TOWNSHIP OF DENVILLE  
MUNICIPAL COUNCIL  
REGULAR MEETING  

September 20, 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 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: Gabel, Witte, Kuser, Lyden (absent at roll call – arrived at 7:34 P.M.), Fitzpatrick, Murphy, President Golinski  
Absent: None  

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

PRESENTATIONS/CEREMONIAL MATTERS:  
Proclamation: Pain Awareness Month

Mayor Andes introduced Dr. Mehul Shah and Dr. Andrew Sim, physicians at Saint Clare’s Hospital and Interventional Pain Consultants, which is part of Morris Anesthesia Group. He then read his proclamation.

Dr. Shah thanked the Mayor and Council for their support in educating the residents of the Township on the many treatment modalities that are available for pain management other than opioid medication. He expressed that both Saint Clare’s Hospital and Interventional Pain Consultants will continue to do everything they can to educate the public about pain management options.

Mayor Andes explained that abuse of opioid pain medication often leads to heroin addiction which is becoming a huge problem throughout the area.

LIAISON REPORTS:  
Councilman Murphy said that the Green Sustainability Committee Green Fair, held on September 18th, had 15 vendors attend and was well received. He expressed the thanks of the Senior Citizens to the Township for the Senior Picnic held on Friday, September 9th. The Senior Citizens Club will hold their next general meeting on October 3rd and will hold their elections for officers for the upcoming year at that meeting. He reported that the Morris Hills Regional School District Board of Education stated it was a successful start to the school year. The Economic Development Committee Business Improvement District Group wished to thank the Council for the favorable response to their presentation on a downtown business district.

Councilman Fitzpatrick said that the Chamber of Commerce will hold the Pink Witches Night on October 13th with the proceeds benefitting the Joey Bella Fund and Rose Petals charities.

Councilwoman Lyden announced that the Paths and Trails Committee met and stated that October 8th and October 22nd will hopefully be the first of many work weekends. The Committee will be forwarding proposals to the Mayor and Administrator shortly.

Councilman Gabel noted that the Mayor’s Council for People with Challenges (MCPC) will be at the Foodtown this Saturday collecting dog and cat food and toys for the Denville Animal Shelter. He then encouraged everyone to participate in assisting in the Denville Library’s strategic plan by completing a survey, which can be found on the Library’s website, as well as volunteering for a focus group.

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Councilwoman Witte noted the upcoming dates for the meetings of the Rockaway River Watershed Committee, the Denville Board of Education and the Deer Management Committee.

Councilman Kuser said he would be attending the Morris County Open Space meeting.

President Golinski attended the Recreation Committee meeting and also hosted the Senior Social on September 18th. He thanked everyone who was able to attend and help. President Golinski reminded everyone that the Fire Department Annual Inspection and Inspection Dinner will be held on September 24th. He then commended the Township’s Fire and Police Departments on being proactive after he observed a joint collaborative response drill involving both departments and Morris County EMS.

MAYOR’S REPORT:

Mayor Andes had nothing to report but asked for the Council’s advice in choosing the location for the next phase in the Downtown Streetscape Project because applications are currently being accepted for the State Transportation Alternative Program grant. The Mayor and Administration have narrowed the proposed location to either the entire length of First Avenue or a portion of Diamond Spring Road (from the Broadway intersection to just past the First Avenue intersection).

Mayor Andes explained that the target amount that would be applied for would be $600,000. He then explained for that amount of money improvements to First Avenue would include new lighting for both sides of the street as well as in the First Avenue Parking lot, improving the curbs and the municipal sidewalk, and removing all existing overhead wiring. He then explained for that same amount of money, the improvements to the portion of Diamond Spring Road would include improving the municipal sidewalks and lighting on both sides of the street using slightly shorter lamps due to overhead wires. Diamond Spring Road will have to be done in two phases and with coordination with Morris County. Mayor Andes suggested that a site improvement be designed for the north corner of intersection at Diamond Spring Road and First Avenue, but that would be part of the next phase and is yet to be designed.

It is the Mayor and Administration’s preference to apply for the First Avenue project but Mayor Andes asked for the consensus of the Council.

Councilman Kuser confirmed the Township owns almost all of the First Avenue Parking lot, with the exception of a small portion of property located directly behind the businesses.

Councilman Gabel confirmed there are more businesses along Diamond Spring Road, but that improvement would have to be done in two phases and the First Avenue proposal would include the entire street and the parking lot.

Administrator Ward explained that the resurfacing of the First Avenue Parking lot would not be included in this grant and would have to be funded as part of the budget process.

Mr. Kuser made a motion to submit for improvements on First Avenue, which was seconded by Mrs. Lyden and unanimously approved by all Council members.

ADMINISTRATOR’S REPORT:

Administrator Ward stated the installation of the generator at Town Hall is nearing completion, with the final step of putting in a transfer switch being scheduled for September 30th. On that day Town Hall will have no electricity and only be able to provide limited services for a number of hours.

