TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING
DECEMBER 16, 2014

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 Scollans. The Open Public Meetings Act Statement was read by Acting Township Clerk Bowditch. Ms. Bowditch stated that this is a non-smoking facility and asked that all cell phones be silenced at this time.

ROLL CALL: GABEL, KUSER, LYDEN, SCOLLANS, FITZPATICK
ABSENT: SMITH

Councilman Golinski was absent at Roll Call but arrived at 7:37 pm.

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

LIAISON REPORTS:
Councilman Scollans noted that there have been no meetings to report on but advised that the Knuth Farm Foundation tree sale is doing very well. He said that the first batch of trees sold out completely and another shipment is due shortly. Mr. Scollans said that the Foundation is most grateful for everyone’s support.

Councilwoman Lyden stated that she attended the Denville Board of Education meeting and it was reported that the final CO’s have been issued for the bathroom renovations. She advised that there was a hot air balloon demonstration held and a balloon landed on the roof of Valleyview School.

Councilman Kuser had no report.

Councilman Gabel reported that he attended the Morris Hills Regional School Board meeting but there was nothing to report. Mr. Gabel noted that the Local Assistance Board has been very busy since Thanksgiving and is now preparing for Christmas. He said that the Board appreciates all the assistance and support from the Council and employees of the Township.

President Fitzpatrick noted that many committees have concluded their 2014 meetings. He added that the Advisory Committee for Rivers and Streams is preparing for next year and has a tentative date of May 16, 2015 for a river cleanup. President Fitzpatrick reported that the Senior Social was a huge success with almost 90 people in attendance. He mentioned that the CERT and OEM holiday party will be held on Thursday and the employees’ luncheon will be held tomorrow.

MAYOR’S REPORT:
Mayor Andes mentioned the various holiday events that have been held during the last two weeks. He expanded on President Fitzpatrick’s comments about the Senior Social. He said that it was a delightful event and the food was donated by Ah Pizz. The Mayor noted that Councilmen Scollans and Fitzpatrick, Councilwoman Smith and himself were in attendance and there was even a visit from Santa. He thanked the Indian Lake
Men’s Club for donating Christmas trees to Social Services. Mayor Andes wished everyone a Merry Christmas, a Happy New Year and a Happy Hanukah.

**ADMINISTRATOR’S REPORT:**
Administrator Ward reported that he met with Steve Forte, the Superintendent of the Denville Board of Education last Friday. He said that they had a brainstorming session on shared services that may be considered in future years to create greater savings for both the Board and the Township.

Mr. Ward advised that the employees’ holiday luncheon and recognition ceremony will be held tomorrow in the Community Room from 12:00 to 1:30 pm. He said that there are two employees who have attained notable service years with the Township: Larry Somers, a DPW employee, with 35 years of service and Barbara Beatty, Fire Department secretary, with 40 years of service.

The Administrator advised that the Town Hall schedule that was negotiated during collective bargaining earlier this year has a new provision concerning holidays. He said that previously for many of the agreements there was an assigned holiday that was removed in the new agreements and replaced with a half day holiday for both Christmas Eve and New Year’s Eve. Mr. Ward noted that, due to that change, Town Hall will close at 11:30 am on 12/24/14 and 12/31/14.

Administrator Ward stated that he has a special announcement this evening. He said that it is a distinct honor for him to inform the Mayor and Township Council that his colleague and very good friend, Kathy Bowditch, is the latest licensed Registered Municipal Clerk in the State of New Jersey.

President Fitzpatrick asked if Mr. Golinski had a Liaison Report.
Councilman Golinski reported that he attended the Planning Board meeting last week and a potential litigation was resolved through a compromise with the applicant.

President Fitzpatrick commented on the Santa Calls made by Recreation Committee members. He said the calls were made last night and it is a really successful program.
Mr. Fitzpatrick added that the Menorah lighting was held this evening and the rain stopped long enough to accommodate the ceremony.

**CORRESPONDENCE:** All copied to Council.

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

**CLOSE PUBLIC PORTION.**

**MATTERS OF OLD AND/OR NEW BUSINESS:** President Fitzpatrick noted that this is his last meeting as Council President. He said that he feels that the Council has accomplished some great things over the past two years and he thanked the Council for their support.

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

**CONSENT AGENDA:**
R-14-269  Resolution Refunding a Subsequent Payment on a Redeemed Tax Sale Certificate - $151.72.
R-14-270  Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate - $1,101.74.
R-14-271  Resolution Authorizing the Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville.
R-14-272  Resolution Supporting the Repeal of New Jersey’s Estate Tax as Proposed in the General Assembly and Senate.
R-14-273  Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate - $1,822.40.

