TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING
OCTOBER 20, 2015

The Meeting was called to order by President Golinski at 7:30 p.m. The Salute to the Flag was recited, followed by an Invocation given by Councilman Gabel. Township 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.

ROLL CALL:
Present: Gabel, Kuser, Lyden, Fitzpatrick, Scollans, President Golinski
Absent: Smith

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

PRESENTATIONS / CEREMONIAL MATTERS:
Councilman Gabel welcomed those participating in the presentation. He introduced Jennifer Paton and Vittorica LaBanca who were present from Girl Scout Troop 512, and stated two other Girl Scouts - Chloe Ammiano and Emily DeMartino – were unable to attend tonight's meeting.
Mr. Gable spoke about their Silver Award project. A copy of his presentation can be found at the end of these minutes.
Mr. Jeff Dickerson from Foodtown said a few words about assisting the Girl Scouts and the Mayor’s Council of People with Challenges (MCPC) and then presented a check in the amount of $500 to Susan Reinhardt, Chair of the MCPC stating this was the largest donation they have provided.
Ms. Reinhardt expressed her thanks to both the Girl Scouts and Foodtown for their support of the MCPC.
Mayor Andes presented Denville pins to everyone.

LIAISON REPORTS:
Councilman Scollans reported that he attended the Denville School Board meeting where student enrollment and medical office visits were discussed. Mr. Scollans attended the PRIDE meeting and advised that they will be having their officer nominations in November. The PRIDE dinner will be held on April 1, 2016. Mr. Scollans reported that the last Deer Management season was incident free.
Councilman Fitzpatrick reported that the Chamber of Commerce Pink Witches Night will be held on Thursday, October 22, 2015 between 6:00 and 9:00 P.M. This is a great event which focuses on breast cancer awareness. Councilman Fitzpatrick reported that some members of the Rivers and Streams Committee recently did a quick, informal clean-up of the Rockaway River.
Councilwoman Lyden reported Pink Witches Night was also discussed at the Economic Development meeting.
Councilman Kuser reported that Morris County Open Space Committee meetings are scheduled for Wednesday, October 21st and Thursday, October 22nd after which recommendations will be sent to the Morris County Freeholder Board for consideration.
Councilman Gabel noted that he attended the Morris Hills Regional School Board meeting. He is liaison to the Clean Communities Group and will be meeting with Darlene Price and John Ciardi to get a better understanding of how Clean Communities is active in the Township.
MAYOR’S REPORT:
Mayor Andes asked for the Council support on Resolutions R-15-230 and R-15-231, which would approve change orders to the contract for the dredging and desnagging of the Rockaway River. This is the balance of the grant money that wasn’t spent. The money will be utilized to help de-snag other areas within the Rockaway River which were not originally part of the application.
Mayor Andes stated a grant was submitted for an amount of $20,000 for CRS studies. The CRS application for 2016 has been submitted and initial feedback is positive that the Township’s rating will be lowered from the 9 that it currently is to an 8 or even possibly a 7. Each point the rating is lowered equals a 5% discount on homeowner’s flood insurance premiums.

ADMINISTRATOR’S REPORT:
Administrator Ward stated that work has begun on the installation of the electronic vehicle charging station at the Church Street parking lot. He is hopeful that the station will be up and running in the next week or two.
Mr. Ward reported that earlier in October, Township employees received training on active shooter situations. The program, called A.L.I.C.E. (Alert, Lockdown, Inform, Counter, Evacuate), was presented by Denville Police Department and is the new method being taught by law enforcement for these situations. Mr. Ward would like to schedule training for the Governing Body and members of the public later this year or early in 2016.
The 2016 Road Resurfacing list will be given to the Township Engineer for his evaluation and recommendations ahead of the 2016 budget year. If there are any additional roads which Council Members would like to have on this list, he asked that they please forward the information to Administration.
A memorandum was distributed earlier today regarding proposed changes to the parking regulations for the Bloomfield Avenue Parking lot. Changes to the regulations would include additional free parking spaces and time limitations on certain parking spaces located in the upper lot. As part of this year’s permit renewal process, the Municipal Clerk’s office is conducting a survey among those people requesting a “General” parking permit in order to determine how many permits are being utilized in the Bloomfield Avenue, West Main and Mt. Tabor lots.
It was decided that the Governing Body will review the memorandum. This topic will be listed as an Item for Discussion at the next regular Council meeting to determine if it needs to be work-shopped.
Mr. Ward explained St. Clare’s Auxiliary has made a donation to Social Services and asked if a formal presentation could be made at the December 1, 2016 Council meeting.

