Township Council
06-21-2016

TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
WORKSHOP MEETING

June 21, 2016

The Meeting was called to order at 7:30 p.m. by Council President Golinski. The Salute to the Flag was recited, followed by the reading of the Compliance with Open Public Meetings Act Statement by Municipal Clerk Kathryn Bowditch-Leon. Ms. Bowditch-Leon noted that this is a non-smoking facility and asked that all cell phones be silenced at this time.

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

ALSO IN ATTENDANCE: Thomas Andes, Mayor; Steven Ward, Administrator; Christopher Wagner, Police Chief

OPEN PUBLIC PORTION: No one wished to be heard.

CLOSE PUBLIC PORTION

New Jersey Transit Safety Presentation:
Grace Introna, NJ Transit Regional Manager, Government and Community Relations, discussed pedestrian and vehicular safety at the Denville Train Station railroad crossings. She stated that the Denville Train Station (Estling Lake Road) has two-way rail traffic where trains may be travelling at speeds up to 30 mph if they are not stopping at the station. She reminded everyone to look both ways when crossing the tracks.

Denville is not a ‘Quiet Zone’ so the horns, bells and whistles are being used. Many times people are distracted by cell phones or have earbuds/headphones on so they do not hear the train’s bells and whistles.

Ms. Introna strongly stated that if the gates are in the lowered position, pedestrians and vehicles should not cross the tracks. If they do it is considered to be trespassing and they are subject to summons. Also mentioned was that vehicles and pedestrians should cross at the crosswalks; they should not stop on the tracks and while waiting on the platform everyone should stay behind the yellow line.

NJ Transit conducts age appropriate safety programs for schools or other interested groups and distributes pamphlets and flyers during safety blitzes at the stations.

The Denville Train Station has heavy train traffic with 23 eastbound trains weekdays starting at 4:16 A.M and ending at 11:38 P.M and 39 westbound trains with service ending around 2:00 A.M.

Ms. Introna explained that school buses and vehicles carrying hazardous materials must stop before the crossing even if the gates are up. She then presented pictures taken at railroad crossings during March, 2016, one of which showed a vehicle crossing the tracks when the gates were being lowered at the Denville Train Station. She then showed a short safety video – “It’s Your Choice”.

Councilman Gabel asked if the video is able to be viewed on-line, to which Ms. Introna responded that it is not but safety information is on their website www.NJTransit.com by clicking on the safety icon.

Councilman Kuser confirmed crossing the tracks any time after the gates start lowering and the lights start flashing is considered a moving violation.

Councilman Fitzpatrick stated that many people rely on the Denville Train Station. He confirmed that Administration would be able to contact Ms. Introna for other types of safety issues on NJ Transit property, especially snow removal on NJ Transit property during the winter.
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Council President Golinski asked why was this being presented to Denville, to which Ms. Introna stated that Denville is a problematic station with many people racing across the tracks from the parking lot to catch their train.

Chief Wagner confirmed that he was recently at the Denville Train Station and saw approximately 5 people ducking under the gates to get to their train. He recognizes the danger but is unable to commit an officer to be there for long periods of time every day. He expressed his belief that the Denville Train Station is not pedestrian friendly for riders going to New York City as they must park their car and then cross the tracks to board the train. He confirmed NJ Transit Police have issued some summonses and would welcome any added assistance from them. He then asked if there was a gate with a skirt on it to hinder people from ducking under them.

Councilman Kuser expressed his belief that a redesign of the station may be needed in order to make it a safer station.

Mayor Andes firmly agreed that the Denville Train Station is poorly designed and dangerous and that NJ Transit needs to invest money to make it better.

Councilwoman Witte confirmed the safety videos included not putting items on the tracks.

Ms. Introna stated she would bring all the Township’s concerns from this meeting to the appropriate NJ Transit personnel.

Council President Golinski confirmed the Council’s commitment to pedestrian and vehicular safety at the railroad crossings. He thanked Ms. Introna and the other NJ Transit representatives for taking the time to speak with the Council.

Amendment to Fee Ordinance:

Chief Wagner explained his request for the addition of an Employment Application fee of $75.00. He stated that in order to expand the pool of candidates from which the Township can hire new police officers, he would like to implement a new procedure where applicants would have to pass both a written exam and physical fitness exam prior to the interview process. In the past only police officers with certifications were able to apply, but he would like to open the hiring process up to other people who meet the basic requirements – i.e. college credits, age, etc.

The $75.00 fee would cover the cost for the administration and publication of a study guide for the applicant to take the written exam. The exam will be done in partnership with the Chiefs of Police Association of New Jersey who engage a company, IO Solutions, to write, administer and grade the tests. President Golinski asked about the college credit requirement. The Chief explained a Bachelor’s Degree is preferred but not required. President Golinski would like to encourage people with military service to apply to be an officer. Chief Wagner explained their recruitment policy and his hope that by expanding the pool of candidates, the Police Department would become a better representation of the Township.

Administrator Ward then explained why the proposed ordinance is being re-written. It was not that all the fees are being changed but the current headers and description in the ordinance were incorrect or confusing. A comparison chart was provided which listed the fee changes, both current and proposed. The comparison chart is attached to these minutes.