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

NON-CONSENT RESOLUTIONS:
R-14-274  Resolution Requesting Authorization for Expenditure of Affordable Housing Trust Funds on Emergent Affordable Housing Mechanisms Not Included in Municipal Fair Share Plan, in the Form of an Amendment to the Spending Plan Pursuant to N.J.A.C. 5:97-8.11.

MOTION TO APPROVE R-14-274: MOVED BY MEMBER GABEL, SECONDED BY MEMBER KUSER
Discussion: Councilman Kuser asked for an explanation of the resolution. Administrator Ward explained that anytime we authorize expenditures from our Affordable Housing Trust Fund it has to be part of our spending plan that is submitted and approved by the Council on Affordable Housing. He said that this amendment adds the expenditure of certain legal and consulting fees associated with the Morris Commons lawsuit. Mr. Ward added that R-14-276 specifically outlines limits for the expenditure of legal and professional fees associated with that litigation.
AYES: GABEL, KUSER, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK
ABSENT: SMITH

R-14-275  Resolution Consenting to the Early Termination of the Agreement between the Borough of Morris Plains and the Township of Denville for Animal Control Services.

MOTION TO APPROVE R-14-275: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER LYDEN
Discussion: Councilman Kuser asked what impact this will have on the Township. Administrator Ward explained that the contract is being terminated under good terms between the two municipalities. He said that Morris Plains has found an alternate service provider that suits their specific needs. There was a question regarding the loss of revenue involved in terminating the contract. Mr. Ward said there would be a small loss of revenue but it will be offset by our Animal Control Officer's ability to re-focus her attention solely on Denville’s needs.
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AYES: GOLINSKI, LYDEN, GABEL, KUSER, SCOLLANS, FITZPATRICK
ABSENT: SMITH

R-14-276 Resolution Authorizing the Spending of Affordable Housing Trust Fund Money for Legal and Consulting Fees.

MOTION TO APPROVE R-14-276: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER LYDEN

Discussion: Councilman Scollans noted that there is an amount of $252,734.00 to be used for rehabilitation, with $225,000.00 of that going to Estling Lake Village. He said that he would like to know what that is being used for. Mr. Scollans stated that there is a difference of $27,000 and he would like to know where that money will be used.

Mr. Ward replied that these are projected amounts, not actual dollar amounts. He said that as part of the developer’s agreement with Estling Lake Village, we agreed to provide the funds from our Affordable Housing Trust Fund to extend utilities to the affordable housing units that will be part of the project. Mr. Ward said that he will look into the $27,000.00 difference and get back to Mr. Scollans on that.

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

R-14-277 Resolution Authorizing Agreement for Sewer Lateral Connection to Sewer System.

MOTION TO APPROVE R-14-277: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI

Administrator Ward explained that, due to the layout of the property involved, the Township is granting an easement for a private hook-up to the Township’s sewer system and the homeowner will have the obligation to repair and maintain the line. He added that there is a second property that will tie in to this private line.

Councilman Golinski asked if the agreement to take care of maintenance will be in a deed in order to protect the Township.

Attorney Jansen replied that the agreement will be recorded and the obligation will run with the land.

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

R-14-278 Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate - $6,937.46.

MOTION TO APPROVE R-14-278: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER KUSER

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

R-14-279 Resolution Authorizing the Refund of 2014 Taxes in the Amount of $2,364.39.

MOTION TO APPROVE R-14-279: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI

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

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ABSENT: SMITH

R-14-280 Resolution Authorizing Tax Refunds and the Cancellation of Tax Delinquencies Under Ten Dollars ($10.00).

MOTION TO APPROVE R-14-280: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, LYDEN, FITZPATRICK
ABSENT: SMITH

MOTION TO APPROVE MINUTES OF 11-25-14: MOVED BY MEMBER GABEL, SECONDED BY MEMBER GOLINSKI
AYES: GABEL, GOLINSKI, SCOLLANS, FITZPATRICK
ABSTAIN: KUSER, LYDEN
ABSENT: SMITH

MOTION TO APPROVE MINUTES OF 12-9-14: MOVED BY MEMBER KUSER, SECONDED BY MEMBER LYDEN
AYES: KUSER, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK
ABSTAIN: GABEL
ABSENT: SMITH

MOTION TO ADJOURN: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
AYES: UNANIMOUS
ABSENT: SMITH

Meeting adjourned at 7:53 p.m.

Respectfully submitted by,

Kathleen A. Costello
Deputy Township Clerk