TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
WORKSHOP MEETING

DECEMBER 9, 2014

The Meeting was called to order by President Fitzpatrick at 7:31 p.m. The Salute to the Flag was recited, followed by the reading of the Open Public Meetings Act Statement by Acting Township Clerk Kathryn Bowditch. Ms. Bowditch noted that this is a non-smoking facility and requested that all cell phones be silenced at this time. Ms. Bowditch advised that Councilman Gabel is unable to attend this meeting.

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

ALSO IN ATTENDANCE: ADMINISTRATOR WARD AND TOWNSHIP ATTORNEY JANSEN.

President Fitzpatrick noted that Mayor Andes is also unable to attend this evening’s meeting.

OPEN PUBLIC PORTION:

Andre Simone, 8 Beech Place, commented on what he termed the “egregious estate and inheritance taxes” in New Jersey. He noted that his issue is not with the federal estate tax but, rather, with the state taxes. Mr. Simone stated that New Jersey is the worst offender in the Country when it comes to estate and inheritance taxes. Mr. Simone requested that the Council submit a resolution to the leaders of the State Senate and Assembly asking them to consider a repeal of the estate tax. He provided the Council members with a handout containing examples of tax implications and a sample resolution.

President Fitzpatrick recommended that Mr. Simone contact Senator Bucco and Assemblymen Bucco and Carroll. He said that he can state from experience that they are very responsive. Councilwoman Smith added her support for a resolution to the State.

Councilman Scollans commented that he believes Assemblyman Bucco has expressed his support for repealing these taxes. He said that he, himself, also supports the repeal effort. President Fitzpatrick stated that there will not be a problem getting a resolution before the Council but noted that it would be non-binding, since it is not something that the Council can change.

Franz Fuertges, 109 Ford Road, stated that he wishes to express his thanks to Councilman Kuser for his assistance in assembling the sleigh that now sits in front of the Municipal Building.

President Fitzpatrick commented on the beautiful float in the Chamber of Commerce Parade and asked what will happen to the sleigh after the holidays are over.

Mr. Fuertges noted that the sleigh will be used many times in the years to come and he has asked Superintendent John Egbert if the sleigh might be stored at the DPW facility. Councilman Kuser interjected that he has a truck tarpaulin that can be used to protect it, at least for this year.

Mr. Fuertges stated that all of the people who were instrumental in putting the float together should be acknowledged by the Mayor and the Council.
CLOSE PUBLIC PORTION.

ITEMS FOR DISCUSSION AND/OR ACTION:
President Fitzpatrick stated that he has been going through proposed liaison appointment lists and has asked for recommendations from the Council members. He noted that in some instances, two Council members have requested the same appointment. President Fitzpatrick advised that he has tried his best to accommodate everyone. He handed out a liaison appointment list.

Councilwoman Smith reminded everyone that the Senior Social will be held this Sunday at the Church of the Saviour and it will have a holiday theme. She added that on Tuesday, December 16th between 5:00 pm and 5:30 pm, the Menorah lighting will be held on West Main Street. President Fitzpatrick advised that no action will be taken on liaison appointments tonight. He said that the Council will now have time to discuss the appointments among themselves and may swap appointments if they wish. It was decided that Councilman Golinski and Councilwoman Smith will split the liaison appointment for Public Health and Safety, with Mr. Golinski taking the first half of the year and Mrs. Smith the second half.

President Fitzpatrick emphasized that the liaison position is not there to run the meetings but to maintain a relationship with the chairperson and the committee and lend assistance if it is needed from the Council.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilwoman Smith commented that the Senior Holiday luncheon was a great success. She said that three entertainment acts were there playing holiday music.

President Fitzpatrick noted that John Bartaloto from CERT and OEM extended an invitation to the entire Council to attend their holiday party which will be held on December 18th at 7:00 pm in the community room. He asked that members RSVP to him by December 12th and he will advise Mr. Baraloto with regard to how many will attend.

ORDINANCE(S) FOR ADOPTION:
#29-14
BE IT RESOLVED that an Ordinance entitled:
An Ordinance Appropriating the Sum of $71,500 from the Open Space Trust Fund of the Township of Denville for the Construction of a Walking Path at Muriel Hepner Park
Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER LYDEN SECONDED BY MEMBER SMITH
AYES: LYDEN, SMITH, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK
ABSENT: GABEL

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

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Appropriating the Sum of $71,500 from the Open Space Trust Fund of the Township of Denville for the Construction of a Walking Path at Muriel Hepner Park.

Be passed on Final Reading and that a Notice of Final Passage be Published in the 12-17-14 issue of the Citizen Newspaper.

MOTION TO ADOPT: MOVED BY MEMBER LYDEN, SECONDED BY MEMBER SMITH
Discussion: Councilman Golinski complimented Councilwoman Lyden and her committee on the job they are doing on getting the trails started.
Administrator Ward interjected that he met with Engineer Ruschke this afternoon and learned that the DEP permit application which will allow the path to be constructed has been prepared and signed and will be submitted tomorrow.
AYES: LYDEN, SMITH, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK
ABSENT: GABEL

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-14-261 Resolution Authorizing Agreement with Main Street New Jersey, New Jersey Department of Community Affairs.
R-14-262 Resolution Authorizing Refund of Parking Permit Fees in the Amount of $175.
R-14-263 Resolution Authorizing Raffle License(s) in the Township of Denville.
R-14-264 Resolution Establishing the Reorganization Meeting of the Municipal Council of the Township of Denville for 2015.
MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH
AYES: SCOLLANS, SMITH, KUSER, LYDEN, GOLINSKI, FITZPATRICK
ABSENT: GABEL

NON-CONSENT AGENDA:
R-14-265 Resolution Requesting Approval of Items of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87.
MOTION TO APPROVE R-14-265: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN
Discussion: Councilman Golinski noted that it would have been helpful to have more detail in the title of the resolution.
AYES: SCOLLANS, LYDEN, KUSER, SMITH, GOLINSKI, FITZPATRICK
ABSENT: GABEL

R-14-266 Resolution Authorizing the Award of a Professional Services Contract for Revaluation Appraisal Services.
MOTION TO APPROVE R-14-266: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
Discussion: Councilwoman Smith spoke in support of using this vendor since they did an excellent job on the previous revaluation in Denville.

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

ABSENT: GABEL

R-14-267 Resolution Authorizing the Transfer of Calendar Year 2014 Budget Appropriations.

Administrator Ward explained that very late in the day today, he received confirmation from our attorneys that COAH is granting us permission to charge certain legal fees and certain other professional fees related to a matter of pending litigation with Morris Commons to our Affordable Housing Trust Fund. He said that CFO Guarino suggested that the funds that would have been transferred to legal services instead be transferred into our snow removal account to ensure a buffer in that account.

MOTION TO APPROVE R-14-267: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH

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

ABSENT: GABEL

R-14-268 Resolution Authorizing the Cancellation of Unexpended and Dedicated Balances of General Capital Appropriations.

MOTION TO APPROVE R-14-268: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI.

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

ABSENT: GABEL

MOTION TO ADJOURN: MOVED BY MEMBER KUSER, SECONDED BY MEMBER LYDEN

AYES: UNANIMOUS

ABSENT: GABEL

Meeting adjourned at 8:01 pm.

Respectfully submitted by:

Kathleen A. Costello
Deputy Township Clerk