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, President Gabel
Absent: Lyden, Borowiec

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

PROCLAMATIONS/PRESENTATIONS/CEREMONIAL MATTERS:
American Cancer Society Relay for life Central Morris County
Mayor Andes asked Karen DeChristopher, Relay for Life Central Morris County Co-chair, to come forward. He then read the proclamation, which may be found at the end of these minutes, and declared May 18, 2019 to be American Cancer Society's Relay for Life Central Morris County Day. Ms. DeChristopher made a few remarks about the Relay for Life and advised that this year's event will be held at Parsippany Hills High School.

National Autism Acceptance, Understanding and Inclusion Month
Mayor Andes read the proclamation, which may be found at the end of these minutes, and declared the month of April, 2019 to be National Autism Acceptancy, Understanding and Inclusion Month.

LIAISON REPORTS:
Councilman Murnhy reported that the Downtown Denville BID will sponsor Spring into Denville on April 20th and that the General Meeting will be held on April 23rd. He advised that autism awareness flags have been hung downtown and thanked the students at Valleyview for painting the puzzle pieces seen in the store windows in the downtown. He reported that the hanging baskets for the center of town are scheduled to be delivered and hung up in time for Mother's Day. He then reported that the Environmental Committee met and reviewed numerous Planning and Zoning Board applications.
Councilman Buie reported the Beautification Committee is busy working on the spring plantings and has logged 70 volunteer hours to date in 2019. He then advised that the Green Sustainability Committee met and is promoting various matters including a rain garden at Riverview School, a basket to be donated to the P.R.I.D.E dinner tricky tray, Earth Day on April 23rd and Shred Day on May 11th.
Councilwoman Witte reported that the Rockaway River clean-up is scheduled for May 11th and that volunteers are needed. She advised that the Senior Citizen's Club held their general meeting on April 8th and will have a board meeting to fill the vacancy in the office of vice president. She stated that the Police Department made a presentation on different types of scams. Ms. Witte announced that P.R.I.D.E will be honoring the Dickerson and LaDoux families as persons of the year and Denville CERT as group of the year at their dinner to be held on April 27th. Ms. Witte advised that the band she plays with will hold a special concert at the Town Hall Community Room on May 30th at 10:30 A.M. for veterans and senior citizens.
Councilman Bergen reported that the Mayor's Council for People with Challenges helped at Rid Litter Day on April 6th and he attended the Autism Awareness ribbon cutting event on Broadway.
President Gabel reported that he met with the Fire Department and that the first quarter statistics show that the number of calls is lower than for the same period last year. He advised that the American Cancer Society's Relay for life will be held at Parsippany Hills High School on May 18th and the Council Cruisers will be present.

MAYOR’S REPORT:
Mayor Andes advised that the emergency access road from Thurmont Road to Lackawanna Avenue has been completed. He reported that the Little League parade, the field 2 scoreboard dedication and the dedication of the Peggy Gray bridge on April 13th were all a success. He thanked DPW Director John Egbert for the beautiful plaque at the scoreboard. He announced that the National Day of Prayer will be held on May 2nd and that a new fountain has been ordered to replace the one that is breaking at the bus stop.

Councilman Murphy asked if NJ Transit has been asked to provide a fence and guardrail along Lackawanna Avenue as they had requested the Township provide along the emergency roadway. Mayor Andes explained that is just one item on a long list of issues provided to NJ Transit by the Township at a meeting a few months ago.

President Gabel asked how the emergency access roadway would be opened. Administrator Ward explained that an agreement is in place which allows the gate to be opened principally for emergency purposes, i.e. when a train is stuck on the tracks or when track maintenance is scheduled for an extended period of time, to allow emergency vehicles to access the roads on the opposite side of the tracks. He added that the DPW, Police and Fire Departments are able to open the lock.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that the remaining streets on the 2018 paving list, except for Woodland Avenue, were paved last week. He explained that NJ Natural Gas will be fixing a 90-year old gas line on Woodland Avenue so the paving has been delayed until after that repair. He then reported that DPW is starting to prep those roadways on the 2019 paving list, beginning with Shongum Road, Mabro Drive and Benedict Crescent.

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

OPEN PUBLIC PORTION
Township Attorney Jansen recused himself and stepped off the dais.
Hank Tomlinson (6 Farmstead Road) asked how the resolutions regarding the Hamilton Farms (Boonton Township) property will be sent to those recipients listed in the resolution, to which the answer was by mail and e-mail. Mr. Tomlinson stated that he and his wife drove to White Haven, Pennsylvania to visit a marijuana cultivation and processing plant that was built in 2018. He explained that there was a noticeably strong odor surrounding the facility and the residents he spoke with stated that there has been a loss in value of their property. He asked that Ed Buzak, Esq., representing the Township, be allowed to participate at the Boonton Township Planning Board hearing when NETA NJ's application is heard. Mr. Tomlinson then requested that the resolution against the legalization of recreational marijuana be amended to include medical marijuana cultivation, processing and dispensing in the Township.