Mr. Ward reviewed the chart highlighting the following areas:

- Pet/Animal Supply Establishment – this was a duplicative fee/license which is not needed because it does not serve additional public health and safety purposes.
- Picnic Pavilion Usage Fees – the parks where the pavilions are located are part of the Township’s ROSI (Recreation Open Space Inventory) and therefore, the Township has to allow both resident and non-resident usage, though non-residents may be charged up to two times the resident fee. The fee is waived for church, civic and sports groups.
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- Turf Field Use Fee – these fees were added pursuant to the recommendation of the Recreation Committee. The commercial fee would be charged to those people/organizations using the field for commercial purposes, including company outings and sports clinics.
- Athletic Field Light Fees – updated slightly for the times when lights are requested when it is not related to a sports team use of the fields. Denville sports groups reimburse the Township for lighting proportional to their organization’s field usage.
- Cook’s Pond Membership Fees – the daily guest pass fee increased as well as the fee for swimming lessons.

Councilwoman Witte asked for clarification on the Swimming Lessons - additional $35 and additional $75 fees. Mr. Ward stated the additional fee is the cost to enroll an additional child in your family for the swim lessons at the same time.

President Golinski thanked Administration for supplying the comparison chart, which made it easy to understand the changes.

Township of Denville Rental Assistance Program:
Pursuant to the Council on Affordable Housing (COAH) rules, Administrator Ward explained that 30% of the local Affordable Housing Trust Fund must be allocated for affordability assistance. Currently the Social Services Department provides for rental assistance from the Public Assistance Trust Fund.

By implementing this program, the Township is implementing COAH’s spending plan requirements. It also would allow the money in the Public Assistance Trust Fund to be used for other needed assistance. The proposed program sets up clear standards and requirements for individuals requesting to receive assistance.

A requirement of the program would be that the resident occupies a current affordable housing units. Assistance for those residents not currently in affordable housing may still be obtained from Social Services Public Assistance Trust Fund.

A resolution approving the Rental Assistance Program is required to be adopted and sent to the COAH for their approval.

Denville Historical Society Lease Agreement:
Administrator Ward and Assistant Township Attorney DeBona met with representatives of the Denville Historical Society to review the proposed Lease Agreement for 501 Openaki Road. It was determined that the Historical Society is a quasi-insured entity under the Township’s insurance policy with the Morris County Joint Insurance Fund, even though they are a non-profit, 501c3 organization, and this satisfied the question of liability coverage.

The proposed lease would be for 50 years with an option to extend another 20 years and approaching is the maximum allowable for a municipality to lease to a non-profit organization. It establishes that the property must be restored to an appropriate useable condition within 10 years, if not then the lease may be nullified by the Township. It is the Historical Society’s intent to have this completed within 4-5 years.

Initial renovations to restore the building would be the responsibility of the Historical Society. The Township would be responsible for the exterior maintenance, including lawn maintenance and snow removal. After the building receives a Certificate of Occupancy, then the responsibilities would be split between the two groups, similar to what is currently in place with the museum, with the Township providing basic janitorial services and routine exterior maintenance and the Historical Society providing routine interior maintenance.

The Historical Society would provide an annual report outlining the progress of the renovations no later than January 31st each year. If the building were to be used by outside organizations, they would have to adhere to the Township’s Facility Use Policy.
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Mayor Andes and Administrator Ward recommend the lease as proposed and asked for support of an ordinance approving the lease.
Councilman Kuser thanked Administration for their work and urged his fellow Council Members to vote in favor of an ordinance.
President Golinski was concerned about the length of the lease, the change in membership of the Historical Society that would occur during that time and the ability for the Township to terminate the lease if needed. Mr. Kuser stated the Historical Society had the same concerns about the change in Council Members.
Mr. Ward read Section 4, Item B2 of the lease, stating that the Historical Society will be spending a lot of their time and resources to renovate the property. He expressed his belief that they would not want to see the property reallocated to another public purpose.
Mayor Andes stated that over the years there have been numerous changes in both Council Members as well as Historical Society Members, but that there has always been a good relationship between the two groups, which he believed would continue into the future.

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

The Meeting adjourned at 8:48 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
### Comparison of Proposed Changes to Fee Ordinance

#### Animal Control Charges & Changes

<table>
<thead>
<tr>
<th></th>
<th>NEW</th>
<th>OLD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pet/Animal Supply Establishment</td>
<td>None</td>
<td>$10</td>
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</tbody>
</table>

#### Police Department Rate Charges & Changes

<table>
<thead>
<tr>
<th></th>
<th>NEW</th>
<th>OLD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Application Fee</td>
<td>$75</td>
<td>None</td>
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</table>

#### Recreation Fee Rate Charges & Changes

<table>
<thead>
<tr>
<th></th>
<th>NEW</th>
<th>OLD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Picnic Pavillon Usage Fees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Other than James Dyer Park)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$50</td>
<td>$25</td>
</tr>
<tr>
<td>Non Resident</td>
<td>$100</td>
<td>$75</td>
</tr>
<tr>
<td>(Security deposit $250 over 200 people $500)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident Commercial</td>
<td>$150</td>
<td></td>
</tr>
<tr>
<td>Non Resident Commercial</td>
<td>$300</td>
<td>$250</td>
</tr>
<tr>
<td>(Security deposit $500)</td>
<td></td>
<td></td>
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#### Proposed Athletic Field Use Fee for 2016

