TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

August 9, 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 Gabel. Deputy Municipal Clerk Danielle Lewis read the Notice of Compliance with the Open Public Meetings Act and noted that this is a non-smoking facility. The Deputy Clerk requested that all electronics be silenced at this time.

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

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

The Deputy Municipal Clerk asked for nominations for Acting Council President.
Councilman Kuser nominated Councilwoman Stephanie Lyden to be Acting Council President. Councilman Fitzpatrick seconded the nomination. Deputy Clerk Lewis asked if there were any additional nominations. Seeing none, she closed the nominations.

ROLL CALL ON THE NOMINATION OF COUNCILWOMAN LYDEN AS ACTING COUNCIL PRESIDENT:
- AYES: KUSER, FITZPATRICK, GABEL, WITTE, MURPHY, LYDEN
- ABSENT: GOLINSKI

PRESENTATIONS/CEREMONIAL MATTERS:
USA Women’s National Kabaddi Team: Juliet Payseur, Team Manager
Eileen Shemon, Team Member

Ms. Payseur and Ms. Shemon distributed flyers and gave an overview of the background and rules of Kabaddi. Ms. Payseur informed the Council that they are a national team who compete against other countries. Ms. Shemon explained that Kabaddi is a combination of wrestling, red rover and Jiu-Jitsu, as well as other martial arts. The USA Women’s National Kabaddi Team asked for support from the Denville Municipal Council. In order to travel to compete, the team has to do fundraisers. More women from the area are being recruited to play on the Kabaddi team and they are in need of a more centralized place to practice. Cleats are not used, therefore they would not damage the floor in any indoor facilities.

Councilwoman Lyden said that Kabaddi sounds wonderful and interesting and asked how many women are on the team.

Ms. Shemon advised that there are fifteen women on their team and eleven of those women are going to compete in Toronto. Ms. Shemon announced that there is an upcoming tournament in New York and other countries will come to compete there. The USA Women’s National Kabaddi Team in Denville Township is the only team in the nation. Ms. Shemon shared that she is an avid athlete and that she is looking forward to Kabaddi being included in the 2020 Olympic Games.

Councilman Kuser asked about the dimensions of the circle that the game is played in.
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Ms. Payseur said that the size of the Kabaddi circle varies but is generally sixty yards in diameter.

Councilwoman Witte asked Ms. Payseur and Ms. Shemon which field in Denville Township would be suitable for their team to practice on.

Ms. Shemon responded that a baseball diamond would be ideal. She said that they are looking to recruit men for the men’s team and encouraged everyone to view Kabaddi videos on YouTube to gain a better understanding of the sport.

Mayor Andes offered the use of Field 5 for practice.

LIAISON REPORTS:
Councilman Gabel shared that the Mayor’s Council for People with Challenges (MCPC) has been actively running the snack stand at Cook’s Pond. MCPC will be writing “thank you” cards for the services provided by the Police Department. This fall, they will also be starting Tae Kwon Do classes and coordinating a few food drives. Mr. Gabel said that the Environmental Commission has reviewed several planning board applications. Mr. Gabel also informed everyone that the Library built a Strength, Weaknesses, Opportunities and Threats (SWOT) analysis and that there will be focus groups and surveys conducted to determine how the Library can best serve Denville Township residents.
Councilwoman Witte read her liaison report, which is attached to the end of these minutes. She further commented that she asked Administrator Ward to research whether Hollstein Lake flows into the river. At their next meeting, Councilwoman Witte will suggest that the Rockaway River Watershed Cabinet consider water testing be done for Hollstein Lake to assess any impact that fireworks may have on the water quality. Ms. Witte also announced that the Beautification Committee has received permission to plant and take care of an evergreen tree on a property near the obelisk monument. The Committee also guaranteed that if a new owner purchases the property and wants the evergreen tree removed that they will remove it.
Councilman Kuser urged all Council Members to adopt Ordinance 08-16.
Councilman Fitzpatrick said there will be a Community Build Day on August 27th from 7:00 AM to 3:00 PM for the Fox Hill Playground. They are looking for volunteers and they have a Facebook page for the event.
Councilman Murphy had nothing to report.
Councilman Fitzpatrick added that the Denville Chamber of Commerce will be having their barbeque on August 17th at 6:00 PM at Mancino’s Pizzeria and Restaurant on Route 53.
Councilwoman Lyden commented that the triangle on Route 10 looks beautiful this year and asked that her compliments be relayed to the Beautification Committee.

