The Meeting was called to order at 7:30 p.m. by President Golinski. The Salute to the Flag was recited, followed by an Invocation given by Councilwoman Witte. Municipal Clerk Bowditch-Leon read the Statement of Compliance with the Open Public Meetings Act, advised that this is a non-smoking facility and asked that all cell phones be silenced at this time. President Golinski noted that Councilwoman Lyden will not be in attendance, due to illness.

ROLL CALL:
Present: Gabel, Witte, Kuser, Fitzpatrick, Murphy, President Golinski
Absent: Lyden

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

LIAISON REPORTS:
Councilman Murphy had no report.
Councilman Fitzpatrick had no report.
Councilman Gabel reported that he attended the Library Board meeting. He said that the search for a new Director continues and they hope to make a selection in March or April.
Councilwoman Witte reported that the Board of Education gave an update on the status of the district goals as well as the goals of the Superintendent and Assistant Superintendent. She noted that there was a discussion concerning snow days that have not been used and the possibility of using five specific days, as extra days off. If there is a need to use them for snow days, that number will decrease. Ms. Witte advised that the Board is continuing its work on the budget and announced that the vocal music teacher will be retiring at the end of this school year.
Ms. Witte said that the Beautification Committee will meet tomorrow night.
With regard to the Deer Management Committee, Ms. Witte advised that the Committee has reported that thirty-three (33) deer have been harvested, five (5) of which were donated. She added that hunting in Denville is closed for the season with the exception of a few spots that can be active until February 20th.
Ms. Witte noted the following upcoming events:
Women’s Club – Dining to Donate at Brick 46
VFW Corned Beef Dinner – February 27th
VFW Breakfast – March 6th, 8:00 a.m. – 11:30 a.m.
Chamber of Commerce Hop into Denville – March 26th, 11 a.m. – 1:00 p.m.
Kiwanis Peanut Can Shake – May 26th
PRIDE/Chamber of Commerce Awards Dinner at Zeris Inn, $40 per person – April 1st

Councilman Kuser had no report.
President Golinski had no report.

MAYOR’S REPORT:
Mayor Andes announced that the charging station in the Church Street Lot has been hooked up by JCP&L and all that remains is for ChargePoint to install the meter.
The Mayor advised that he would like to hold ribbon cutting ceremonies for the charging station and the purchase of the schoolhouse on a Tuesday in March, prior to a Council meeting.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that Maria Bevaqua, former Deputy Court Administrator, took the position of Court Administrator in Montville in December. He said that a search for a new Deputy Court Administrator was undertaken and Administration has tendered an offer of employment to Jo Ann Musorofiti. Administrator Ward advised that Ms. Musorofiti is a Certified Court Administrator and will serve as our Deputy Court Administrator, beginning on Monday, February 22nd.

Mr. Ward noted that Mary Ann Cuneo, a Township employee since 2001, has announced her retirement in April, the exact date still to be determined.

The Administrator reported that the Adams case was heard in Superior Court last Thursday and a ruling is expected within two weeks. He said that the initial indications from the Superior Court Judge seemed very favorable to Denville.

CORRESPONDENCE: All correspondence copied and distributed to Council.

OPEN PUBLIC PORTION: No one wished to be heard.
CLOSE PUBLIC PORTION.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Gabel commented that he spoke with Bonnie Rosenthal of The American Cancer Society back in November, regarding the Relay for Life. He said that The American Cancer Society will be holding another Relay for Life on June 4th – 5th at the County College of Morris. Mr. Gabel advised that he has registered the “Denville Township Council Cruisers” team that participated last year and has e-mailed the link to all the members of the Council. He encouraged everyone to join in and try to meet the impressive goal of $3,000, which would support The American Cancer Society.

Councilman Gabel noted that following Superintendent John Egbert’s presentation of his capital budget to the Council, Mr. Gable asked Mr. Egbert to call him the next time there was a water main break so that Mr. Gabel could witness the efforts required to repair it. Mr. Gabel related how he had heard jack hammers a few streets over from his home on the evening of February 14th and, upon investigation, discovered that it was seven DPW workers repairing a water main break. He said that they did an amazing job and worked efficiently and quickly to get the job done and had to address another break on Broadway less than twelve hours later. Councilman Gabel expressed his appreciation to John Egbert and his crew for allowing him to watch the entire operation and gave the highest praise to all involved.

