The Meeting was called to order at 7:30 p.m. by President Kuser. The Salute to the Flag was recited, followed by an Invocation given by Councilman Scollans. The Open Public Meetings Act Statement was read by Deputy Township Clerk Kathy Costello. Mrs. Costello reminded all present that this is a non-smoking facility and asked that all cell phones be silenced. It was noted that Councilman Golinski will be present via telephone since he is traveling on business.

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

LIAISON REPORTS:
Councilman Scollans reported that he attended the Senior Citizens’ meeting and there was a minor issue raised regarding road striping, which Mr. Ward has attended to. Mr. Scollans noted that he attended the Historical Society meeting and reported that they take issue with the proposed demolition of the 3rd Union Hill Schoolhouse by the Board of Education. He added that Vito Bianco has a write-up on the school's history and would like to come and present his position on preserving the school. 

Mr. Scollans advised that this Saturday, April 21st, Earth Day will be celebrated here at the Municipal Building. He urged the Council and the public to support this event.

Councilwoman Lyden reported that the Library Board met and advised that a new time management program has been installed for their computers. She said that they are getting their Summer reading program in place and now have e-books available at no cost. Mrs. Lyden noted that the Beautification Committee met at Foodtown and they are going about the business of pruning and planting around town. She added that the Committee will be meeting at the Clock Tower on May 12th at 9:00 a.m. to plant containers and will welcome any volunteers.

Councilwoman Smith had no report.

Councilman Fitzpatrick stated that the Mayor's Advisory Committee on Rivers and Streams will be having two massive clean-up and de-snagging events on the Rockaway River. He said the first one will be held on May 19th and May 20th from 10:00 a.m. to 5:00 p.m. Mr. Fitzpatrick added that the second one is being planned for the week-end of June 9th and June 10th. He said that it will be a massive volunteer event. Mr. Fitzpatrick advised that the Committee has been identifying the really badly snagged areas in the river, using GPS devices to pinpoint coordinates for the clean-up effort. He further advised that St. Clare’s Hospital has offered the lower parking lot for a staging area.

President Kuser asked Mr. Ward to see that those dates are posted on the web site.

Councilman Gabel reported that he attended the Deer Management meeting and they are focusing on Earth Day. He said that they are assembling information on numerous topics that will be very helpful to the community.
Mr. Gabel advised that, now that the teachers contract has been settled, the Board of Education is focusing its efforts on the Administration contract and are looking at resumes that have been submitted for the Superintendent’s position. 
Mr. Gabel reported that the Board asked him to convey to the Council their willingness to sit down with the Council to discuss the existing Board of Education building, its proper disposition and the future needs of the Board of Education.

A connection was made by telephone with Councilman Golinski. (7:38 p.m.)

Councilman Golinski reported that the Local Assistance Committee is working with a Girl Scout Troop and a Boy Scout Troop. He explained that the Boy Scouts will assist the Girl Scouts in preparing a garden plot at the Denville Community Gardens. Mr. Golinski said that the Girl Scouts will then grow vegetables at the site and donate them to the Denville Food Pantry. He added that all residents are encouraged to grow vegetables in their own gardens and donate the excess to the Food Pantry.

MAYOR’S REPORT:
Mayor Andes reported that at the last Mayor’s Coalition meeting, each Mayor was tasked with mapping out the snagged areas of the river in their town, using GPS devices to locate them. He said that a crew has been out on the river doing that. The Mayor noted that, on the day before Easter, the Chamber held a “Hop Into Denville” day. He said that it was a very nice “Denville Day”.

Mayor Andes advised that he attended the Lakeview School DARE graduation and 150 children graduated.

Mr. Andes commented that the Little League Parade was held on Saturday and PRIDE held a very successful blood drive on Saturday.

The Mayor noted that there will be two events held on Sunday, April 22nd:
1. The Senior Social at the Church of the Saviour.
2. A pasta dinner for the benefit of Sgt. Brian Donnelly whose 5 yr. old daughter has been diagnosed with a malignant tumor. The community is rallying around to help the family. The PBA is sponsoring the dinner which will run from noon to 4 p.m. and the price of a ticket is $15.

