The Meeting was called to order at 7:34 p.m. by President Fitzpatrick. 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 noted that this is a non-smoking facility and asked that all cell phones be silenced. 

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

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

LIAISON REPORTS:
Councilman Scollans reported that he took part in the Birch Run clean up last week. He noted that it was unbelievable how fast DPW responded when they were called to pick up the leaves that were raked out of the flower beds. Mr. Scollans advised that the Senior Social was well attended but there was an incident where one of the seniors was taken ill. He said that the gentleman spent over a week in the hospital but was able to return home yesterday and is doing fine. Councilwoman Smith told Mr. Scollans not to be so modest, noting he was the first one on the scene to lend assistance.

Councilman Scollans noted that the Senior Men’s Group asked what the town is doing about shared services. He said that he responded by listing the various shared services that the Township already has in place. Mr. Scollans commented that our Administration is very proactive in initiating share services and he suggested that we would do well to look into additional opportunities for saving money by sharing services. Councilman Scollans announced that the Green Fair was a great success. He advised that the Green Committee was presented with a plaque by ReCommunity for the Township’s contribution to the Morris County Recycling Program. Councilman Scollans and Mayor Andes presented the plaque to the Council. Mr. Scollans read statistics from the plaque emphasizing the savings that are made in various areas by recycling.

Councilman Scollans thanked the Mayor, who spent all day at the Green Fair, as well as President Fitzpatrick and Councilman Gabel, who spent a good deal of their day at the Fair.

Mr. Scollans commended that committee that worked on the school posters and noted that the awards for the winners will be presented at the next regular Council Meeting on May 21st.

Councilman Golinski reported that he attended the Denville TV meeting. He said that there is a college junior working with them, in an unpaid capacity, as an intern. Mr. Golinski said that he lent his services to the Beautification Committee on Saturday.

Councilwoman Lyden advised that the Beautification Committee will have a work party Township Council
tomorrow evening at 6:00 p.m. at Route 10 and Franklin Road. Mrs. Lyden noted that she was asked to convey to the Mayor the request for more open communication with his office.

Councilwoman Smith reported that she recently attended a meeting of the Public Health and Safety Committee. She noted that they are a great group of volunteers with exceptional credentials. Mrs. Smith advised that they will be doing their annual Health Fair. She said that there was a discussion on ways to get their information out to the public. Mrs. Smith said that one suggestion was to have a table at the Senior Socials and at other events as well.

Councilwoman Smith asked Administrator Ward what the guidelines are for the various committees to have information posted on our web site. She suggested that Mr. Ward provide her with that information and send it to our nurse, Peggy Grossman, as well. Administrator Ward noted that the brief response would be that all requests for space on the web site go through the Department Heads. He added that the information also is added to our Twitter feed and the Township’s Facebook page. Mr. Ward said that the information is filtered through the Department Heads and then to John Ciardi, with himself copied in. He noted that they are always looking for content and fresh information.

Councilwoman Smith asked what the appropriate format would be to submit information. Mr. Ward replied that pdf or Microsoft Word would be acceptable formats and Mr. Ciardi converts them to whatever he needs.

Mr. Ward said that he will work with Peggy and Carlos to set up a procedure and will speak about the procedure at the next Department Head meeting.

Mrs. Smith suggested that various employee groups be invited to give a 10-15 minute presentation to the Council on what they do so that we can better assist the residents when they have questions.

President Fitzpatrick replied that it is a good suggestion. He noted that he and Councilman Scollans have discussed bringing different committees in, when time can be found at a workshop meeting. Mr. Fitzpatrick said that they spoke particularly about the Green Sustainability Committee and that there would be very tangible things that would be worthwhile in the environmental area. President Fitzpatrick advised that the workshops are full until September but we will start with the Green Sustainability Committee at the September workshop.

Councilwoman Smith recommended that these presentations be held at a regular meeting rather than at a workshop.

Councilman Kuser commented that, with the property maintenance ordinance coming up, it would be a good time to have Kathy Bowditch come to a meeting. He said that it had been suggested that Ms. Bowditch could speak about the funding that is available through COAH to assist residents who are in difficult financial situations with property maintenance costs.

Councilman Gabel reported that the Board of Education is in the final stages of interviewing for the position of Superintendent for the K-8 district.