ORDINANCES FOR ADOPTION:
#01-16

BE IT RESOLVED that an Ordinance entitled:
Calendar Year 2016 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40A:4-45.14

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

OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.
BE IT RESOLVED that an Ordinance entitled:
Calendar Year 2016 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40A:4-45.14
Be passed on Final Reading and that a Notice of Final Passage be Published in the 02/24/2016 issue of The Citizen newspaper.
MOTION TO ADOPT: MOVED BY MEMBER GABEL, SECONDED BY MEMBER WITTE
AYES: GABEL, WITTE, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN

BE IT RESOLVED that an Ordinance entitled:
Ordinance Authorizing Execution of Right-of-Way Use Agreement with Verizon Wireless for Purposes of Providing Telecommunications Services
Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES: FITZPATRICK, WITTE, GABEL, KUSER, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.
BE IT RESOLVED that an Ordinance entitled:
Ordinance Authorizing Execution of Right-of-Way Use Agreement with Verizon Wireless for Purposes of Providing Telecommunications Services
Be passed on Final Reading and that a Notice of Final Passage be Published in the 02/24/2016 issue of The Citizen newspaper.
MOTION TO ADOPT: MOVED BY MEMBER KUJSER, SECONDED BY MEMBER WITTE
AYES: KUSER, WITTE, GABEL, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN
President Golinski asked if anyone from the public or from the Council would like to have anything removed from the Consent Agenda. No one responded.

CONSENT AGENDA:
R-16-61: Resolution Authorizing the Place to Place Transfer for an Extension of Premises for New Jersey Plenary Retail Consumption License 1408-33-003-003
R-16-62: Resolution Recognizing the Efforts of the New Jersey State Legislature and the New Jersey Veterans PTSD Task Force
R-16-63: Resolution Authorizing Raffle Licenses in the Township of Denville
R-16-64: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $709.52
R-16-65: Resolution Refunding the Payment of 2015 Taxes in the Amount of $102.32
R-16-66: Resolution Authorizing Release of the Maintenance Guarantee for Block 20901, Lot 7
R-16-67: Resolution Authorizing the Refund of the Recording Fee on a Redeemed Tax Sale Certificate in the Amount of $40.00
R-16-68: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $1,544.36
R-16-69: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $1,303.13
MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER MURPHY
AYES: FITZPATRICK, MURPHY, GABEL, WITTE, KUSER, PRESIDENT GOLINSKI
ABSENT: LYDEN

NON-CONSENT RESOLUTIONS:
R-16-70: Resolution Authorizing the Award of the Contract for the Municipal Building 175 KW Generator and Automatic Transfer Switch
MOTION TO APPROVE R-16-70: MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL
AYES: KUSER, GABEL, WITTE, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN

R-16-71: Resolution Authorizing Engineering Services in Connection with Flood Mitigation Initiatives
MOTION TO APPROVE R-16-71: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER KUSER
Discussion: Councilman Kuser asked if the grant money is to be used specifically for design work. Administrator Ward explained that the grant is more of a planning grant. He said that the main item in Hatch Mott Macdonald’s proposal is to update the County’s multi-jurisdictional hazard mitigation plan.
AYES: FITZPATRICK, KUSER, GABEL, WITTE, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN

R-16-72: Resolution Authorizing an E.U.S. Agreement for Risk Management Consultant Services for the Year 2016
MOTION TO APPROVE R-16-72: MOVED BY MEMBER KUSER, SECONDED BY MEMBER WITTE
AYES: KUSER, WITTE, GABEL, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN

R-16-73: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $4,026.73
MOTION TO APPROVE R-16-73: MOVED BY MEMBER KUSER, SECONDED BY MEMBER FITZPATRICK
AYES: KUSER, FITZPATRICK, GABEL, WITTE, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN

R-16-74: Resolution Authorizing the Execution of an Agreement with Langan Engineering & Environmental Services to Conduct Soil Borings
MOTION TO APPROVE R-16-74: MOVED BY MEMBER KUSER, SECONDED BY MEMBER WITTE
Discussion: Councilman Kuser asked where the contamination is coming from. It was explained that the original contamination was under the West Main Shopping Center. Mr. Kuser asked if the Township has to pay for this. Attorney Jansen replied that the Township does not have to pay, they are merely giving permission to Langan Engineering to do additional borings. He said that the company will hold the Township harmless, reimburse certain out of pocket expenses and provide the Township with a report.
AYES: KUSER, WITTE, GABEL, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN

MOTION TO APPROVE MINUTES OF 2-1-16, 2-2-16 AND 2-9-16: MOVED BY MEMBER GABEL, SECONDED BY MEMBER WITTE
AYES: GABEL, WITTE, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI
ABSENT: LYDEN
BUDGET DISCUSSION:
Administrator Ward commented that he believes that he and CFO Guarino have provided the information needed to answer the questions that were brought up at last week’s meeting. He said that the Council may need clarification on those items or they have additional questions or concerns, this would be the time to address them.

President Golinski commented that in his opinion, the tile floors in the Municipal Building bathrooms do not need to be replaced. He said that his recommendation is to remove the replacement of the floors from the capital budget.

Councilman Gabel agreed with President Golinski and said that he would think that there must be a product that would be able to get the grout much cleaner and more presentable.

Mayor Andes advised that all efforts have been made to clean the grout without success. There was a brief discussion regarding various types of cleaning methods for grout, including steam-cleaning. The consensus appeared to be that the Council would like the item removed from the budget.

Councilman Gabel expressed some concern regarding the impact that the tax increase for commercial properties will have on local businesses.

Administrator Ward noted that the $207.27 increase will be mitigated considerably by the added ratable of the hospital. He said that the extent of the amount of appeals won’t be known until after the May 1st deadline for filing tax appeals.

Councilman Gabel asked who the residents should contact if they still have questions regarding the revaluation.

Administrator Ward said that, since the revaluation meetings are finished, the residents would have to speak with the Tax Assessor. He added that the values have been certified to the County, so a tax appeal would have to be filed in order to obtain any adjustment.

Councilman Kuser advised that he went to the reval company’s web site and requested a detailed report on his property and he received it by mail.

Administrator Ward gave a detailed account of the Open Space Trust Fund and explained the impact of the decrease in the tax from $.03 per $100 to $.025 per $100 on the year-end balance. Mr. Ward explained that the Fund will be at a fairly low level at the end of 2017 but the Veteran’s Field improvements will be paid off by the end of 2017 and the balance will start to increase again in 2018.

Councilman Fitzpatrick asked if the Township is considering any additional flood buyouts.

The Administrator replied that the County is doing a town-wide plan based on updated FEMA maps. He said that the holdup is that FEMA keeps pushing off the completion and release of the maps.

President Golinski commented that he would like to schedule an appointment with Mr. Guarino to go over the debt schedule and be able to better understand how it works.

Administrator Ward asked if the Council feels comfortable with the budget, with the one adjustment requested this evening, and if they want Administration to prepare for introduction at the March 1, 2016 meeting.

Councilman Kuser noted that the Governor presented his budget today. He asked if anyone is aware of any cuts that may affect our budget.

Administrator Ward replied that he is not aware of any. He said that one item that has received some press in the last week or so is the energy receipts. Mr. Ward advised that there is legislation pending which, if approved, would see municipalities receiving more of the receipts money over the next five years, beginning in 2017.

Councilman Fitzpatrick asked if it is at all possible to add one road to the paving list.
Mayor Andes replied that the DPW has a full agenda with prepping the roads and making catch basin repairs and there is only so much Administration can ask of John Egbert and his staff, which is down by one full-time worker.

Mayor Andes asked if the budget can be put on the March 1st agenda. President Golinski replied in the affirmative.

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

The Meeting adjourned at 8:23 p.m.

Respectfully submitted by:

Kathleen A. Costello
Deputy Municipal Clerk