Mayor Andes said that there will be a joint service organization meeting, sponsored by the Rotary Club, on Thursday at the Rockaway River Country Club. The Mayor advised that on Monday, April 30th the Denville/Rockaway Area Women’s Club will be celebrating its 80th Anniversary at the Denville Library from 7:00 p.m to 8:30 p.m.

Mayor Andes noted that on May 1st the Health Dept. is sponsoring an informative session on the Public Health laws governing lakes. The Mayor’s final item concerned an award that is being given to Denville by the Lakeland Hills YMCA for Community Spirit. He said that the award will be presented on Tuesday, May 22nd at the Sheraton Hotel in Parsippany and tickets are $50.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that he, Mayor Andes and Lt. Keith Partin, Deputy OEM Coordinator, met with County officials yesterday. He said that last evening the County Flood Committee voted to recommend to the Freeholders that they provide the matching funds to the Township’s FEMA grant. He explained that the grant is for the homes identified in our FEMA application and the Freeholder Board will vote on final ratification next week. Mr. Ward further explained that there are four or five properties that, due to the rules of the County program, were not covered in this first round. He added that the Committee agreed that at the May meeting they will review and make a recommendation for the funding of the balance of the properties. Mr. Ward commented that they could not give any commitment but he felt that the County seemed very willing to assist the Township with the eleven properties that have been identified. The Administrator advised that he, Planner Denzler and Engineer Ruschke met with representatives from the County of Morris and the State Transportation Administration. He said that a grant has been provided to Morris County to replace or refurbish the Openaki Bridge. Mr. Ward emphasized that this is all in the very preliminary stages. He said that they will be announcing in the local newspapers, a schedule of public meetings to be held on the project. He said that, at this point, there is no design nor are there any details because they want to obtain a good deal of public input from the affected residents in that area. Mr. Ward advised that they anticipate the meetings will take place in the summer and that the time frame for the project will be three to five years. President Kuser commented that, like the Schoolhouse, the bridge has a lot of history attached to it and the Historical Society should be notified of this proposed project. Mr. Ward replied that they actually did discuss the historic elements of the bridge. He said that they were not adverse to incorporating some of the metal pieces of the bridge. Mr. Ward noted that the metal is unique in that those pieces were the only ones manufactured by that Morris County based company. Councilwoman Smith added that it is the first iron bridge of its type, which is part of its historic value. She said that, in order to bring the bridge up to today’s code, the plan has been to widen the bridge. Mrs. Smith indicated that there would likely be considerable opposition from the area residents to widening it since it is a natural traffic calming device on a busy road.

OPEN PUBLIC PORTION:
Gerry Idec, 1 East Longview Trail, commented that the Mayor was quoted as saying that the Township would either have to hire a new employee in the DPW or hire an outside contractor to raise the manhole covers. He asked if the Mayor has made a decision on that. Mayor Andes replied that there is money in this budget to hire one new employee in the DPW. Mr. Idec said that, no matter what a sub-contractor charges, it has to be cheaper than hiring a new employee.

Township Council
The Mayor replied that some of it will be sub-contracted out.

CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Fitzpatrick asked with regard to the geese problem, if any options other than addling have been explored.
Mr. Ward replied that the Health Officer is checking into it but that addling is the most common method that is used. He said that he will follow up with the Health Officer to determine whether or not he has obtained additional information.

ORDINANCE(S) FOR ADOPTION:

#1-12 EXCEED BUDGET APPROPRIATION AND ESTABLISH A CAP BANK
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH, SECONDED BY
MEMBER FITZPATRICK
AYES: SMITH, FITZPATRICK, GABEL, LYDEN, GOLINSKI, SCOLLANS, KUSER

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

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE 4-25-12 ISSUE OF THE CITIZEN.
MOTION TO ADOPT: MOVED BY MEMBER GABEL, SECONDED BY MEMBER
SMITH
AYES: GABEL, SMITH, FITZPATRICK, LYDEN, GOLINSKI, SCOLLANS, KUSER

OPEN PUBLIC HEARING ON R-12-93 ADOPTION OF TOWNSHIP OF DENVILLE
BUDGET. No one wished to be heard.
CLOSE PUBLIC HEARING.