MAYOR’S REPORT:
Mayor Andes announced that the Kiddie Triathlon will take place this Saturday at 8:00 AM at Cook’s Pond and he will be there distributing medals to the participants. The Playground Project 2.0 group is having a fundraising sporting event on August 20th. Mayor Andes asked the Council to adopt Resolution R-16-187, extending advice and consent to his appointment of a new planning board member to replace Sergeant Nienstadt who recently retired after twenty-seven years on the Police Department. Mayor Andes made a presentation to the Denville Senior Citizens. He, Administrator Ward and Township Engineer John Ruschke met with residents from Third Avenue about installing a modest flood wall on their properties. The Third Avenue residents are interested in receiving more information on the project and have invited Mr. Ruschke to come inspect their properties.
ADMINISTRATOR'S REPORT:
Administrator Ward informed everyone that road resurfacing is continuing this week on Ford Road, Landing Trail, Birch Run, and Freeman Avenue. Mr. Ward shared that the Transportation Trust Fund is still lacking funding and the Township has been instructed not to proceed with paving from the Franklin Road triangle to Route 10 and from Franklin Avenue to Palmer Road. The NJDOT Transportation Alternatives Program, which is the program that funded the Broadway Streetscape project, is accepting applications. Mr. Ward said that they will be meeting with a grant writer to weigh the pros and cons of repairs on each individual street and will select one street to apply for the grant in November. Silvia Luna Victoria has been appointed as the new Deputy Municipal Court Clerk. Kathy Dunlap, Technical Assistant to the Construction Official, is retiring on September 30th. Kim Goldberg has been promoted to fill her position and the Construction Department will be advertising to fill Kim Goldberg’s position. Approximately two to three months ago an inquiry was received from the Borough of Mountain Lakes to purchase water from Denville Township in a bulk sale. Mr. Ward and John Ruschke met with the Borough of Mountain Lakes’ administrator and engineer last week. It was determined that Denville Township does have more than sufficient capacity to sell water to the Borough of Mountain Lakes.

Councilwoman Lyden asked Mayor Andes and Administrator Ward if there is a timeframe for the light posts to be installed for the Streetscape Project.

Mayor Andes responded that the light posts should be installed this month as the deadline for the Streetscape Project is in September.

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

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

MATTERS OF OLD AND/OR NEW BUSINESS:
Public Comment on Morris County Open Space and Farmland Preservation Trust Fund Grant Applications: Administrator Ward explained the Township needed to advertise that we are seeking funding to purchase two parcels of land and allow for public comment. One property is a 16.75-acre parcel on Evergreen Road (Soussa property) and the other is an 18.48-acre parcel on Smith Road (LaPlatte property). Mr. Ward did note that the Township is in a very competitive position for available funding.

No one wished to comment on the grant applications.

Councilman Fitzpatrick discussed the parking congestion near Manor Road and other side streets from people attending Morris County School of Technology. He mentioned that parking is particularly heavy by That’s Amore Trattoria and Picatinny Federal Credit Union. Mr. Fitzpatrick said that residents are concerned about the congestion in that area and remarked that gaining emergency access to that area would be difficult. Mr. Fitzpatrick suggested that the Police Department inspect the parking area located at the island in front of That’s Amore Trattoria and perhaps not permit parking in those spots going forward.

ORDINANCES FOR ADOPTION
08-16
BE IT RESOLVED that an Ordinance entitled:
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An Ordinance Authorizing the Lease of Block 20203, Lot 13 to the Denville Historical Society

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

OPEN PUBLIC HEARING:
Judy McBride, President of Denville Historical Society, thanked the Council for their patience and assistance in regard to Ordinance 08-16 and the lease to the Historical Society.
CLOSE PUBLIC HEARING

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Authorizing the Lease of Block 20203, Lot 13 to the Denville Historical Society

Be passed on Final Reading and that a Notice of Final Passage be published in the 08/17/2016 edition of the Citizen newspaper.
MOTION TO ADOPT:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER KUSER
AYES: WITTE, KUSER, GABEL, FITZPATRICK, MURPHY, LYDEN
ABSENT: PRESIDENT GOLINSKI

09-16
BE IT RESOLVED that an Ordinance entitled:
An Ordinance to Amend Chapter II-A, Fees, Rates and Charges, Chapter II, Administration, Section 2-18, Department of Public Safety, Chapter V, Animal Control, and Chapter 22, Parks and Recreation Areas of the General Ordinances of the Township of Denville

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

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

BE IT RESOLVED that an Ordinance entitled:
An Ordinance to Amend Chapter II-A, Fees, Rates and Charges, Chapter II, Administration, Section 2-18, Department of Public Safety, Chapter V, Animal Control, and Chapter 22, Parks and Recreation Areas of the General Ordinances of the Township of Denville