CORRESPONDENCE: All copied and distributed to Council.

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

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Scollans stated that no chemicals have been used to kill the vegetation along the Route 10 or Route 46 corridors.

ORDINANCES FOR ADOPTION: NONE

ORDINANCES FOR INTRODUCTION: NONE
ITEMS FOR DISCUSSION AND/OR ACTION:
Videotaping of Public Meetings – Discussion

Councilman Scollans expressed his belief that videotaping of public meetings and posting the videos on-line for the public to view would be of great value and lead to more openness and transparency in municipal government. The Denville Board of Education (DBOE) currently posts their meetings on YouTube and has stated it is very successful. He understands that teacher volunteers and the school’s technology department does the videotaping for DBOE. He believes this would be one of the most important things that the Council could do.

Councilman Fitzpatrick stated that Denville Community TV had previously videotaped Council meetings but it became difficult for the volunteers to continue. He does believe it can easily be accomplished due to the technology currently available and would like to know the cost of providing this service. He noted there have been fewer views on the DBOE site the last five months.

Councilman Kuser stated that the complete audio and minutes of each Council meeting are available on the Township’s website for anyone interested.

President Golinski asked if a calculation of the cost to implement a video recording system has been done. He also asked about Open Public Record Act (OPRA) regulations for videotaping.

Mr. Jansen confirmed the Township would be required to follow the OPRA rules, as a video is considered to be a public record. At this time, if a copy of the video is requested via an OPRA request, the Municipal Clerk would have to provide the video and would not be able to simply refer the requestor to YouTube or any other location. Currently there is no requirement that public meetings be videotaped and it is within the discretion of the Township as to whether they want to videotape or not.

Mr. Ward confirmed there would be a cost for personnel to attend and videotape the meetings.

Councilman Gabel would want to know the costs, efforts, usage and storage responsibilities associated with videotaping before making a decision.

President Golinski indicated that before making a decision the Council would like to know the plan for videotaping, including personnel, approximate costs, back-up plans, etc. Once started, it should be reliable and consistent. He stated that the current system of audio recordings and minutes is very reliable and easily available to the public. He does not see the added value of videotaping.

Member Scollans expressed his opinion that videotaping is a form of total transparency which is easily accessed by the public. He asked for a consensus of the Council to see if it is something about which the Council would like more information.

A consensus of the Council Members was taken and it was determined that the Council would be interested in learning more before making a decision.

Clerk Bowditch-Leon expressed concerns with regard to OPRA requests for the videos as it might add to the already numerous OPRA requests received. The storage and records retention of the video is also a concern.
Mr. Jansen again stated that the video would be considered to be a public record which would be subject to the State retention regulations. He opined that members of the public have the right to videotape Council meetings and that would not be considered a public record, but videotaping by officers, employees or volunteers of the Township would result in a public record, which would be subject to OPRA.

Administrator Ward was asked to further research this matter with the Denville Board of Education as well as with John Ciardi, Township Facilities Manager/IT and report back to the Council.

Mayor Andes stated that the Township currently meets the criteria for openness and asked if the additional level of openness is worth the additional costs and OPRA concerns that may be associated with it.