R-12-93 ADOPTION OF TOWNSHIP OF DENVILLE BUDGET
BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF DENVILLE,
Township Council
COUNTY OF MORRIS THAT THE BUDGET HEREIN BEFORE SET FORTH IS 
HEREBY ADOPTED AND SHALL CONSTITUTE AN APPROPRIATION FOR THE 
PURPOSES STATED OF THE SUMS THEREIN SET FORTH AS APPROPRIATIONS, 
AND AUTHORIZATION OF THE AMOUNT OF $11,175,907.50 FOR MUNICIPAL 
PURPOSES AND $682,684.00 OPEN SPACE, RECREATION, FARMLAND AND 
HISTORIC PRESERVATION TRUST FUND LEVY AND $1,116,901.18 MINIMUM 
LIBRARY TAX 
MOTION TO APPROVE R-12-93: MOVED BY MEMBER FITZPATRICK, SECONDED 
BY MEMBER LYDEN 
DISCUSSION: Mayor Andes read a prepared statement concerning the budget. A copy 
is attached hereto. 
Councilman Scollans commented that he had voted no on the introduction of the budget 
due to the proposal to use $25,000.00 from our fund balance. He said that things have 
changed significantly since that time since he understands we are being reimbursed by 
FEMA in an amount in excess of $25,000.00. Mr. Scollans noted that that pretty much 
negates the issue and he will now support this budget. 
Auditor Ray Sarinelli stated that Mayor Andes was correct when he said that the 
Township’s fund balance was down from the beginning of 2011 to the end of 2011 by 
$120,000. He noted that part of the reason for that was that $100,000.00 was set aside 
for tax appeals, which is a demonstration of the long term planning process and 
explains why the Township is able to consistently present good budgets, year after year. 
Mr. Sarinelli also noted that there have been twice as many tax appeals filed in 2012 as 
in 2011, indicating that setting aside the $100,000.00 was good planning. He said that 
the fact that the fund balance is down, that less fund balance is being used this year 
and the Township still has a reasonable tax increase speaks about the town’s long-term 
approach to the budget. Mr. Sarinelli stated that, in looking over the whole budget, he 
has concluded that it hasn’t been about caps but about good government at a 
reasonable cost. He recommended that the budget be passed as presented. 
Councilwoman Smith asked Mr. Sarinelli if, based upon this budget and the planning 
that he sees, this puts us in a good position for this year and future years. 
Mr. Sarinelli responded that this budget demonstrates the thought process that has 
been in place in Denville. He said that Denville has been under both caps and the tax 
rates have been reasonable. Mr. Sarinelli added that looking at the tax increase, if you 
set aside the storm expenses, there would be approximately a $35.00 increase. 
AYES: GABEL, LYDEN, FITZPATRICK, SMITH, GOLINSKI, SCOLLANS, KUSER 

President Kuser asked if anyone from the Council or the public would like to have 
anything removed from the Consent Agenda. There was no response. 

CONSENT AGENDA: 
R-12-94 RESOLUTION ENDORSING SUBMISSION OF RECYCLING TONNAGE 
GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF 
Township Council
ENVIRONMENTAL PROTECTION

R-12-95  RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE
R-12-96  RESOLUTION AUTHORIZING ISSUANCE OF SPECIAL ONE DAY ABC LIQUOR LICENSE
R-12-97  RESOLUTION AUTHORIZING FIREWORKS DISPLAY FOR THE YEAR 2012 BY GARDEN STATE FIREWORKS, INC. AT THE DENVILLE FIRE DEPARTMENT CARNIVAL
R-12-98  RESOLUTION AUTHORIZING NEW LIVERY LICENSE IN THE TOWNSHIP OF DENVILLE
R-12-99  RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $12,587.12