Be passed on Final Reading and that a Notice of Final Passage be published in the 08/17/2016 edition of the Citizen newspaper.
MOTION TO ADOPT:
MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES: FITZPATRICK, WITTE, GABEL, KUSER, MURPHY, LYDEN
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ABSENT: PRESIDENT GOLINSKI

10-16  
BE IT RESOLVED that an Ordinance entitled:  
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Regulate Parking on Orchard Street

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

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

BE IT RESOLVED that an Ordinance entitled:  
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Regulate Parking on Orchard Street

Be passed on Final Reading and that a Notice of Final Passage be published in the 08/17/2016 edition of the Citizen newspaper.  
MOTION TO ADOPT:  
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER WITTE  
AYES: MURPHY, WITTE, GABEL, KUSER, FITZPATRICK, LYDEN  
ABSENT: PRESIDENT GOLINSKI

ORDINANCE FOR INTRODUCTION:  
11-16  
BE IT RESOLVED that an Ordinance entitled:  
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, Article 5, Zone Regulations, Regarding Flood Hazard Areas

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

Administrator Ward reminded everyone that residents are entitled to participate in NFIP, National Flood Insurance Program. There is currently an Ordinance in place which defines substantial damage due to flooding by reference to fifty-percent of the market value of the property. This needs to be changed to reference fifty-percent of the value of the structure as required by FEMA and DEP.

BE IT RESOLVED that an Ordinance entitled:  
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, Article 5, Zone Regulations, Regarding Flood Hazard Areas
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**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 09-06-2016 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 MURPHY, SECONDED BY MEMBER WITTE  
AYES: MURPHY, WITTE, GABEL, KUSER, FITZPATRICK, LYDEN  
ABSENT: PRESIDENT GOLINSKI

Acting President Lyden 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-16-181: Resolution Authorizing Refund of Recreation Department Fees  
R-16-182: Resolution Authorizing Execution of an Agreement with the Morris County Cooperative Pricing Council to Renew Membership Therein for the Period of October 1, 2016 through September 30, 2021  
R-16-183: Resolution Authorizing Raffle Licenses in the Township of Denville  
R-16-184: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville  
R-16-185: Resolution Authorizing Refunds of Building Permit Fees  
R-16-186: Resolution for Renewal of Membership in the Morris County Municipal Joint Insurance Fund  
R-16-187: Resolution Extending Advice and Consent of the Township of Denville Municipal Council to a Mayoral Appointment to the Township Planning Board  
R-16-188: Resolution Authorizing the Cancellation of Stale Dated Checks  
R-16-189: Resolution to Enter a Shared Services Agreement for Local Health Services

**MOTION TO APPROVE CONSENT AGENDA:**

MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER KUSER  
AYES: FITZPATRICK, KUSER, GABEL, WITTE, MURPHY, LYDEN  
ABSENT: PRESIDENT GOLINSKI

**NON-CONSENT AGENDA:**

R-16-190: Resolution Authorizing Application for the 2016 Morris County Trail Construction Grant

**MOTION TO APPROVE R-16-190:**

MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL  
AYES: KUSER, GABEL, WITTE, FITZPATRICK, MURPHY, LYDEN  
ABSENT: PRESIDENT GOLINSKI
R-16-191: Resolution Refunding Utility Overpayment in the Amount of $5,317.00

MOTION TO APPROVE R-16-191:
MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES: WITTE, FITZPATRICK, GABEL, KUSER, MURPHY, LYDEN
ABSENT: PRESIDENT GOLINSKI

R-16-192: Resolution Refunding Utility Overpayment in the Amount of $4,575.00

MOTION TO APPROVE R-16-192:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL
AYES: KUSER, GABEL, WITTE, FITZPATRICK MURPHY, LYDEN
ABSENT: PRESIDENT GOLINSKI

R-16-193: Resolution Authorizing the Award of Contract for the Purchase of a Zetron 4000 Series Console System in Accordance with State Contracts A83924 and A23931

MOTION TO APPROVE R-16-193:
MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES: FITZPATRICK, WITTE, GABEL, KUSER, MURPHY, LYDEN
ABSENT: PRESIDENT GOLINSKI

R-16-194: Resolution Authorizing the Award of Contract for the Purchase of a Double Drum Vibratory Roller

MOTION TO APPROVE R-16-194:
MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL
AYES: KUSER, GABEL, WITTE, FITZPATRICK, MURPHY, LYDEN
ABSENT: PRESIDENT GOLINSKI