CONSENT AGENDA:
R-15-225: Resolution Authorizing the Qualified Purchasing Agent to Award Contracts that Do Not Exceed the Bid Threshold Established Pursuant to N.J.S.A. 40A:11-3(c)
R-15-226: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $773.97
R-15-227: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $146.95

President Golinski asked if anyone from the public or the Council wanted anything removed from the Consent Agenda. There was no response.

MOTION TO APPROVE THE CONSENT AGENDA: Moved by Member Scollans, Seconded by Member Gabel.
AYES: Scollans, Gabel, Kuser, Lyden, Fitzpatrick, President Golinski
ABSENT: Smith

NON-CONSENT RESOLUTIONS:
R-15-228: Resolution Authorizing Change Order #1 for the Contract with Cifelli & Son General Contracting Decreasing the Amount of the Contract by $3,300.00
MOTION TO APPROVE R-15-228: Moved by Member Lyden, Seconded by Member Gabel
Discussion: It was discussed that the unexpended funds could be used to fix the bridge along the path.
AYES: Lyden, Gabel, Kuser, Fitzpatrick, Scollans, President Golinski
ABSENT: Smith

R-15-229: Resolution Authorizing Settlement of Certain Tax Appeals
MOTION TO APPROVE R-15-229: Moved by Member Scollans, Seconded by Member Lyden
AYES: Scollans, Lyden, Gabel, Kuser, Fitzpatrick, President Golinski
ABSENT: Smith

R-15-230: Resolution Authorizing Change Order #1 for Phase I Contract with CMS Construction, Inc. for River Cleaning Project, for a Total Net Increase of $6,571.00
MOTION TO APPROVE R-15-230: Moved by Member Fitzpatrick, Seconded by Member Gabel
AYES: Fitzpatrick, Gabel, Kuser, Lyden, Scollans, President Golinski
ABSENT: Smith
R-15-231: Resolution Authorizing Change Order #1 for Phase II of Contract with CMS Construction, Inc. for River Cleaning Project, for a Total Net Increase of $13,630.35

MOTION TO APPROVE R-15-231: Moved by Member Scollans, Seconded by Member Fitzpatrick
AYES: Scollans, Fitzpatrick, Gabel, Kuser, Lyden, President Golinski
ABSENT: Smith

R-15-232: Resolution Authorizing an Agreement for Shared Services with the County of Morris for Public Health Educator Services

MOTION TO APPROVE R-15-232: Moved by Member Fitzpatrick, Seconded by Member Scollans
AYES: Fitzpatrick, Scollans, Gabel, Kuser, Lyden, President Golinski
ABSENT: Smith

R-15-233: Resolution Authorizing the Reduction of the Performance Guarantee for Estling Village to the Amount of $890,824.80

MOTION TO APPROVE R-15-233: Moved by Member Fitzpatrick, Seconded by Member Lyden
Discussion: It was confirmed that this is authorizing a relatively minor reduction in the performance bond. Money is still being held for the outstanding items.
AYES: Lyden, Fitzpatrick, Gabel, Kuser, Scollans, President Golinski
ABSENT: Smith

R-15-234: Resolution Authorizing the Purchase of a Spok Guardian Next Generation 911 System

MOTION TO APPROVE R-15-234: Moved by Member Lyden, Seconded by Member Kuser
Discussion: Councilman Gabel encouraged all Members to continue to look at the Morris County Communication Center’s capabilities.
AYES: Lyden, Kuser, Gabel, Fitzpatrick, President Golinski
NAYS: Scollans
ABSENT: Smith

MOTION TO APPROVE MINUTES OF 10-06-2015: Moved by Member Kuser, Seconded by Member Gabel
AYES: Kuser, Gabel, Fitzpatrick, Lyden, Scollans, President Golinski
ABSENT: Smith

MOTION TO ADJOURN: Moved by Member Scollans, Seconded by Member Gabel
AYES: Unanimous

Meeting adjourned at 8:35 P.M.

Respectfully submitted by,

Kathryn Bowditch-Leon, RMC
Municipal Clerk