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

NON-CONSENT RESOLUTIONS:
R-12-100  RESOLUTION AUTHORIZING NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT RECOMMENDATION OF AWARD OF STATE AID PROJECT FOR PALMER ROAD AND BROADWAY IMPROVEMENTS
MOTION TO APPROVE R-12-100: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
DISCUSSION: President Kuser asked about a letter that was received regarding Franklin Road. Administrator Ward replied that two separate applications were submitted. He said that the applications are prioritized and Palmer Road was #1 and Franklin #2 and we generally only receive an award for one. Mr. Ward said that it is likely that Franklin will be our prime candidate for 2012.
Mr. Ward repeated his comments for Mr. Golinski who was unable to hear all of his explanation.
Mrs. Smith asked if the Engineer will be checking to make sure that the hot mix asphalt is two inches thick, compressed. Mr. Ward replied in the affirmative.
AYES: SCOLLANS, GABEL, FITZPATRICK, SMITH, LYDEN, GOLINSKI, KUSER

R-12-101  RESOLUTION AUTHORIZING CHANGE ORDER WITH NORTH JERSEY LANDCARE LLC IN THE AMOUNT OF $3,000.00
MOTION TO APPROVE R-12-101: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN
DISCUSSION: None.
AYES: SCOLLANS, LYDEN, GABEL, FITZPATRICK, SMITH, GOLINSKI, KUSER

R-12-102  RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE Township Council
COUNTY OF MORRIS AND THE TOWNSHIP OF DENVILLE FOR PUBLIC HEALTH SHARED SERVICES FOR 2012

MOTION TO APPROVE R-12-102: MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK

DISCUSSION: Councilman Golinski asked for clarification. Administrator Ward explained that historically we have contracted with Rockaway Township for a Public Health Supervisor and Public Health Educator services. He said that they are two components of our Health Dept. that State Law requires that we have in place. Mr. Ward advised that proposals were obtained from both Rockaway and the County of Morris and the County proposal was the more attractive of the two. He said that price-wise and the fact that we have an existing contract with the County for our Health Officer made the County the likely choice. Mr. Ward added that an adjustment was made, in that, our current Public Health Nurse has the experience, qualifications and time in position to take over and assume Public Health Supervisor responsibilities. He said that this will go into effect on May 1st resulting in a cost-savings and in bringing the services closer to home. Mr. Golinski asked what we pay the County for Health Educator services. Mr. Ward replied that it is approximately $1,800 per year.

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

MOTION TO APPROVE MINUTES OF 3-20-12 AND 4-3-12: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN

Attorney Jansen noted that there are a number of people who were not present for both meetings. He suggested that the members vote “for those for which I was present” and the Clerk will sort it out.

AYES: SCOLLANS for 3-20-12, LYDEN for both, GABEL for both, FITZPATRICK for 4-3-12, SMITH for 3-20-12, GOLINSKI for 3-20-12, KUSER for both.
ABSTAIN: SCOLLANS for 4-3-12, FITZPATRICK for 3-20-12, SMITH for 4-3-12, GOLINSKI for 4-3-12

R-12-103 RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS OPEN SPACE ACQUISITION

MOTION TO APPROVE R-12-103: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER FITZPATRICK

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

President Kuser thanked the public for their attendance and advised that no action will be taken after the Closed Session.

President Kuser called for a brief recess at 8:10 p.m. before going into Closed Session.

Council came out of Closed Session at 9:36 p.m.

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MOTION TO ADJOURN: MOVED BY MEMBER LYDEN, SECONDED BY MEMBER SMITH
AYES: LYDEN, SMITH, FITZPATRICK, GOLINSKI, SCOLLANS, KUSER
ABSENT: GABEL (Mr. Gabel left at 9:30 p.m.)

Meeting adjourned at 9:37 p.m.

Respectfully submitted,

Kathleen A. Costello
Deputy Township Clerk