R-16-195: Resolution Authorizing the Award of Contract for General Contracting Services

MOTION TO APPROVE R-16-195:
MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER MURPHY
AYES: FITZPATRICK, MURPHY, GABEL, WITTE, KUSER, LYDEN
ABSENT: PRESIDENT GOLINSKI

R-16-196: Resolution Authorizing the Award of Contract for the Purchase of a Jet/Vacuum Sewer Cleaner

MOTION TO APPROVE R-16-196:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER FITZPATRICK
AYES: WITTE, FITZPATRICK, GABEL, KUSER, MURPHY, LYDEN
ABSENT: PRESIDENT GOLINSKI

R-16-197: Resolution Authorizing the Award of Contract for the Purchase of Two Department of Public Works Trucks

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MOTION TO APPROVE R-16-197:
    MOVED BY MEMBER GABEL, SECONDED BY MEMBER KUSER
AYES:    GABEL, KUSER, WITTE, FITZPATRICK, MURPHY, LYDEN
ABSENT:  PRESIDENT GOLINSKI

R-16-198: Resolution Authorizing the Execution of a Duplicate Quitclaim Deed

MOTION TO APPROVE R-16-198:
    MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES:    FITZPATRICK, WITTE, GABEL, KUSER, MURPHY, LYDEN
ABSENT:  PRESIDENT GOLINSKI

R-16-199: Resolution Authorizing Issuance of a Social Affair Permit by the State of New Jersey Division of Alcoholic Beverage Control

MOTION TO APPROVE R-16-199:
    MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER WITTE
AYES:    FITZPATRICK, WITTE, GABEL, KUSER, MURPHY, LYDEN
ABSENT:  PRESIDENT GOLINSKI

MINUTES FOR ADOPTION June 28, 2016 AND July 12, 2016
Councilman Murphy asked that the June 28, 2016 minutes be changed to state that the Green Fair will be held on September 18, 2016.
    MOVED BY MEMBER MURPHY, SECONDED BY MEMBER WITTE
AYES:    MURPHY, WITTE, GABEL, KUSER for June 28, FITZPATRICK for June 28, LYDEN
ABSTAIN: KUSER for July 12, FITZPATRICK for July 12
ABSENT:  PRESIDENT GOLINSKI

MOTION TO ADJOURN:
    MOVED BY MEMBER WITTE, SECONDED BY MEMBER KUSER
AYES:    UNANIMOUS
ABSENT:  PRESIDENT GOLINSKI

The Meeting adjourned at 8:20 P.M.

Danielle Lewis
Deputy Municipal Clerk
August 9, 2016
Board Reports

**Rockaway River Watershed Committee**

Next meeting in September

**P.R.I.D.E.**

Denville Triathlon
Took place on July 24th at Cook’s Pond everything went well (with the exception of the cannon.

Sidewalk Sale Days—throughout Downtown Denville
Worked well -- around all construction areas

Kiwanis Club of Denville
Holding a dinner dance in honor of its 70th Anniversary on September 22nd at Zenis Inn.

Fall Festival
Preparations for the October 2nd Festival are in full swing – always looking for volunteers

**Denville Board of Education**

Next meeting is Monday, August 15th at Valleyview School

**Beautification**

Continuing to work on Saturdays and Wednesdays and request volunteers any time they can help.

Committee chairman asked for some dedicated watering of trees on Broadway and areas of large plantings. After speaking with Steve Ward — watering is being done 2-3 times a week as needed.

Members of the Committee asked if the town could maintain a weed control program for the sidewalks around town. Again, after speaking with Steve Ward — the town maintains the 4’ corridor, the rest of the sidewalk area is owned by the businesses and is maintained by each.
USA WOMEN'S KABADDI TEAM

BACKGROUND
-The annual World Cup is held in Punjab, India with 20-30 teams and funded by the Indian government.
-Big push for it to be in the Olympics.

THE GAME
-Entire game lasts 30 minutes and is broken into 30 second plays.
  -There are three defense positions and one offense position in play at a time.
Once contact is made, the rest of the play is one on one.
-The object is for the single offensive player to cross into the defensive side (now the 30 seconds starts.) The offensive player wants to tag one of the three defenders and get back to her side of the field before the 30 seconds runs out. She would then get a point.
-HOWEVER, at any point during this time, a single defender may tackle the offender to run out the 30 seconds and, in that case, receive the point.

Manager: Juliet Payseur, Denville (973-590-9842) Facebook: USA Women's Kabaddi