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, Witte, Bergen, Lyden, Borowiec, President Gabel
Absent: Buie

ALSO IN ATTENDANCE:

Thomas Andes, Mayor; Steven Ward, Administrator; John Jansen, Township Attorney; Michael Guarino, CFO

PRESENTATIONS/CEREMONIAL MATTERS:

NONE

LIAISON REPORTS:

Councilman Murphy stated that the BID Executive Board will meet tomorrow to make final preparations for Sunday’s Lunar New Year celebration to be held at 11 A.M. In celebration of the “Year of the Pig”, he stated that piggy banks are located in the stores and that the money collected will be donated to the Denville Animal Shelter. He then reported that the Environmental Commission met, reviewed and commented on numerous Planning and Zoning Board applications.

Councilwoman Witte stated that the Denville Senior Citizens have asked if the Township would purchase an AED for the Senior Center. She then noted that, at the last meeting, a question and answer period was held to discuss affordable housing and NJ Transit issues. Ms. Witte reported that the Morris Hills Board of Education met and noted that the Board is working on a final approval of staff contracts.

Councilman Bergen stated that the Polar Plunge in support of the Mayor’s Council for People with Challenges and SPARK will take place on February 23rd at Cooks Pond.

Councilwoman Lyden reported that Denville TV will be videotaping the Lunar New Year celebrations and the Polar Plunge this month. She stated that on Wednesday, Denville TV will air the dedication of Jack O’Keeffe Plaza.

Councilman Borowiec reported that the Veterans Field Improvement Committee met and the improvement project is off and running.

President Gabel reported that he will be attending the Fire Department, Rockaway River Watershed Cabinet and Historical Society meetings.

MAYOR’S REPORT:

Mayor Andes stated that the Township will be opening the bids for the First Avenue Streetscape project on Thursday. He then explained that despite the unseasonably warm weather, the Gardner Field Playground had to remain closed until the DPW employees were able to clear all the ice from the equipment and walkways.

ADMINISTRATOR’S REPORT:

Administrator Ward reported that on January 31st, the walk-out ceremony was held for now retired Chief Wagner after which Chief Frank Perna and Captain Jeff Tucker were officially sworn in. He stated that the ceremonial swearing in will be held on February 19th. He then stated that interviews for the now vacant
Lieutenant’s position will be held on February 12th. Mr. Ward advised that the new Municipal Court Administrator, Silvya Luna Victoria, started on Monday.

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

OPEN PUBLIC PORTION
Debbie and Sean Connell (188 Casterline Road) requested that a sidewalk be installed along Casterline Road between Stearns Terrace and Union Hill Road. Mrs. Connell advised that that stretch of roadway has a very sharp curve with no shoulder and stated that this is a safety concern for both pedestrians and vehicular traffic. Mayor Andes asked if the Connell’s own the entire property where they are requesting a sidewalk, to which Mrs. Connell stated that the area in question abuts two properties and a portion of a third. Mayor Andes commented that any sidewalk that might be put in would then become the responsibility of the homeowners to maintain. Mr. and Mrs. Connell expressed their willingness to maintain the sidewalk if one is put in. Mayor Andes then stated that historically the Township does not install sidewalks, mainly due to maintenance questions and concerns, but they will look at options to see if a sidewalk could be put in place.

CLOSE PUBLIC PORTION

MATTERS OF OLD AND/OR NEW BUSINESS:
NONE

ORDINANCES FOR ADOPTION:
Ordinance No. 01-19:
BE IT RESOLVED that an Ordinance entitled:
An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40A:4-45.14 for Calendar Year 2019

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER LYDEN
AYES: MURPHY, LYDEN, WITTE, BERGEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40A:4-45.14 for Calendar Year 2019

Be passed on Final Reading and that a Notice of Final Passage be published in the 02/13/2019 edition of The Citizen newspaper

MOTION TO ADOPT:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: WITTE, BERGEN, MURPHY, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

Ordinance No. 02-19:
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey, Amending a Certain Portion of Chapter 4, General Licensing, Section 4-11, Sidewalk Cafes

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER BERGEN
AYES: MURPHY, BERGEN, WITTE, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey, Amending a Certain Portion of Chapter 4, General Licensing, Section 4-11, Sidewalk Cafes

Be passed on Final Reading and that a Notice of Final Passage be published in the 02/13/2019 edition of The Citizen newspaper
MOTION TO ADOPT:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, MURPHY, BERGEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

ORDINANCES FOR INTRODUCTION:

Ordinance No. 03-19
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey, Authorizing the Acquisition of Block 21201, Lot 6, 65 Cooper Road and Hill Road from the Roman Catholic Diocese of Paterson

Be Introduced and Read by Title on First Reading:
MOTION TO READ BY TITLE:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER BERGEN
Discussion: Mr. Ward announced that the Township has received a Real Estate Contract, which has been signed by the Bishop.
AYES: MURPHY, BERGEN, WITTE, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey, Authorizing the Acquisition of Block 21201, Lot 6, 65 Cooper Road and Hill Road from the Roman Catholic Diocese of Paterson