Dawn Mahone (87 Old Boonton Road) stated that she also drove to Pennsylvania and spoke with a neighbor of the marijuana facility who explained there is a skunky odor surrounding the facility as well as issues with the lighting.

Ed Simonetty (9 Pleasant Valley Road) stated he is opposed to medical marijuana being grown in a residential area and asked that Boonton Township Planning Board members be urged by the Township of Denville to take a trip to the Pennsylvania facility.

Mayor Andes stated that he plans on attending the Boonton Township Planning Board meeting when this application is heard, but as of this date, there has not been an application submitted by NETA NJ. He then
reported that he spoke with the Mayor of Boonton Township and representatives from Morris County and both were interested in purchasing the property. Administrator Ward reported that he then contacted two representatives from NETA NJ to ask if they were interested in selling the property, to which the answer was a resounding no.

Andrea Zeydelis (3 King Hill Court) referenced Resolution R-19-89 and asked how much will be transferred from the Affordable Housing Trust Fund and what it will be used for, to which the answers was $12,000 will be transferred to be used towards legal fees for the ongoing affordable housing declaratory judgment action litigation. Ms. Zeydelis then referenced Resolution R-19-90 and stated her belief that opposing the legalization of recreational marijuana is premature as there is a lot of information that is not known at this time which could affect Denville's decision. Councilman Bergen stated his opinion is that he would rather err on the side of caution and oppose recreational use of marijuana now. Ms. Zeydelis explained her opinion that there is already marijuana in the communities and it would benefit Denville to be ready for when it becomes legal.

Bill McKee (215 Powerville Road, Boonton) thanked the Township for being proactive.

BJ Kisch (15 Holly Drive) expressed his opinion that it would be best if the Township would look towards how to regulate recreational marijuana once it becomes legal. He stated that he believes marijuana, if legalized, will be similar to alcohol and cigarettes, then listed statistics from Colorado after the legalization of recreational marijuana.

Councilman Bergen stated that his main concern regarding the medical marijuana issue at hand is the location of the facility, which is in the middle of a residential neighborhood, where he did not believe it belonged.

Dawn Mahone (87 Old Boonton Road) listed some statistics against the legalization of marijuana and expressed her opposition to recreational marijuana.

Mathew Abraham (85 Old Boonton Road) stated that he opposes the location of this facility being in a residential area which would cause issues for the neighborhood. He stated that the Town of Boonton is preparing to oppose the NETA NJ facility at the Boonton Township Planning Board hearing.

Kevin Boland (2 Leo Terrace), Donna Tomlinson (6 Farmstead Road) and Jodi Vitolo (89 Old Boonton Road) voiced their opposition to the location of the NETA NJ facility and thanked the Council for its support against it.

Christian Velasquez (100 Harding Avenue, Dover) explained that he is a medical cannabis patient and stated that he is against the ban of marijuana in the Township. He listed some of the benefits of medical cannabis for patients and asked that the Township not oppose marijuana.

Lefty Grimes (84 Hanover Road, East Hanover) expressed that medical marijuana is helping people, especially veterans with PTSD or people who have cancer.

Sonia Abraham (85 Old Boonton Road) stated that she agrees there are benefits of medical cannabis for some people and then thanked the Township for restricting access to marijuana in Denville.

Valerie Marder (3 Arlington Dr) asked that the Township not oppose the legalization of recreational marijuana but regulate it similarly to how alcohol or cigarettes are regulated. She stated her belief that by opposing recreational marijuana, the Township would not receive potential revenue that may be authorized when legalized.

Mathew Abraham (85 Old Boonton Road) reiterated that the issue is the location of the NETA NJ facility in a residential area.

CLOSE PUBLIC PORTION

MATTERS OF OLD AND/OR NEW BUSINESS:

Township Attorney Jansen returned to the dais.

Councilman Buie asked if NJ Transit has issued a letter to allow the Beautification Committee to work along Route 53, to which the answer was no.
ORDINANCES FOR ADOPTION:

Ordinance No. 06-19:

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 Amend and Renumber Various Subsections of Chapter IV, General licensing, Section 4-13, Massage, Bodywork and Somatic Therapy Establishments, of the Township's Revised Ordinances

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, BUIE, WITTE, PRESIDENT GABEL

NAYS: NONE

ABSENT: LYDEN, BOROWIEC

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, in the County of Morris and State of New Jersey, to Amend and Renumber Various Subsections of Chapter IV, General licensing, Section 4-13, Massage, Bodywork and Somatic Therapy Establishments, of the Township's Revised Ordinances

Be passed on Final Reading and that a Notice of Final Passage be published in the 04/24/2019 edition of The Citizen newspaper.

