TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

October 18, 2016

The Meeting was called to order at 7:30 P.M. The Salute to the Flag was recited, followed by an Invocation given by Councilman Murphy. Municipal Clerk Kathryn Bowditch-Leon read the Notice of Compliance with the Open Public Meetings Act and noted that this is a non-smoking facility. The Clerk requested that all electronics be silenced at this time.

ROLL CALL:

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

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

PRESENTATIONS/CEREMONIAL MATTERS:
None

LIAISON REPORTS:
Councilman Murphy shared that the Senior Social was held and many seniors who attended wore Halloween costumes. Mr. Murphy also met with the Monday’s Ladies Club and the Shoot the Breeze Men’s Club and reported to them on town events. The Denville Economic Development Committee recently held a meeting with other business owners downtown regarding the Business Improvement District (BID) ordinance that is scheduled to be adopted November 22nd. The subcommittee of the Economic Development Committee, Downtown Denville Business Improvement Group, has had their Bylaws reviewed by the Attorney and is ready to finalize the same. Three members of the Downtown Denville Business Improvement Group are attending the Morris County Economic Development Corporation’s monthly meeting to see what funding is available from the Morris Arts Foundation, which is very active in several BIDs in Morris County. Green Sustainability Committee is considering having a Christmas Event in conjunction with the Knuth Farm tree sale and is currently working on obtaining their Sustainable Jersey Silver Certificate.

Councilman Fitzpatrick informed everyone that the Mayor’s River and Streams Advisory Committee met. He thanked George Strother and Bob Plumb for their hard work at keeping the Rockaway River clean. A few minor obstacles were found in the River so there may be a small clean-up of the river before winter. The Chamber of Commerce will be hosting the Holiday Open House on Friday, December 9th. Councilwoman Lyden announced that the Mayor’s Paths and Trails Committee had a great opening work weekend on October 9th. The next work weekend will take place on Saturday, October 22nd. Volunteers are welcome to attend and can meet at the Openaki Road bridge. The Planning Board and Denville TV meetings were postponed.

Councilman Gabel shared that the Environmental Commission met last week for their monthly meeting. The Library had a board meeting last week and the focus groups and surveys are going well. Over five-hundred surveys have been received and five focus groups have been conducted. Some concerns that were brought up in the focus groups are: meeting room space; continued public relations of the Library in the community; revisiting Sunday hours; and addressing the needs of the residents in the South-end of the Township. Councilwoman Witte did not have any committee reports but reminded everyone that Lakeview is holding their 23rd Annual Veterans Day Program on Friday, November 4th at 10:00 A.M.
Councilman Kuser stated that the Denville Historical Society met and they are working with the State Historical Society on obtaining grants for the Two-Room Schoolhouse on Openaki Road. The group has a committee of retired teachers that is reaching out to former attendees of the schoolhouse and trying to acquire old pictures and information about the schoolhouse. Denville Historical Society is asking for assistance from the Township in decorating for the holiday, to which the Township responded that they will be more than happy to help. Morris County Open Space meets next Thursday at which time Denville will be presenting their two open space applications.

President Golinski said he attended the Recreation Committee meeting this month and thanked the group for sponsoring the upcoming Holiday Parade and the October Senior Social.

MAYOR’S REPORT:
Mayor Andes commented that the Chamber of Commerce has had some difficult times and is no longer able to fund the Holiday Parade. The Township is very thankful that the Recreation Committee will be sponsoring the Holiday Parade this year.

Mayor Andes, Administrator Ward, and CFO Guarino visited the new trail that was created by the Paths and Trails Committee and Mayor Andes commented that the trail looks terrific. The Mayor said that this Sunday there will be two events to raise funds for Project Playground 2.0 - a Zombie Fun Run 5K and the Family Food Truck Festival.

The streetlights are scheduled to be delivered this week for the downtown Streetscape Project with installation to follow immediately. The sound system is scheduled to be delivered on November 1st.

The Army Corps of Engineers informed the Township last spring that the Township’s Flood Mitigation Project was elevated to the feasibility study stage and that they would contribute $100,000 towards the study. If the cost of the study exceeds $100,000, the Army Corps of Engineers also agreed to match 50% of the excess if the Township can find funding for the remaining 50%. The NJ DEP has agreed to fund the other 50% of the amount over the $100,000. The Township was just informed by the Army Corps of Engineers that the study they have recommended to the NJ DEP will likely cost $1.2 million. The project would include endeavors such as elevating houses as well as improvements outside of Denville that would help with flood mitigation within Denville. The Mayor has contacted Assemblyman Bucco and Senator Bucco to obtain all of the necessary endorsements from the NJ DEP now that the Township has more knowledge about the scope of the project.

ADMINISTRATOR’S REPORT:
Administrator Ward stated that notification was received from the NJ DOT that the local aid shutdown has been lifted. The Township contacted the Township Engineer to reach out to Tilcon in order to be placed in the queue for paving of the Franklin Road and Franklin Avenue sections for which grant money was received. Mr. Ward also commented that the Township has contacted our local Assemblyman to determine when the applications will be accepted for 2017 funding.

Mr. Ward, four members of DPW and Darlene Price, QPA, recently visited ReCommunity in Mine Hill. ReCommunity just opened a brand new, state-of-the-art facility for single stream recycling. The system at this location is automated but is also labor-intensive. Morris County MUA brings recycled items collected in Denville to this location. Visiting the location provided insight as to how to answer residents’ questions concerning what they can and cannot recycle.

Next Thursday will be the Morris County Open Space presentation. CFO Guarino and Township Open Space Coordinator Jane Garvey will be representing the Township at this presentation.

Mr. Ward shared that Sergeant Boyer has announced his retirement after 22 years in the municipality. Sergeant Boyer will be retiring at the end of this month and Mr. Ward, the Mayor and Chief Wagner will be conducting sergeant’s interviews in late November and early December. Interviews were conducted for the Health Department Assistant and a tentative offer of employment was made.
CORRESPONDENCE:
All correspondence has been copied and distributed to Council.

OPEN PUBLIC PORTION:
Mark Morrison (Partner and Owner of 84 Broadway) received notice of the introduction of ordinance number 13-16 establishing a Business Improvement District (BID) and requested that the Council meeting for adoption be moved from November 22\textsuperscript{nd} to November 29\textsuperscript{th} or the first Tuesday of December. Mr. Morrison’s reason for his request is that the scheduled meeting is the same week as Thanksgiving and he believes many shop owners from town will be away for the holiday and unable to attend. Among other things, Mr. Morrison wanted to know why the BID Board of Directors would include retail establishment owners, upper/lower floor businesses, both of whom he believed would be tenants, and a resident-at-large as they will not be directly affected by the assessment. Mr. Morrison also asked about the Executive Director of the BID - what would be his or her responsibilities to the BID as well as how the Director would be hired. He asked if a portion of the assessment he pays for the BID would be used to improve other business owners’ properties and vehemently opposed this as he believes property owners should be responsible to improve their own property. Mr. Morrison asked further questions about different aspects of the proposed ordinance and stated he is going to contact other property owners in the district about his concerns.

CLOSE PUBLIC PORTION.
Council President Golinski addressed Mr. Morrison’s concerns about the proposed BID ordinance. He stated that as the notice of public hearing has been publicized, it is unable to be changed at this time. He did explain that the Council has the right to keep the public hearing open and carry it to a future meeting. President Golinski explained that the idea for the BID was presented to the Council by a group of individuals in the business community (committee) and that this group has attempted to contact and survey all of the other business owners within the proposed business district for their feedback. The Council had been informed that there had been multiple meetings with business owners to discuss the BID. The group had informed the Council that they have received very favorable feedback from other business owners and that only one individual was opposed to the proposed BID. Mr. Golinski also commented that there had been an open public Council Workshop meeting at which the proposed BID had been presented by the committee. The committee has been working on an ordinance outlining the requirements of a BID which has been reviewed by the Township Councilman Murphy explained that the Bylaws for the BID are being finalized. Mr. Murphy extended the offer for the entire BID committee (Downtown Denville Business Improvement Group) to meet with Mr. Morrison to explain the BID process and answer any related questions. Discussion ensued as to how and when business owners within the district were notified about the proposed BID prior to the ordinance introduction. Mr. Murphy noted that the subcommittee has held six public meetings since January and has had meetings with the Chamber of Commerce and Denville Rotary Club. Mr. Murphy advised Mr. Morrison that the BID model chosen by Denville Township has been successfully utilized at over seventy locations in New Jersey.

MAYOR ANDES added that the Chamber of Commerce has been struggling for many years and the BID concept arose as a method to generate more opportunities for enhancing downtown Denville. The Chamber of Commerce and Economic Development Committee approached the Township administration requesting that a BID be created to improve the economic situation in downtown Denville.

MATTERS OF OLD AND/OR NEW BUSINESS:
None
ORDINANCES FOR INTRODUCTION
14-16
BE IT RESOLVED that an Ordinance entitled:
An Ordinance Amending Chapter IV, General Licensing, of the Revised Ordinances of the Township of Denville, New Jersey, to Amend Chapter IV, Section 4-13, Massage, Bodywork and Somatic Therapy Establishments and Chapter IIA, Fees, Rates and Charges

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

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

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 11-22-2016 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 FITZPATRICK
AYES: WITTE, FITZPATRICK, GABEL, KUSER, LYDEN, MURPHY, PRESIDENT GOLINSKI

ITEMS FOR DISCUSSION AND/OR ACTION:
None

CONSENT AGENDA:
R-16-229: Resolution Extending Advice and Consent of the Township of Denville Municipal Council to a Mayoral Appointment to the Denville Township Environmental Commission
R-16-230: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville
R-16-231: Resolution Authorizing Raffle Licenses in the Township of Denville
R-16-232: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate

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

MOTION TO APPROVE CONSENT AGENDA:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL
AYES: KUSER, GABEL, WITTE, LYDEN, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

NON-CONSENT AGENDA:
R-16-233: Resolution Refunding the Overpayments of 2016 Taxes Totaling $4,674.24

MOTION TO APPROVE R-16-233:
MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES: FITZPATRICK, WITTE, GABEL, KUSER, LYDEN, MURPHY, PRESIDENT GOLINSKI

R-16-234: Resolution Appointing Kim Goldberg as Municipal Housing Liaison for the Administration of the Township of Denville’s Affordable Housing Program

MOTION TO APPROVE R-16-234:
MOVED BY MEMBER GABEL, SECONDED BY MEMBER LYDEN
AYES: GABEL, LYDEN, WITTE, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

MINUTES FOR ADOPTION:
October 4, 2016
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER FITZPATRICK
AYES: MURPHY, FITZPATRICK, WITTE, GABEL, KUSER, LYDEN, PRESIDENT GOLINSKI

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

The Meeting adjourned at 8:23 P.M.

Danielle M. Lewis
Deputy Municipal Clerk