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 03-05-2019 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 BERGEN
AYES: WITTE, BERGEN, MURPHY, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

**Ordinance No. 04-19**
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey, Authorizing the Donation of Block 70501, Lots 505, 508 and 511, from Protect Our Wetlands, Water and Woods (“POWWW”)

Be Introduced and Read by Title on First Reading:

MOTION TO READ BY TITLE:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: WITTE, BERGEN, MURPHY, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey, Authorizing the Donation of Block 70501, Lots 505, 508 and 511, from Protect Our Wetlands, Water and Woods (“POWWW”)

Be Passed on First Reading

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 03-05-2019 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 LYDEN, SECONDED BY MEMBER WITTE
AYES: LYDEN, WITTE, MURPHY, BERGEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

ITEMS FOR DISCUSSION AND/OR ACTION:

**2019 Budget Discussion**

Mr. Ward advised that after last week’s budget discussion, Administration is comfortable with increasing the revenue anticipated for Interest on Investment Income by $10,000, which would decrease the tax impact on the average assessed house to $26.46. He explained that they would not be comfortable with any additional increase. He then advised that a one-time revenue increase of $4,000 to the Miscellaneous Revenue Anticipated for PILOT would permit the purchase of an AED device and some security upgrades at the Senior Citizen building and that this change would have no tax impact.

Mr. Murphy requested that the tax impact be further decreased to below $26.00.

Mr. Borowiec, Ms. Witte and Mrs. Lyden all stated that they would support the budget as modified. President Gabel stated he too would like to have the tax impact below $26.00, if the Township is able to get to that number, but if not, he stated he could support the budget as presented.
Mr. Ward stated that it was their plan to introduce the budget at the February 19th meeting, with the public hearing scheduled for April 2nd to allow for State review of the budget. After some discussion, President Gabel asked that a further look at the numbers be taken and then stated the Council would take a 5-minute recess.

The Council recessed at 8:06 P.M and returned at 8:13 P.M.

Mr. Ward stated that if the Council so chooses, the anticipated expense for the Snow Removal Other Expenses line item could be decreased to $174,000, which would then decrease the tax impact to approximately $25.92. A consensus of the Council was taken and the additional reduction to the Snow Removal Other Expenses line item was accepted.

The Budget meeting scheduled for February 11th was officially canceled.

CONSENT AGENDA:
R-19-28: Resolution Authorizing Refund for Overpayment of Reinspection Fees to Hampton Inn, Denville
R-19-29: Resolution Authorizing Refund for Overpayment of a Solicitor’s License Fee to Power Home Remodeling Group, LLC
R-19-30: Resolution Authorizing Refund of Recreation Department Fee
R-19-31: Resolution Authorizing Refund of Firearms Fingerprinting Fee
R-19-32: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate
R-19-33: Resolution Authorizing a Refund of a Building Permit Fee
R-19-34: Resolution Authorizing a Raffle License in the Township of Denville
R-19-35: Resolution Authorizing Release of the Maintenance Guarantee for Forge Hill Construction, Inc. in Connection with the Development of 11 & 13 Orchard Street

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, MURPHY, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

NON-CONSENT AGENDA:

MOTION TO APPROVE R-19-36
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER BERGEN
AYES: MURPHY, BERGEN, WITTE, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

R-19-37: Resolution Authorizing Submission of a Renewal Grant Application for the Denville Municipal Alliance Grant for Fiscal Year 2020

MOTION TO APPROVE R-19-37:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER LYDEN
AYES: MURPHY, LYDEN, WITTE, BERGEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE
R-19-38: Resolution Authorizing the Execution of an Amended and Restated Memorandum of Understanding Between Protect our Wetlands, Water and Woods (“POWWW”) and the Township Regarding the Acquisition of Certain Property Within the Township of Denville

MOTION TO APPROVE R-19-38:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: WITTE, BERGEN, MURPHY, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

R-19-39: Resolution Authorizing the Execution of a Contract for Sale of Real Estate for the Acquisition of Block 21201, Lot 6 (65 Cooper Road and Hill Road)

MOTION TO APPROVE R-19-39:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER MURPHY
AYES: WITTE, MURPHY, BERGEN, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSENT: BUIE

MINUTES FOR ADOPTION:
January 15, 2019
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSTAIN: MURPHY, BERGEN
ABSENT: BUIE

January 19, 2019
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER LYDEN
AYES: BERGEN, LYDEN, BOROWIEC, PRESIDENT GABEL
ABSTAIN: MURPHY, WITTE,
ABSENT: BUIE

January 22, 2019
MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: WITTE, BERGEN, MURPHY, BOROWIEC, PRESIDENT GABEL
ABSTAIN: LYDEN
ABSENT: BUIE

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

The Meeting adjourned at 8:32 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk