The Meeting was called to order by President Fitzpatrick at 7:30 p.m. The Salute to the Flag was recited, followed by an Invocation given by Councilman Golinski. Deputy Township Clerk Kathy Costello read the Open Public Meetings Act Statement and reminded all present that this is a non-smoking facility. Mrs. Costello asked that all cell phones be muted during the meeting.

ROLL CALL: GABEL, GOLINSKI, KUSER, LYDEN, SCOLLANS, SMITH, FITZPATRICK
ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD AND TOWNSHIP ATTORNEY JANSEN

LIAISON REPORTS:
Councilman Gabel reported that the Deer Management Committee met recently and advised that 49 deer have been harvested so far, 8 of them were antlered deer, and over 275 pounds of venison has been donated to Denville Social Services. Mr. Gabel noted that the Mayor’s Council for People With Challenges held a food drive just before Thanksgiving and donated six, overflowing shopping carts of food to the Denville Food Pantry. He said that the food helped to feed 53 families and 46 senior citizens during the Thanksgiving season.
Councilman Gabel reported that the Township has received the funds from the Community Development Grant for the generator and improvements at the Senior Citizens Center. He said that ideas for next year’s grants are being explored, with the focus being on seniors and veterans.
Mr. Gabel advised that the Board of Education will begin holding teacher negotiations in January of 2014. He added that the 2014 budget process is under way and the board of Education audit report has been received and they received an exceptional rating.
Mr. Gabel said that he was told that the Kindergarten full day program is running very well.
Councilman Kuser noted that the Senior Thanksgiving Social was very well attended, the food was exceptional and the senior citizens were extremely grateful. He advised that the Recreation Committee Christmas Party will be held tomorrow night.
Councilwoman Smith commented that the Menorah lighting this evening went very smoothly. She said it is the first time she remembers not freezing during the ceremony and noted that all of the candles lit very easily. Mrs. Smith briefly related the story of Chanukah and noted that its meaning concerns everyone’s right to be afforded the freedom to practice their faith in whatever way they wish. She wished everyone a Happy Chanukah and a Happy Holiday season.
Councilwoman Lyden reported that she was not able to attend the Holiday Parade but it is her understanding that the Beautification Committee, once again, outdid themselves with the float that they had in the parade.
Township Council
Councilman Golinski advised that Denville TV was at the Holiday Parade and captured the two-story Gingerbread House float that the Beautification Committee put together. He said that it was spectacular. Mr. Golinski said that Denville TV can be found on the Denville web site in the upper right-hand corner by clicking on the U-Tube box. Councilman Golinski reminded everyone that there will be a very important Planning Board meeting next Wednesday, December 11th at 7:30 p.m. He said that the topic will be the Master Plan Revisions. He said that it will impact a significant area of Denville by changing the areas where hotels and motels will be permitted. Councilman Scollans commented that the next Senior Social will be held on December 15th. He reported that the Historical Society met and the major topic at the meeting was the piers in the Rockaway River and the plans to remove them. Mr. Scollans advised that the Rockaway River Watershed Cabinet will meet tomorrow evening. He noted that the League of Municipalities had a tremendous number of great courses this year. Mr. Scollans added that he has been attending the conference for 12 or 13 years and he feels that this year was the best ever.

President Fitzpatrick had no report.

MAYOR'S REPORT:
Mayor Andes noted that it was a very busy weekend with all of the holiday events. He said that the Senior Citizens’ Holiday Party will be held on Friday. The Mayor commented that a crane was needed to get the second level onto the Beautification Committee’s float. He advised that the Chamber of Commerce Awards Breakfast will be held at St. Francis Health Resort on Wednesday, December 11th at 7:45 a.m. Mayor Andes reported that the Valley View Firehouse is almost completed and the floors will be resurfaced this week. He said that the contractor is very cooperative and they are working on the Firehouse on a daily basis. Mayor Andes commented that when he took office two years ago the Township had 82 collapsed catch basins. He said that he received word today that the number is now 9. The Mayor added that the 82 that we started with have all been repaired and the 9 that are left are basins that have collapsed more recently, due to wear. He said that he is very proud of the DPW crews and couldn’t believe that they would have it done by the end of the year, but it appears that they will. Mayor Andes announced that the last Centennial Year event, the closing of the time capsule, will be held on Saturday, January 4th from 1 to 3 p.m. The Mayor explained that there were some issues with burying the last time capsule so this one will be “entombed” in a safe which is in the hallway next to the Eagle statue. He added that the safe is fireproof and waterproof and will be encased in a wooden cabinet to give it the appearance of a piece of furniture. Mayor Andes noted that a plaque will be affixed to the safe describing what it contains.

ADMINISTRATOR'S REPORT:
Administrator Ward reported that, with regard to the demolition work on Riverside Drive, Township Council
the contractor is still within the time frame designated in his contract, but that time will expire at the end of this month. Mr. Ward advised that he e-mailed the contractor today requesting a schedule for completing the final four (4) houses, as well as a schedule for the complete restoration of the contract area and removal of the debris. Administrator Ward reported that the railroad tracks on Morris Avenue, just beyond Ford Road, are going to be fixed this year. He noted that they are in horrendous condition and are actually privately owned tracks. Mr. Ward said that he received a call from the DOT advising him that they have approved a restoration plan which will include new, more modern, warning signals. Administrator Ward advised that there is a preliminary road paving list that will be distributed shortly. He asked the Council to make him aware of any roads that they feel should be included as soon as possible. Mayor Andes interjected that the issue of the railroad tracks was brought to him by a constituent and he asked Mr. Ward to look into it. The Mayor said that it was through Mr. Ward’s efforts in contacting CONRAIL that this corrective action is coming to fruition.

OPEN PUBLIC PORTION:
Gerry Idec, 1 E. Longview Trail, asked if the extension referred to in R-13-243 has anything to do with a fee that the developer pays to the Township. Attorney Jansen explained that this resolution concerns a subdivision that was approved by the Planning Board in 2002 and, due to the slow economy, the houses have not been built. He further explained that an agreement is made between the Township and the developer when approval is granted stating that the developer will complete all of the improvements that will ultimately be turned over to the municipality by a certain date. He said that those improvements include roads, catch basins, curbing and other such items. Attorney Jansen noted that, if the houses have not been built, the municipality will generally extend the time by which the improvements must be completed, provided the developer brings the performance guarantees up to the current estimate of what it would cost to complete the improvements. Mr. Idec stated that a few years ago there was a newspaper article that stated that Denville permitted the greatest number of vehicles to be taken home by employees, next to Parsippany. He asked if anything is being done to reduce the number of cars that are taken home. Administrator Ward noted that in the last couple of years, and as part of this contract cycle, the number is down considerably. He said that it is hoped that after the first of the year we will be down to three (3) and all three are for critical positions. Mr. Ward advised that the number was over sixteen (16) so we are now down to a handful and most of them are public safety or first responders. Mr. Idec spoke about a recent newspaper article that explained a system used by the Chatham Police Dept. whereby the town was divided into four or five zones and a specific ranking police officer is responsible for a specific zone. He suggested that Township Council
Denville might do that so that people will have one person to contact at the Police Dept. President Fitzpatrick replied that he will mention it to the Police Chief next month during budget hearings and will defer to him to manage his department as he sees fit. Administrator Ward agreed with Mr. Fitzpatrick and said that he will mention it to the Chief tomorrow and ask him to reach out to his counter-part in Chatham for more information on the matter.

Mark London, 107 West Shore Rd., Chairman, Green Sustainability Committee, and a member of the Planning Board, invited the Council members to the January 8th Planning Board meeting. He said that the New Jersey Land Conservancy will be presenting their version of our new updated Natural Resources Inventory (NRI). Mr. London advised that that document will be one of the base documents for our Master Plan update. He added that the NRI has not been updated since 1970. Mr. London commented briefly on some of the work that went into developing the NRI and the types of maps that are included in it.

President Fitzpatrick commented that it will be a very important meeting and all Council member would be welcome to attend, without any issue with the Sunshine Law because it is a public meeting. He said that Attorney Jansen may correct him on that if he is wrong. Attorney Jansen replied that, if Council members are going to participate, it should be advertised as a special meeting. He said that if the members just sat in the audience it would be fine, but if they plan to interact it should be advertised. President Fitzpatrick stated that it would be simple enough to advertise and he encouraged all Council members to attend the January 8th Planning Board meeting.

Mr. London added that, as part of the Conservancy’s project, the Township will be receiving all of the electronic data and GIS-compatible maps at no additional cost. Mayor Andes thanked Mr. London for his work, not only on the NRI, but for stepping up and taking on the Chairmanship of the Green Sustainability Committee as well.

Kari Gribbon, 7 Seminole Trl., commented that Franklin Rd. and West Shore Road both have a speed limit of 25 mph. She asked how that speed limit could be reduced. Administrator Ward replied that a speed study was done recently on East Shore Road. He explained that the State standard is the 85th percentile of whatever the speed is on the road, meaning that 85% of the vehicles on the road are going at that speed or less. Mr. Ward noted that over 2500 cars were measured and the average speed was 21 mph. He said that the Chief explained to him that the data on East Shore does not support a speed reduction. Mr. Ward advised that he will speak with the Chief about doing a speed check on West Shore Road.

The Mayor noted that former Mayor Gene Feyl attempted to have the speed limit lowered on Franklin Road and the State told him that 25 mph is the lowest approved speed in the State on public roadways. Mayor Andes said that we are going to try another bite of the apple” on that one.

CLOSE PUBLIC PORTION

Township Council
CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS: None.

ORDINANCE(S) FOR ADOPTION:

#23-13
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO ESTABLISH THE SALARIES FOR THOSE EMPLOYEES OF
THE DENVILLE POLICE DEPARTMENT GOVERNED BY THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY
OF MORRIS, STATE OF NEW JERSEY AND THE POLICE BENEVOLENT
ASSOCIATION LOCAL 142
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER GOLINSKI, SECONDED BY
MEMBER GABEL
AYES: GOLINSKI, GABEL, KUSER, SMITH, LYDEN, SCOLLANS, FITZPATRICK
President Fitzpatrick asked Administrator Ward to give a brief synopsis of this
ordinance.
Administrator Ward explained that this contract is a result of negotiations between the
Township and the Denville PBA Local 142. He said that it covers our uniformed, sworn
police officers. Mr. Ward noted that it is a four-year contract which will be effective on 1-
1-14 and run through 12-31-17. He advised that the salary increase settlement is an
historic low for Denville being 1.98%, 0.87%, 0.87% and 0.87%. The Administrator said
that the average for the four years is about 1.2% per year. He explained that the other
aspects of the agreement involve a change in the prescription plan, a pro rata system at
retirement for vacation and sick leave time and some changes in language to avoid
future grievances.

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

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO ESTABLISH THE SALARIES FOR THOSE EMPLOYEES OF
THE DENVILLE POLICE DEPARTMENT GOVERNED BY THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY
OF MORRIS, STATE OF NEW JERSEY AND THE POLICE BENEVOLENT
ASSOCIATION LOCAL 142
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE DECEMBER 11, 2013 ISSUE OF THE CITIZEN
MOTION TO ADOPT: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER
GABEL
Township Council
Councilman Golinski commented that he published the ordinance in his newsletter and received various comments from his constituents. He said that he feels the agreement is a fair one and he complimented Administration on a job well done. President Fitzpatrick expressed his agreement with Mr. Golinski’s comments.

AYES: GOLINSKI, GABEL, KUSER, SMITH, LYDEN, SCOLLANS, FITZPATRICK

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

CONSENT AGENDA:

R-13-243 RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION DEVELOPER’S AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE AND F & F HOME BUILDERS, LLC

R-13-244 RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE


R-13-246 RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE IN THE AMOUNT OF $822.00

R-13-247 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $682.95

R-13-248 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $587.25

R-13-249 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $1,566.08

MOTION TO APPROVE THE CONSENT AGENDA: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH

AYES: SCOLLANS, SMITH, GABEL, KUSER, LYDEN. GOLINSKI, FITZPATRICK

NON-CONSENT RESOLUTIONS:


MOTION TO APPROVE R-13-250: MOVED BY MEMBER GABEL, SECONDED BY Township Council
MEMBER SMITH
AYES: GABEL, SMITH, KUSER, LYDEN, GOLINSKI, SCOLLANS*, FITZPATRICK

* Councilman Scollans inadvertently voted “yes” on this resolution. His intention was to abstain. He expressed his desire to withdraw his vote to the Deputy Clerk and Township Attorney after the meeting had adjourned. There was no discussion on this resolution and all of the other six (6) Council Members voted in the affirmative, so the outcome was not affected.

R-13-251  RESOLUTION ESTABLISHING 2014, 2015, 2016 AND 2017 SALARIES FOR CERTAIN TOWNSHIP OF DENVILLE EMPLOYEES NOT GOVERNED BY COLLECTIVE BARGAINING AGREEMENTS
MOTION TO APPROVE R-13-251: MOVED BY MEMBER LYDEN, SECONDED BY MEMBER SMITH
AYES: LYDEN, SMITH, GABEL, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK

R-13-252  RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $3,006.56
MOTION TO APPROVE R-13-252: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH
AYES: SCOLLANS, SMITH, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK

R-13-253  RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $25,408.36
MOTION TO APPROVE R-13-253: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
AYES: SMITH, LYDEN, GABEL, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK

R-13-254  RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT EXTENSION FOR THE TOWNSHIP OF DENVILLE MUNICIPAL ALLIANCE
MOTION TO APPROVE R-13-254: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GABEL
AYES: SMITH, GABEL, KUSER, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

R-13-255  RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID FOR CALENDAR YEAR 2013 IN THE AMOUNT OF $4,184.99
MOTION TO APPROVE R-13-255: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH
AYES: SCOLLANS, SMITH, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK
MOTION TO ADJOURN: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH
AYES: UNANIMOUS

MEETING ADJOURNED AT 8:16 P.M.

Respectfully submitted by:

Kathleen A. Costello
Deputy Township Clerk