Township Council
Mr. Gabel advised that the Mayor’s Committee for People with Challenges held a Challenger League game and Mayor Andes threw out the first pitch.
Councilman Gabel noted that the Community Development Block Grant for installing generators in our Senior Center and Community Room has been approved by the Board of Freeholders. He said that it has now been submitted to HUD to be considered for approval in the second week of May.
Mr. Gabel announced that the Events and Celebrations Committee held their Pup Centennial this past weekend and their next presence will be at the Rotary Street Fair. Councilman Gabel advised that he had the privilege of standing in for the Mayor at the National Day of Prayer on May 2nd. He said that it was wonderfully attended and we can be very proud that this is something that we offer to our community.
President Fitzpatrick reported that there will be a big river clean-up on Saturday, May 18th. He said that the Rivers and Streams Committee is looking for volunteers at all levels and noted that sign-up can be done on the web site. Mr. Fitzpatrick advised that everyone will meet at the lower parking lot of St. Clare’s Hospital at 9:00 a.m. on the day of the clean-up.

MAYOR’S REPORT:
Mayor Andes thanked Councilman Scollans for topping last year’s Green Fair. The Mayor thanked Councilman Gabel for filling in at the National Day of Prayer and said that he heard that Mr. Gabel did a fine job.
Mayor Andes reported that he had a meeting last week with N. J. Transit to discuss options for an access road in the Thurmont/Estling Lake area. He said that there is no easy solution but they are examining every possible avenue that may be available. The Mayor noted that this past week-end “Dogs Gone Wild” was held at James Dyer Park at Cook’s Pond. He said that there were eighty (80) dogs in attendance and radio station WDHA broadcasted from the site.
Mayor Andes announced that one week from today at 1:30 p.m. Beautification Chairman Franz Fuertges will receive the Living Treasure award at St. Francis Health Resort.
The Mayor noted that the Council members received a copy of the announcement that Denville has been awarded grants in the amount of $528,000 from the Department of Transportation (DOT). He added that $240,000 will be used to re-pave a portion of Franklin Road and $288,000 will be used for Phase I of the downtown improvements.

ADMINISTRATOR’S REPORT:
Administrator Ward reported that, with regard to the FEMA buyout program, the Township closed on the seventh (7th) property on Friday, May 3rd. He said that four (4) properties remain in the program. Mr. Ward noted that, about a month ago, Channel 12 News did a feature on one of the lending institutions that is not being very cooperative. He said that the lending institution was not presented in a very flattering light with regard to their participation in the FEMA buyout program. Mr. Ward advised that, after Township Council
the airing of that presentation, the lending institution came back to the table with two (2) of the homeowners that they had previously told that they were not interested. He said that there seems to be some movement with those two properties.

Administrator Ward stated that there were some technical difficulties in getting the gas shut off to the initial six (6) properties, but that issue has been resolved and the gas service has been terminated, as of the last week of April. He said that last Monday a Notice to Proceed was issued to the demolition contractor. Mr. Ward explained that, under the terms of the contract, the contractor has sixty (60) days from the Notice to Proceed to demolish the properties. He said that the contractor has indicated that he intends to proceed within the next two to three weeks.

Administrator Ward advised that construction has commenced on the Valley View Firehouse and there will be an on-site meeting next Tuesday at 9:00 a.m. to discuss the project and be sure that everyone is on the same page. He said that, to date the contractor has been very responsive and is doing a good job.

Mr. Ward called the Council’s attention to the bond ordinance on tonight’s agenda, noting that the two grants mentioned by the Mayor are reflected in that ordinance. He said that there are two amounts, the total amount being appropriated and the amount that is actually being borrowed.

Administrator Ward advised that, with respect to the CDBG grant that we received from the County, there will be a new door, new kitchen, new floor and walls in the Senior Center in addition to the generator at that facility.

Councilman Kuser commented that there were eleven homes in the FEMA buyout program and seven properties have been acquired. He asked, of the four remaining, how many are in jeopardy of not being released by the bank. Mr. Ward replied that, until we have the sign-off from the bank, it would be all four of them. He said that he thinks that there are some that have more life than others. Mr. Ward noted that there is one that we have a tentative closing date on and that one is a key property. He said that, if we are successful in closing on that one, we will have four contiguous properties on each side of Riverside Dr. Mr. Ward advised that with two of the others there has been very little response from either the banks or the homeowners. He added that one that had been dormant is now back to the table with the bank. Councilman Kuser asked if Mr. Ward feels it would be prudent to send the bank a letter reminding them of the FEMA requirements and now that they have applied for FEMA money it would cost an exorbitant amount of money to insure these properties.