Mr. Ward noted that an ordinance authorizing the lease of a portion of the municipal building to the Denville Board of Education will be placed on the agenda for introduction at the next meeting. The Board of Education will be discussing the lease at their October 24, 2016 meeting.

Mr. Ward stated the Kiwanis Park gazebo is nearly complete with only a little more electrical work to be finished in the next few weeks.

Mr. Ward stated that on September 24th, the Morris County Open Space Committee will conduct a walk-thru of the two properties for which Denville has applied. Mayor Andes and Jane Garvey, the Township employee who coordinated the Township’s open space applications, will be present that day.
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:
Councilman Gabel stated that on Thursday, September 22nd, Kiwanis will be celebrating its 70th anniversary and there are still tickets available for the dinner.
Councilman Fitzpatrick stated the ribbon cutting at the Fox Hill Playground went well and that the playground looks great. He asked if the Township would be able to provide some newer garbage cans to the playground. Mayor Andes stated that the garbage cans currently in the center of town can be recycled to the playground once the new ones are put into place.
President Golinski reminded everyone that the St. Francis Fall Festival will be held on October 2nd.

ORDINANCES FOR ADOPTION
11-16
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

PUBLIC HEARING: This public hearing was opened at the September 6, 2016 meeting and was continued to this evening’s meeting.
No one wished to be heard.
CLOSED PUBLIC HEARING.
Attorney Jansen confirmed the Planning Board reviewed the proposed ordinance.

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 passed on Final Reading and that a Notice of Final Passage be published in the 09/28/2016 edition of The Citizen newspaper.

MOTION TO ADOPT:
MOVED BY MEMBER GABEL, SECONDED BY MEMBER WITTE
AYES: GABEL, WITTE, KUSER, LYDEN, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

CONSENT AGENDA:
R-16-216: Resolution Authorizing the Issuance of Social Affair Permits by the State of New Jersey Division of Alcoholic Beverage Control
R-16-217: Resolution Authorizing Raffle Licenses in the Township of Denville

President Golinski 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 LYDEN, SECONDED BY MEMBER FITZPATRICK
AYES: LYDEN, FITZPATRICK, GABEL, WITTE, KUSER, MURPHY, PRESIDENT GOLINSKI
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NON-CONSENT AGENDA:
R-16-218: Resolution Authorizing the Execution of a Contract for Sale for the Acquisition of Block 30001, Lot 31 and Block 30501, Lot 41

MOTION TO APPROVE R-16-218:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, GABEL, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

R-16-219: Resolution Refunding the Payment of Taxes Overpaid Due to Judgment by the Tax Court of New Jersey

MOTION TO APPROVE R-16-219:
MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER GABEL
AYES: FITZPATRICK, GABEL, WITTE, KUSER, LYDEN, MURPHY, PRESIDENT GOLINSKI

R-16-220: Resolution Requesting Planning Board Review of a Resolution Designating Certain Property in the Township as an Area in Need of Rehabilitation

Discussion:
Councilman Gabel asked if the Township will be using the P.I.L.O.T. program with this property. Mr. Ward confirmed by designating an area as an area in need of rehabilitation, the governing body is able to offer a P.I.L.O.T. but it is not a mandatory provision.

Councilman Kuser asked about the process to deem a property in need of rehabilitation. Mr. Jansen explained there are many steps to deeming an area as an area in need of rehabilitation and this is just the beginning of the process.

President Golinski also confirmed that this resolution does not address any plans for the property, only that the area meets the statutory criteria to be deemed an area in need of rehabilitation.

MOTION TO APPROVE R-16-220:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER LYDEN
AYES: WITTE, LYDEN, GABEL, KUSER, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

MINUTES FOR ADOPTION:
SEPTEMBER 6, 2016
MOVED BY MEMBER LYDEN, SECONDED BY MEMBER KUSER
AYES: LYDEN, KUSER, GABEL, WITTE, FITZPATRICK, MURPHY, PRESIDENT GOLINSKI

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

The Meeting adjourned at 8:04 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
Whereas, chronic pain is a costly and growing concern throughout the United States, tens of thousands of New Jersey residents suffer from chronic pain caused by various injuries, diseases and disorders – more than from cancer, heart disease and diabetes combined; and

Whereas, back pain is a leading cause of disability in American’s under the age of forty five, and chronic pain is the leading cause of lost work days, and costs an estimated one hundred billion in lost productivity every year and results in higher healthcare costs; and

Whereas, Interventional Pain Consultants, Morris Anesthesia Group, and St. Clare’s Health, have combined their efforts to improve the quality of life for people with chronic pain; and

Whereas, increased awareness about the effects of chronic pain will help facilitate better outcome, an improved quality of life for those suffering from chronic pain and increase access to appropriate pain management treatment;

Now therefore I, Thomas W. Andes, Mayor of the Township of Denville do hereby proclaim the month of September 2016 PAIN AWARENESS MONTH and I commend this observance to all of our citizens.