TOWNSHIP OF DENVILLE  
MUNICIPAL COUNCIL  
REGULAR MEETING  

OCTOBER 7, 2014

The Meeting was called to order at 7:31 p.m. by President Fitzpatrick. The Salute to the Flag was recited, followed by an Invocation given by Councilman Scollans. The Open Public Meetings Act Statement was read by Acting Municipal Clerk Bowditch. Ms. Bowditch advised that this is a non-smoking facility and asked that all cell phones be silenced at this time.

ROLL CALL: GABEL, KUSER, SMITH, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD, TOWNSHIP ATTORNEY JANSEN

LIAISON REPORTS:
Councilman Scollans reported that the Deer Management Committee advised that twenty (20) deer have been harvested. Mr. Scollans noted that the Community Development Revenue Sharing Committee (CDRS) will hold its first meeting on October 9th and will review applications, ground rules and by-laws. Councilman Scollans commented that he attended the PRIDE meeting and has contacted Mayor Andes and President Fitzpatrick requesting nominations for the Muriel Hepner Award. He noted that the award is presented at the PRIDE dinner which will be held on March 20, 2015.

Councilman Golinski advised that he will be attending the Planning Board meeting tomorrow evening. He noted that the Environmental Commission reviewed applications at their meeting last week.

Councilwoman Lyden reported that the Board of Education advised that their summer projects are completed, with the exception of the bathrooms. She noted that the STEM lab opened at Valleyview School. Mrs. Lyden reported that the schools are implementing an HIB program (Harassment/Intimidation/Bullying) and all staff members and volunteers will receive training. Mrs. Lyden advised that the Trails Committee will be giving a presentation to the Council next week regarding what they are hoping to accomplish. Councilwoman Smith reported that she has just been advised that St. Clare’s Hospital will be able to do the Health Fair this year. She added that the tentative date is November 5th from 3 to 6 p.m.

Mrs. Smith advised that the Library purchased two new benches and some shelving for the children’s room. She said that they also have a MAC desktop and three (3) I-Pads that were purchased with a donation from the Denville Rotary.

Mrs. Smith reminded everyone that October is Breast Cancer Awareness Month.

Councilman Kuser had no report.

Councilman Gabel reported that the Recreation Committee met and the Field Use Committee will meet later this month. He noted that the Local Assistance Board
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continues to work on its annual winter coat drive, the Thanksgiving Food Drive and the
Adopt-A-Family program. Mr. Gabel advised that the Mayor’s Council for People With
Challenges is planning a food drive in October to stock the Denville Food Pantry.
President Fitzpatrick advised that the Chamber of Commerce is sponsoring a “Pink
Witches Night” on Thursday, October 16th from 6-9 p.m. with some of the proceeds
going to the American Cancer Society.

President Fitzpatrick advised that the Council will hold an Executive Session this
evening, which will be an informational session.
President Fitzpatrick noted that at next week’s meeting there will be two (2)
presentations. The first will be by Councilwoman Lyden and her Committee on Trails;
the second will be on Energy Aggregation, which would involve the Township and
residents purchasing energy from one source, with the goal of saving money spent on
energy.
Councilwoman Smith suggested that a press release go out to make the public aware of
the presentation. She said that they may have input on the subject.

MAYOR’S REPORT:
Mayor Andes extended congratulations to Administrator Ward on his marriage which
took place on Saturday, October 4th.
The Mayor gave an update on the Veterans’ Field expansion program and noted that it
will likely be completed by year’s end. He said that the Field Use Advisory Committee is
reviewing rules to govern the use of the new fields. The Mayor noted that he will
present a proposal for standard rules, in ordinance format, to the Council. He said that
he hopes an ordinance can be introduced in November.
The Mayor reported that the Senior Center is nearing completion and the seniors should
be able to move back in within two weeks.
Mayor Andes noted that DPW is concentrating on getting all catch basin repairs
accomplished before the end of the year.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that the railroad crossing at Morris Avenue will be repaired
beginning on October 29th with a completion date of October 31st. He said that Morris
Avenue will be closed beyond Ford Road in order for the work to be done.
Mr. Ward noted that bids for the revaluation that will be done in 2015 for the year 2016
were opened last week and came in well under the estimated amount. He said that the
bids were received from reputable firms that we have worked with in the past.
Administrator Ward introduced Kara DeLoreto as the new Executive Assistant to the
Business Administrator, replacing Kathy Bowditch who was promoted to Acting
Municipal Clerk. Mr. Ward spoke in glowing terms of Ms. DeLoreto’s qualifications,
education and work background. He said that Administration will look to expand her
role in the future.
President Fitzpatrick asked about the water cannons that were purchased for the fields. Administrator Ward replied that he spoke with John Egbert about that. He said that Mr. Egbert is working with Hub Soccer and is making sure that the fields are watered on a more frequent basis.

**CORRESPONDENCE:** All copied to Council.

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

**CLOSE PUBLIC PORTION.**

**MATTERS OF OLD AND/OR NEW BUSINESS:**
Councilman Golinski expressed heartfelt thanks to the Council, Mayor and Township Attorney for their unflagging support of the St. Francis Fall Festival. He added his thanks to the Police, Fire and Public Works Departments and noted that it would be impossible to thank everyone who helped. President Fitzpatrick noted that the CERT members were also present to help control traffic.

**ORDINANCE(S) FOR ADOPTION**

#24-14

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in a Right-of-Way Intersecting with Franklin Road

Be read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
AYES: SMITH, LYDEN, GABEL, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK

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

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Vacating and Discontinuing the Public Rights for road Purposes in a Right-of-Way Intersecting with Franklin Road

Be passed on Final Reading and that a Notice of Final Passage be Published in the 10-15-14 issue of the Citizen Newspaper.
Administrator Ward gave a brief explanation of this ordinance, which was discussed at the last meeting.
MOTION TO ADOPT: MOVED BY MEMBER KUSER, SECONDED BY MEMBER SMITH
AYES: KUSER, SMITH, GABEL, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK
BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend Chapter II-A, Fees, of the General Ordinances of the Township of Denville With Regard to Bureau of Fire Prevention Fees

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
Administrator Ward interjected that this ordinance will lower the fee for inspections requested in a timely manner and make that fee consistent with the Uniform Fire Code.
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

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, of the General Ordinances of the Township of Denville With Regard to Bureau of Fire Prevention Fees

Be passed on Final Reading and that a Notice of final Passage be Published in the 10-15-14 issue of the Citizen Newspaper.

MOTION TO ADOPT: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Authorizing the Acquisition of Certain Real Property in the Township of Denville, County of Morris and State of New Jersey

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, GABEL, KUSER, LYDEN, SCOLLANS, FITZPATRICK
Administrator Ward gave a brief history of the subject property and the reason that the Township is acquiring it. He noted that it was originally to be used for affordable housing purposes by the Habitat for Humanity. Mr. Ward advised that an application was made to the Zoning Board but it was denied.
Councilman Scollans asked what the Township would do with the property. There was a brief discussion concerning the intended use of the property and the wording of the ordinance, which was explained by Attorney Jansen.
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Authorizing the Acquisition of Certain Real Property in the Township of Denville, County of Morris, and State of New Jersey

Be passed on Final Reading and that a Notice of Final Passage be Published in the 10-15-14 issue of the Citizen Newspaper.

MOTION TO ADOPT: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
AYES: SMITH, LYDEN, GABEL, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK

President Fitzpatrick asked if anyone from the Council or the public would like to have anything removed from the Consent Agenda. No one responded.

CONSENT AGENDA:
R-14-219 Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Morris Avenue and Savage Road Resurfacing Project

MOTION TO APPROVE THE CONSENT AGENDA: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

NON-CONSENT RESOLUTIONS:
R-14-220 Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $21,339.36

MOTION TO APPROVE R-14-220: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK

R-14-221 Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $60,103.61.

MOTION TO APPROVE R-14-221: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER LYDEN
AYES: GOLINSKI, LYDEN, GABEL, KUSER, SMITH, SCOLLANS, FITZPATRICK

R-14-222 Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $72,956.87
MOTION TO APPROVE R-14-222: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
Councilwoman Smith asked if this resolution is really for the same lot and block as the prior resolution. Attorney Jansen responded that it is correct and that it covers a different time period.
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

MOTION TO APPROVE MINUTES OF SEPTEMBER 16, 2014: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER GABEL
AYES: GOLINSKI, GABEL, KUSER, SMITH, LYDEN, SCOLLANS, FITZPATRICK

MOTION TO APPROVE MINUTES OF SEPTEMBER 23, 2014: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, GABEL, KUSER, SCOLLANS, FITZPATRICK
ABSTAIN: LYDEN

President Fitzpatrick noted that the resolution he is about to read authorizes an Executive Session. He advised that the Executive Session is just informational. President Fitzpatrick added that the Council will come out of Closed Session to adjourn this meeting and no further action will be taken.

R-14-223 Resolution Authorizing Executive Session to Discuss Pending Litigation – Morris Commons.
MOTION TO APPROVE R-14-223: MOVED BY MEMBER KUSER, SECONDED BY MEMBER GOLINSKI
AYES: KUSER, GOLINSKI, GABEL, SMITH, LYDEN, SCOLLANS, FITZPATRICK
Council went into Executive Session at 8:06 p.m.
Council came out of Executive Session at 8:43 p.m.

MOTION TO ADJOURN: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: UNANIMOUS

Meeting adjourned at 8:43 p.m.

Respectfully submitted by,

Kathleen A. Costello
Deputy Township Clerk