OPEN PUBLIC PORTION:

Gerry Idec, 1 E. Longview Trail, commented that Township Clerk Costello usually announces that this is public property and there is no smoking permitted on the premises. Mr. Idec stated that there is no sign outside that says no smoking on public property. President Fitzpatrick replied that he is not aware of the requirements. Administrator Ward noted that he believes it is a State law and he is not aware of the town ever having a problem with it. Attorney Jansen interjected that it is covered by a Township Council
State statute and he is unsure whether there is any requirement to post signs. President Fitzpatrick commented that, since we haven’t had any problems he doesn’t feel there is a need to post signs.

Mr. Idec noted that Mr. Ward had mentioned a while back that Denville joined with Randolph to buy a machine to fill in pot holes. Mr. Ward replied that it is actually a paving box that Denville wanted to share with a total of three (3) municipalities and it is still in the works. He said that two of the three have signed the agreement but it cannot go into effect until all three have signed it and contributed their share of the cost.

Brian Walsh, 380 Franklin Road, asked if the workshop on the property maintenance issue will be open to the public. Mr. Walsh asked Attorney Jansen why the town does not have an abandoned properties list. President Fitzpatrick replied that the workshop is next Tuesday and there will be a public portion.

Attorney Jansen commented that he assumes that Mr. Walsh is referring to the use of spot blight eminent domain, which requires an abandoned properties list. Mr. Walsh replied that all we need is an abandoned properties list and we can start from there. Mr. Jansen explained that an abandoned properties list is used in conjunction with the power of spot blight eminent domain which is available to municipalities under the New Jersey Urban Redevelopment Act. He advised Mr. Walsh that, by statute, qualified municipalities are specifically defined in the act and Denville is not a qualified municipality as defined in the statute. Mr. Jansen noted that spot blight eminent domain is not available to our municipality. He added that it is really only available to municipalities that are in dire financial straits. Mr. Jansen said that all municipalities have the ability to deal with redevelopment through the State Redevelopment Act but spot blight eminent domain is not available to this municipality. Mr. Walsh asked Mr. Jansen if he is saying we cannot create an abandoned properties list. Mr. Jansen replied that a list can be created but nothing can be done with it vis a vis individual blighted properties.

President Fitzpatrick commented that he feels the first thing we need is to get the property maintenance ordinance passed, in order to put some teeth into enforcement. Mr. Walsh then read a definition of spot blight eminent domain. Attorney Jansen replied with an explanation of the use of spot blight eminent domain as authorized by the N. J. Urban Redevelopment Act.

Mr. Walsh insisted that an abandoned properties list can be created.

Councilman Kuser interjected that he feels that the ICC ordinance will be a big help now and in the future.

Mr. Walsh asked that the Construction Official and Fire Official go and look at the property in question. Mr. Ward replied that they have both been to the property and found no enforceable violations. He said that he will have them make another trip to the site.

Arthur Desbiens, 72 Savage Road, asked if anyone on the Council has heard of, or been approached by, an organization called “ICLEI”. He said that they stand for local government for sustainability. Mr. Desbiens said that he will read the information that Township Council
he has. President Fitzpatrick asked him to do it as quickly as he can so that we can get to his questions and respond to them. He asked that Mr. Desbiens do it within the allotted three minutes.

Mr. Desbiens began reading from a booklet that he had brought with him concerning this organization and Agenda 21. He read that the UN began working with the “International Council for Local Environmental Initiatives” - ICLEI.

President Fitzpatrick interrupted Mr. Desbiens and asked if there is a specific question that he wanted to ask the Council or did he want the Council to consider this. He suggested that Mr. Desbiens leave the booklet with him and he will see that the Council has the opportunity to read it.

Councilman Scollans interjected that he is the Chairman of the Denville Green Sustainability Committee. He said that we do have a very active sustainability program in Denville. Mr. Scollans invited Mr. Desbiens to attend a meeting of the Committee and give a brief presentation. He said that the Committee is aware of all of those issues with regard to the U.N. Mr. Scollans advised that the State of New Jersey has a very active sustainability program that is run by the State College.

