The Meeting was called to order by President Fitzpatrick at 7:30 p.m. The Salute to the Flag was recited, followed by the reading of the Open Public Meetings Act Statement by Deputy Township Clerk Kathy Costello. Mrs. Costello noted that this is a non-smoking facility and asked that all cell phones be silenced at this time.

ROLL CALL: KUSER, GABEL, GOLINSKI, SCOLLANS, SMITH, LYDEN, FITZPATRICK
ALSO IN ATTENDANCE: ADMINISTRATOR WARD, CONSTRUCTION OFFICIAL SAL POLI, TOWNSHIP PLANNER JASON KASLER AND HEALTH OFFICER CARLOS PEREZ

President Fitzpatrick noted that Mayor Andes has advised that he been delayed and may arrive later.

OPEN PUBLIC PORTION:
Gerry Idec, 1 East Longview Trail, commented that it is his opinion that Denville should have a full-time Mayor. He said that this town needs both a full-time Administrator and a full-time Mayor. Mr. Idec asked how many towns do not have full-time Mayors. President Fitzpatrick replied that most towns do not. He added that Parsippany and Riverdale are the only two towns in all of Morris County that have a full-time Mayor. Mr. Idec continued to insist that there should be a full-time Mayor, along with the full-time Administrator, in Denville. He also insisted that Denville has the money to pay for the two positions.
CLOSE PUBLIC PORTION.

HOTEL CONDITIONAL USE ZONING ORDINANCE

Administrator Ward noted that this ordinance was before the Council last June. He said that, at that time, it was an ordinance concerning hotels and motels and was sent to the Planning Board for review. Mr. Ward advised that the notice that would have been required for that ordinance involved a massive mailing. It was decided to regroup and present this as a reexamination of the Master Plan. The Administrator noted that the elimination of both hotels and motels from the B zones and the conditional permission for hotels in the I-2 zone was adopted and endorsed by the Planning Board on December 14, 2014. He said that breaking the ordinance into two parts significantly cuts down on the notification process and makes it much more manageable.

Planner Jason Kasler stated that the Council is basically looking at the hotel portion of the ordinance that was before them last year. He said that it removes hotels from the I-1 zone and conditionally allows them in the I-2 zone. Planner Kasler commented on the changes that have been made to this ordinance since the Council saw it last year. He added that there is flexibility in the ordinance to a Township Council.
allow for some creativity in design. Mr. Kasler noted that the motel section will be coming in the future.
There were some questions regarding variances, notice and lot size requirements. Mr. Kasler responded to all of the Council’s questions.
Administrator Ward commented that the ordinance should be ready for introduction at next week’s meeting - March 18, 2014.

PROPOSED REVISIONS TO SIDEWALK CAFÉ ORDINANCE

Administrator Ward gave a brief overview of the current sidewalk café ordinance which is being enforced. He noted that when Mr. Perez took over as Health Officer he noticed that some references to the statutory codes that he is charged with enforcing were inaccurately referenced in the sidewalk café ordinance. Mr. Ward advised that the changes that Mr. Perez is recommending are meant to update the statutory references in the ordinance to match the State health code. He added that 95% of the businesses that have outdoor cafes will see no change.

Health Officer Carlos Perez and Construction Official Sal Poli
Health Officer Perez stated that the goal of the ordinance is essentially to provide procedural clarity, to update some out-dated provisions and to address some minor issues that he and Mr. Poli have encountered in terms of enforcement of the current ordinance.
Mr. Perez went through all of the changes that were suggested and explained the content of the change and the motivation for it.
It was noted that the ordinance now indicates that Mr. Poli will be responsible for reviewing plans for compliance with zoning regulations and Mr. Perez for compliance with the State sanitary code. It was further noted that each officer would issue summonses for violations relating to their particular codes and a provision was added for the police to respond to certain complaints.
Mr. Perez noted that some of the changes allow the use of local ordinances as opposed to using State statutes which allows the Township to retain all of the funds received in fines.
There was a brief question and answer period on issues such as the use of restrooms, enforcement of the placement of café tables, frequency of inspections, insurance coverage, recycling, effects of downtown improvements on outdoor cafes, removal of furniture after closing and the cordonning off of outside dining in establishments that hold an ABC license.

REVISED ORDINANCE FOR CONSTRUCTION FEES

Administrator Ward explained that there is a fee for reviewing construction plans and quite often the resident will come back with several revisions to the original set of plans.
Township Council
He noted that the revised plans must then undergo a review by the Construction Official for which there is currently no fee on the books. Mr. Ward advised that the change that is being proposed recommends a $50 fee in each sub-code to cover the cost of the review of revised plans. Mr. Poli added that the $50 is the minimum fee in each sub-code.

PROPERTY MAINTENANCE CODE ENFORCEMENT SUMMARY/UPDATE

Mr. Poli distributed a handout indicating the actions taken with regard to property maintenance since the new ordinance was adopted. A copy is attached to these minutes.

There were questions regarding the types of violations that were investigated and the effectiveness of the warnings and summonses that were issued. Mr. Poli explained the difficulty encountered in obtaining compliance, and even locating owners, when an absentee or bank owner is involved.

Each category in the summary was explained and Mr. Poli stated that he is very happy with the ordinance and with the part-time property maintenance inspector.

Administrator Ward advised that Denville had jointly applied with Rockaway Borough and Boonton Township for a dredging grant. He noted that there was $3 million in dredging funds available State-wide and Denville received just under 10% of those funds in the amount of $231,000.00. Mr. Ward said that the funds are to be used for targeted dredging of the Rockaway River in Rockaway Borough, Denville Township and Boonton Township. He said that he is scheduling a meeting with his counterparts in Rockaway Borough and Boonton Township, as well as the three Township Engineers, to finalize the plans. Administrator Ward noted that Denville has agreed to take the lead on this and will be advertising to go out to bid for the project. He said that there will be one bid for all three towns, Denville will manage the money and each town share in the professional costs.

Mr. Ward advised that the concentration of this project will be on excessive silt buildup around bridge abutments. He said that Diamond Spring Rd., Pocono Rd and Bush Rd. will be dredged and the silt removed. Mr. Ward commented that Rockaway Borough and Boonton Township have similar scenarios.

Administrator Ward added that the preliminary indication from the County with regard to our CDBG grant for a generator at the Library will not be funded. He said that Denville did not meet the Federal guidelines.

MOTION TO ADJOURN: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER KUSER
AYES: UNANIMOUS
Meeting adjourned at 9:00 p.m.

Respectfully submitted by,

Kathleen A. Costello
Deputy Township Clerk