The Meeting was called to order by President Kuser 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.

ROLL CALL: FITZPATRICK, GABEL, SMITH, LYDEN, GOLINSKI, SCOLLANS, KUSER
ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD, TOWNSHIP ATTORNEY JANSEN, SUPERINTENDENT DR. DRUCILLA CLARK OF THE DENVILLE SCHOOL DISTRICT, DENVILLE SCHOOL DISTRICT ADMINISTRATOR MICHAEL DAVISON AND MEMBERS OF THE BOARD OF EDUCATION.

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

PRESENTATION OF AWARD BY THE DENVILLE EDUCATION ASSOCIATION.

Ms. Marion Lezgus introduced herself as a teacher at the Valleyview Middle School and President of the local Teachers’ Association.

Ms. Lezgus advised that the Morris County Council of Education Association held their first Annual Gala celebrating Friends of Education. She noted that she, as a leader along with thirty-eight other leaders, were invited to apply for one of this year’s awards. Ms. Lezgus said that she nominated the Township of Denville because of the way that the entire community responded to Hurricane Irene. She advised that the award was presented to Denville and she would like to present the plaque and a citation from the Senate and General Assembly to the Council. Mayor Andes accepted the plaque and noted that he had attended the Gala and it was a wonderful night. He thanked Ms. Lezgus for all her hard work on behalf of Denville.

PRESENTATION OF THE K-8 DENVILLE BOARD OF EDUCATION BUDGET

Dr. Clark noted that there will no longer be a School Election in April to vote on the budget and the School Board members will be elected in November. Nevertheless, she said that the Denville Board of Education felt it was very important to present the budget to the community.

Dr. Drucilla Clark and Administrator Michael Davison gave a Power Point presentation of the School Budget. A copy of that presentation is attached hereto and made a part hereof.

After the presentation, questions were entertained from the Council by Dr. Clark. Councilwoman Smith suggested that Dr. Clark contact the Denville Fire Dept. to investigate the possibility of the Department using the Administration building for a Township Council
training exercise, since it is scheduled for demolition. Dr. Clark replied that she had not
thought of that but it sounds like a great idea and she will look into it.
Councilman Gabel thanked Dr. Clark for her service to Denville since she is leaving her
post in June. He asked for a sense of what projects remain to be done in the schools.
Mr. Davison listed several items and said that, once the Riverview School roof is
replaced, they will begin addressing the items in each successive budget.
Councilman Scollans asked about the roof design that the Board is using when
replacing school roofs. Dr. Clark replied that it is double ply.
Councilman Golinski inquired as to whether new boilers that have been installed are oil
or gas and was told that they are gas. Mr. Golinski asked if solar panels have been
researched. Dr. Clark replied that they have, but the problem has been that the roofs
are not strong enough to support them. She said that when the roofs are repaired with
the stronger material, the Board will look at it again and will seek grants for solar panels.
Councilman Scollans asked how the boilers are run to get optimum efficiency from
them. Mr. Davison explained that the Lakeview School has a computer controlled
system. He noted that another energy-saving move was the installation of motion
sensitive light sensors to control the lights when the rooms are not in use.
President Kuser thanked Dr. Clark, Administrator Davison and the Board members for
their hard work and for their presence this evening.
Mayor Andes thanked Dr. Clark for her service to Denville and wished her well in her
new position.

ORDINANCE(S) FOR INTRODUCTION:
#6-12 DPW EMPLOYEES’ ASSOCIATION SALARY ORDINANCE
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY
FOR THOSE EMPLOYEES OF THE DENVILLE TOWNSHIP PUBLIC WORKS
EMPLOYEES' ASSOCIATION
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER GOLINSKI, SECONDED BY
MEMBER FITZPATRICK
DISCUSSION: Councilwoman Smith asked if both the maximum and minimum range
was raised. Administrator Ward replied that this is just a range and the actual salary will
be set in a resolution to establish the salaries, after the adoption of the ordinance.
Mr. Ward explained that he revised all of the ranges two years ago but, in discussions
with Mr. Jansen, who provided case law, it was determined that the ranges were too
broad. He said that the ranges have all changed and in almost all, the minimum is ½ of
the maximum.
Mrs. Smith suggested that the minimum salary should stay fixed and the maximum
could be raised.
Attorney Jansen commented that ordinances are supposed to set the actual salaries.

Township Council
He said that case law has allowed ranges, provided that the ranges are not so broad as to totally emasculate the ordinance so that the public is not aware of what the actual salary is. Mr. Jansen added that the cases have suggested that approximately doubling the minimum is the maximum that can be done in order to withstand scrutiny in the Courts.

Mrs. Smith commented that, as far as true salaries being masked from the public goes, the salaries are all public knowledge.

Attorney Jansen explained that the statutory requirement is to establish the salary by ordinance which requires the introduction, publication in the newspaper, a public hearing and final adoption. He further explained that a resolution only requires consideration at one meeting. Mr. Jansen said that, for that reason, the Courts have said that if the ranges are not kept narrow, it’s not good enough. Mr. Jansen stated that it can be an absolute nightmare if the ranges are not maintained within specified limits.

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

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES OF THE DENVILLE TOWNSHIP PUBLIC WORKS EMPLOYEES’ ASSOCIATION
BE PASSED ON FIRST READING
AND BE IT FURTHER RESOLVED THAT SAID ORDINANCE SHALL BE CONSIDERED FOR FINAL PASSAGE AT THE MEETING OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE ON MAY 15, 2012 AT 7:30 P.M. IN THE EVENING, PREVAILING TIME, AT THE MUNICIPAL BUILDING IN SAID TOWNSHIP OF DENVILLE AT WHICH TIME AND PLACE ALL PERSONS INTERESTED SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING SAID ORDINANCE.
BE IT FURTHER RESOLVED THAT THE MUNICIPAL CLERK BE AUTHORIZED AND DIRECTED TO ADVERTISE THIS ORDINANCE IN THE CITIZEN ACCORDING TO LAW
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, FITZPATRICK, GABEL, KUSER
ABSTAIN: LYDEN, SCOLLANS

R-92-12 RESOLUTION AUTHORIZING CLOSED SESSION
Attorney Jansen noted that the Closed Session will consist of a discussion of the Peddlers and Solicitors Ordinance and falls under the Attorney/Client Privilege exception of the Open Public Meetings Act.
MOTION TO APPROVE R-92-12: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI

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

Council went into Closed Session at 8:18 p.m.
Council came out of Closed Session at 9:14 p.m.

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

Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Kathleen A. Costello
Deputy Township Clerk