Mr. Desbiens gave President Fitzpatrick a booklet and DVD. President Fitzpatrick suggested that he leave his contact information with Councilman Scollans as well.

Mayor Andes commented that he went to a presentation about a year ago on Agenda 21 that was held in various places around the State. He said that there are a lot of issues with this and it is not pure green sustainability. The Mayor noted that the organization has a facade of good but there are a lot of questionable things about it. Mr. Desbiens indicated that he has concerns with the organization too.

CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Golinski asked if there is a way to make the International Property Maintenance Code information available to the public, before the workshop.
Administrator Ward replied that there are a couple of extra booklets that can be kept on file in the Clerk’s office. He said that he believes that the code may have a read only version that could potentially be put up on our web site.
President Fitzpatrick commented that he believes it is on line.
There was a brief discussion on how to incorporate our changes into a read only document on line. Mr. Ward said that he would look into making the code available before the meeting.
President Fitzpatrick reminded everyone that the May 14th workshop is for property maintenance. He added that the June workshop is tentatively scheduled to cover the Hotel ordinance, if it is ready, and for anything new on the Estling Lake issue. President Fitzpatrick noted that there are no workshops in the summer and he hopes to have an environmental workshop in September.
ORDINANCE(S) FOR INTRODUCTION:

#9-13 BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE

Deputy Clerk Costello advised that the Supplemental Debt Statement is on file in the Clerk’s Office.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
DISCUSSION: None.
AYES: SMITH, LYDEN, GABEL, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
BE PASSED ON FIRST READING
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 6-11-13 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 RE 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 SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

#10-13 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE

Deputy Clerk Costello advised that the Supplemental Debt Statement is on file in the Clerk’s Office.

Township Council
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE
TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY
APPROPRIATING THE AGGREGATE AMOUNT OF $1,687,725 THEREFOR AND
AUTHORIZING THE ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER
KUSER
DISCUSSION: Councilwoman Smith commented that this is the enabling ordinance to
allow for the capital improvements decided upon during the budget process.
AYES: SMITH, KUSER, GABEL, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

BE IT RESOLVED THAN AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE
TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY,
APPROPRIATING THE AGGREGATE AMOUNT OF $1,687,725 THEREFOR AND
AUTHORIZING THE ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF
BE PASSED ON FIRST READING
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 6-11-13 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 KUSER, SECONDED
BY MEMBER SMITH
AYES: KUSER, SMITH, GABEL, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

#11-13 AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7,
PEDDLERS AND SOLICITORS
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7,
PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SCOLLANS, SECONDED BY
MEMBER LYDEN
Township Council
DISCUSSION: Councilman Golinski asked what Item (6) was changed from. Administrator Ward explained that the ordinance, as originally written, required that the name, address, driver’s license number and Social Security numbers of Non-Commercial solicitors, such as the Girl and Boy Scouts and the Knights of Columbus be provided. It was determined, after discussion with the Chief of Police, that there was no added value in receiving the Social Security numbers and it gave many of these groups around town a level of discomfort to provide them. Mr. Ward said that was the main impetus to the change in the ordinance. He commented that the Social Security number is still required of Commercial solicitors, as part of their background check. Attorney Jansen further explained the changes in the amended ordinance as they apply to both Commercial and Non-Commercial solicitors and peddlers.

A Y E S: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, GOLINSKI, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY BE PASSED ON FIRST READING

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 6-11-13 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 SCOLLANS, SECONDED BY MEMBER LYDEN

A Y E S: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, GOLINSKI, FITZPATRICK

#12-13 TRAFFIC REGULATION ENFORCEMENT AT 3000 ROUTE 10 WEST

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10 WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

BE INTRODUCED AND READ BY TITLE ON FIRST READING:

MOTION TO INTRODUCE: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH

DISCUSSION: Administrator Ward explained that this ordinance gives the Police Department enforcement power in a parking area where they wouldn’t otherwise have Township Council
5-7-13
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it. Attorney Jansen added that it is for the Crisp Restaurant and the main impetus is to give the Police the ability to enforce the handicapped parking requirements. He said that the owners have given their consent.
AYES: SCOLLANS, SMITH, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10 WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES
BE PASSED ON FIRST READING
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 6-11-13 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 SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

President Fitzpatrick asked if anyone from the Council or the public wished to have anything removed from the Consent Agenda.
Councilman Golinski asked if the Council is authorizing the funding for the 4th of July Fireworks covered in R-13-101.
Mayor Andes replied that it was funded in the budget. He added that the fund-raising by the Centennial Committee with the Denvilleopoly game will help and letters have been sent to those who have traditionally sponsored the Fireworks. The Mayor noted that, to date, about $400 - $500 has been donated and he has received a commitment from one of the service organizations for another $2,000.