MOTION TO ADOPT:

MOVED BY MEMBER WITTE, SECONDED BY MEMBER BUIE

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

NAYS: NONE

ABSENT: LYDEN, BOROWIEC

ORDINANCES FOR INTRODUCTION:

NONE

ITEMS FOR DISCUSSION AND/OR ACTION:

NONE

CONSENT AGENDA:

R-19-84: Resolution Authorizing Raffle Licenses in the Township of Denville

R-19-85: Resolution Authorizing Refund of Recreation Fees

R-19-86: Resolution Authorizing Issuance of Social Affair Permits by the State of New Jersey Division of Alcoholic Beverage Control

R-19-87: Resolution Refunding the Payment of Overpaid 2019 Taxes

R-19-88: Resolution to Cancel Interest for a Certain Property in the Amount of $49.52

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 WITTE, SECONDED BY MEMBER BERGEN

AYES: WITTE, BERGEN, MURPHY, BUIE, PRESIDENT GABEL
NAYS:      NONE
ABSENT:    LYDEN, BOROWIEC

NON-CONSENT AGENDA:
R-19-89: Resolution Authorizing the Transfer of Funds from the Affordable Housing Trust Fund to the
         Denville Township General Trust Fund for Affordable Housing Related Administrative Costs
MOTION TO APPROVE R-19-89
MOVED BY MEMBER WITIE, SECONDED BY MEMBER MURPHY
AYES:      WITIE, MURPHY, BUIE, BERGEN, PRESIDENT GABEL
NAYS:      NONE
ABSENT:    LYDEN, BOROWIEC

Township Attorney Jansen stepped off the dais.
R-19-90: Resolution of the Township of Denville in Opposition to the Legalization of Cannabis for
         Personal Recreational Use in the State of New Jersey
MOTION TO APPROVE R-19-90:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITIE
AYES:      BERGEN, WITIE, MURPHY, BUIE, PRESIDENT GABEL
NAYS:      NONE
ABSENT:    LYDEN, BOROWIEC

R-19-91: Resolution of the Township of Denville in Opposition to the Location of NETA NJ, LLC Medical
         Marijuana Cultivation at the Premises Known as 130 Old Denville Road, Boonton, New Jersey
MOTION TO APPROVE R-19-91:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER BUIE
Discussion: There was a discussion about whether Denville should be opposing something which is
            happening in another municipality and whether such a resolution can even be considered by a quasi-judicial
            board.
AYES:      BERGEN, BUIE, WITIE, PRESIDENT GABEL
NAYS:      MURPHY
ABSENT:    LYDEN, BOROWIEC

Township Attorney Jansen returned to the dais.
R-19-92: Resolution of the Township of Denville, in the County of Morris and State of New Jersey,
         Appointing Township Administrator Steven Ward as a Hearing Officer
MOTION TO APPROVE R-19-92:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITIE
AYES:      BERGEN, WITIE, MURPHY, BUIE, PRESIDENT GABEL
NAYS:      NONE
ABSENT:    LYDEN, BOROWIEC

MINUTES FOR ADOPTION:
NONE

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

The Meeting adjourned at 9:12 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
Proclamation

Whereas, Cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in premature death; and.

Whereas, 'Relay for Life is the signature event of the American Cancer Society, whose mission is to raise funds to improve cancer survival; decrease the incidence of cancer and improve the quality of life for cancer patients and their caregivers; and.

Whereas, Each year more than five thousand 'Relay for Life events, in the United States and twenty four countries across the globe come together to raise funds to help make a difference in the fight against cancer; and.

Whereas, the greater Morris County area residents will be joining four million people in over five thousand communities throughout the United States, in organizing 'Relay for Life events to celebrate cancer survivors and remembering those ones who are no longer with us, and to raise much needed funds for the American Cancer Society's research grants and programs to find cures and provide community and patient's support programs to help those undergoing treatment; and.

Now Therefore I, Thomas W. Jtnaes, Mayor of the Township of Denville proclaim May 18th, 2019 to be "American Cancer Society's 'Relay for Life of Central Morris County Day", and encourage all residents to participate in the 'Relay for Life event scheduled for Saturday, May 18th, 2019 at Parsippany J-fis J-fis J-igli School, from 4:00 PM to 11:00 PM, to celebrate cancer survivorship, remember those ones lost to this disease, honor caregivers and join. 'Relay for Life of Central Morris County's Fight against cancer. Only together through united efforts will we find" a cure.

Mayor Thomas W. Jtnaes
Jlyri{ 16, 2018
Whereas, autism is a pervasive developmental disorder affecting the social, communication, and behavioral aspects of those affected by it; and

Whereas, as more skilled professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 59 children nationally and 1 in 45 in New Jersey; and

Whereas, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

Whereas, individuals with autism often require a lifetime of specialized and community support services to ensure their safety and to support families' resilience as they manage the psychological and financial burdens autism can present; and

Whereas, Autism: New Jersey, is spearheading an awareness, effort in order to educate parents, professionals and the general public about autism and its effects; and

Now, therefore I, Thomas W. Jlnaes, Mayor of the Township of Denville, do hereby proclaim the month of April 2019 National Autism Acceptance, Understanding, and Inclusion Month, in Denville, and urge all residents to participate in our municipality's Awareness Month activities, in order to become better educated about autism and create a better community for individuals with autism.

Mayor Thomas Jlnaes
A.yri(16, 2019)