<table>
<thead>
<tr>
<th></th>
<th>NEW</th>
<th>OLD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Field</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$50 2 hr. block lights extra</td>
<td>No change</td>
</tr>
<tr>
<td>Non Resident</td>
<td>$100 2 hr. block lights extra</td>
<td>No change</td>
</tr>
<tr>
<td>Commercial</td>
<td>$200 2 hr. block lights extra</td>
<td>No change</td>
</tr>
<tr>
<td>Turf Field</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$125 2 hr. block lights extra</td>
<td>New</td>
</tr>
<tr>
<td>Non Resident</td>
<td>$250 2 hr. block lights extra</td>
<td>New</td>
</tr>
<tr>
<td>Commercial</td>
<td>$500 2 hr. block lights extra</td>
<td>New</td>
</tr>
<tr>
<td>Tennis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$50 2 hr. block lights extra</td>
<td>No change</td>
</tr>
<tr>
<td>Non Resident</td>
<td>$100 2 hr. block lights extra</td>
<td>No change</td>
</tr>
<tr>
<td>Commercial</td>
<td>$200 2 hr. block lights extra</td>
<td>No change</td>
</tr>
<tr>
<td>Volleyball</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$25 2 hr. block</td>
<td>No change</td>
</tr>
<tr>
<td>Non Resident</td>
<td>$35 2 hr. block</td>
<td>No change</td>
</tr>
<tr>
<td>Commercial</td>
<td>$50 2 hr. block</td>
<td>No change</td>
</tr>
<tr>
<td>Field Usage Deposit (per field)</td>
<td>$250</td>
<td>No change</td>
</tr>
</tbody>
</table>
Athletic Field Light Fees
Resident Athletic Field 1,2,3,8 $30 per hr. $21 per hr.
Non Resident Athletic Field 1,2,3,8 $60 per hr. $31 per hr.
Commercial Athletic Field 1,2,3,8 $75 per hr. New
Resident Athletic Field 4 & 9 $50 per hr. $42 per hr.
Non Resident Athletic Field 4 & 9 $75 per hr. $52 per hr.
Commercial Athletic Field 4 & 9 $95 per hr. New
Resident Soccer Field $40 per hr. $28 per hr.
Non Resident Soccer Field $80 per hr. $38 per hr.
Commercial Soccer Field $95 per hr. New
Resident Football Field $40 per hr. $25 per hr.
Non Resident Football Field $80 per hr. $35 per hr.
Commercial Football Field $95 per hr. New
Resident Tennis $10 per hr. No change
Non Resident Tennis

Commercial Tennis

James F. Dyer Park at Cook’s Pond

Fishing Fees
Resident $10 -- family of 4 is $25 $10 each additional
Non Resident $20
Children under 7

Season Membership Fees

NEW
OLD

Resident Non Resident Non

Family of 3 or more
No change $330 $400
No change $225 $315
Couple or Single parent & 1 child
No change $100 $155
Senior Couple 62 or older
No change $60 $90
Senior Single 62 or older
No change $225 $270
Adult Single 18 to 61
$7 $7 $6
Daily Guest Pass (Must be with a member)
$50 $50 $40
Discount Guest Pass booklets-10
No change $5 $5
Lost Badge Fee
No change
Membership issued after 7/31

Weekend Membership Fees

NEW
OLD

Resident Non Resident Non

Family of 3 or more
No change $260 $320
No change $215 $255
Couple or Single parent & 1 child
No change $70 $100
Senior Couple 62 or older
No change $40 $60
Senior Single 62 or older
No change $195 $225
Adult Single 18 to 61
$7 $7 $6
Daily Guest Pass (Must be with a member)
$50 $50 $40
Discount Guest Pass booklets-10
No change $5 $5
Lost Badge Fee
No change
Membership issued after 7/31

50% of fee 50% of fee
One Week Membership
Family or Single Monday-Sunday
$50 $75
Nanny / Babysitter
1 per family
$50 $75

Swimming Lessons
Swim Lessons, Early Bird (6/1/2016)
NEW  OLD
Member  Non  Member  Non
$40  $80  $30  $60
Addtl. $35  Addtl. $75
$45  $85
Addtl. $40  Addtl. $80
$45  $90
Swim Lessons, Regular (6/12-6/21)
Swim Lessons, Late (6/22/2016 on)

Cooks Pond Picnic Pavilion
Members 10-50 people
$250($250 security deposit)
Members up to 9
$7 guest badge
Non Members 10-50 people
$350($250 security deposit)
Includes 2 lifeguards @$20 each for 5 hrs.

Dyer Park off Season Rental
$100 per hr.

Proposed tennis badge fees
Resident  Non
Single
$8  $10
Family of 4
$20  $40
Each additional family member
$5  $10