CONSENT AGENDA:
R-13-93 RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEES
R-13-94 RESOLUTION AUTHORIZING A REFUND OF A ZONING PERMIT FEE
R-13-95 RESOLUTION AUTHORIZING A REFUND OF A CONSTRUCTION PERMIT FEE
R-13-96 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $1,043.12

Township Council
RESOLUTION AUTHORIZING RAFFLE LICENSE(S) IN THE TOWNSHIP OF DENVILLE

RESOLUTION AUTHORIZING A REFUND OF A HEALTH LICENSING FEE - $300.00

RESOLUTION ENDORSING SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION - 2013

RESOLUTION AUTHORIZING FIREWORKS DISPLAY FOR THE YEAR 2013 BY GARDEN STATE FIREWORKS, INC. AT THE DENVILLE FIRE DEPARTMENT CARNIVAL

RESOLUTION AUTHORIZING FIREWORKS DISPLAY

RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $2,100.62

RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE - $268.00

RESOLUTION AUTHORIZING REIMBURSEMENT OF HEALTH PERMIT - FOOD VENDOR FEE REQUIRED FOR THE DENVILLE VOLUNTEER FIRE DEPARTMENT ASSOCIATION 2013 CARNIVAL - $20.00

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL

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

NON-CONSENT RESOLUTIONS:

RESOLUTION AUTHORIZING THE AWARD OF THE KNUTH FARM LICENSE FOR FIVE YEARS TO JEFFREY O’HARA

MOTION TO APPROVE R-13-106: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI

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

RESOLUTION AUTHORIZING TAX EXEMPTION - PETER CERTA

MOTION TO APPROVE R-13-107: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH

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

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $13,001.36

MOTION TO APPROVE R-13-108: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL

AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK
R-13-109 RESOLUTION AUTHORIZING ENGINEERING SERVICES IN CONNECTION WITH THE EXPANSION OF VETERANS MEMORIAL PARK
MOTION TO APPROVE R-13-109: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK

R-13-110 RESOLUTION APPROVING RELEASE OF ESCROW FUNDS - CURTIS
MOTION TO APPROVE R-13-110: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

MOTION TO APPROVE MINUTES OF 4-9-13, 4-16-13 AND 4-30-13: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
Councilman Gabel noted an error in the minutes of 4-16-13. He asked that the minutes be corrected to indicate that Lakeview School was awarded 3rd Place in the Science Olympiad and not 2nd Place. Deputy Clerk Costello said that she will correct the minutes.
AYES: SCOLLANS, GABEL, KUSER except 4-30, SMITH except for 4-16, LYDEN, GOLINSKI except for 4-16, FITZPATRICK

R-13-111 CLOSED SESSION - MATTERS OF PENDING LITIGATION: ALLAMAN IN REM FORECLOSURE AND TOWNSHIP OF DENVILLE v. SHONGUM LAKE HOMEOWNERS ASSN.
MOTION TO APPROVE R-13-111: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL

President Fitzpatrick called for a brief recess at 8:48 p.m.
The meeting resumed at 8:55 p.m.
Attorney Jansen noted that he shows a motion on the table that was moved by Member Scollans and seconded by Member Gabel but the roll call was not taken.

AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK
Attorney Jansen advised that there is no intention to come out of Closed Session and take any action.

Council went into Closed Session at 8:56 p.m.
Council came out of Closed Session at 9:37 p.m.

MOTION TO ADJOURN: MOVED BY MEMBER GABEL, SECONDED BY MEMBER KUSER
AYES: UNANIMOUS
MEETING ADJOURNED AT 9:38 P.M.

Respectfully submitted by:

Kathleen A. Costello
Deputy Township Clerk