Authorizing the Award of a Contract for the Reconstruction of Certain Portions of the First Avenue Parking Lot in Accordance with the Educational Services Commission of New Jersey Cooperative No. 65MCESCCPS Contract Bid No. ESCNJ 16/17-54 CG1

**MOTION TO APPROVE R-19-148:**

MOVED BY MEMBER BERGEN, SECONDED BY MEMBER LYDEN

AYES: BERGEN, LYDEN, MURPHY, BUIE, WITTE, BOROWIEC, PRESIDENT GABEL

NAYS: NONE

R-19-149: Resolution Authorizing the Award of a Professional Services Contract for Certain Real Estate Financial Advisory Services

**MOTION TO APPROVE R-19-149:**

MOVED BY MEMBER BERGEN, SECONDED BY MEMBER MURPHY

AYES: BERGEN, MURPHY, BUIE, WITTE, LYDEN, BOROWIEC, PRESIDENT GABEL

NAYS: NONE
R-19-150:  Resolution Authorizing the Award of a Contract for the Purchase of a Stryker Ambulance Stretcher in Accordance with the New Jersey Cooperative Purchasing Alliance No. CK04

MOTION TO APPROVE R-19-150:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: WITTE, BERGEN, MURPHY, BUIE, LYDEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

MINUTES FOR ADOPTION:
June 11, 2019
June 18, 2019
June 25, 2019

MOVED BY MEMBER WITTE, SECONDED BY MEMBER MURPHY
NAYS: NONE

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

The Meeting adjourned at 7:52 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk