The Meeting was called to order by President Fitzpatrick at 7:34 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: KUSER, GABEL, GOLINSKI, SCOLLANS, SMITH, LYDEN, FITZPATRICK
ALSO IN ATTENDANCE: MAYOR ANDES AND ADMINISTRATOR WARD.

President Fitzpatrick noted that he would like to change one item on the Agenda and address the Presentation to the Mayor’s Council for People with Challenges first and then open the public portion.

President Fitzpatrick said that he would like to present an Award of Distinction to the Council for People With Challenges. He asked Susan Reinhardt to come forward to accept the award and to give a brief account of the work that the Council has been doing this year.

Ms. Reinhardt advised that the Council for People With Challenges has had a very busy year so far. She said that they took part in the following drives and events:
- Distributing flyers for Up and Running
- Collected, boxed and distributed food for the Denville Food Pantry
- Assisted the Beautification Committee with planting all of the flowers in downtown Denville
- Helped with the McCarter Park clean-up and did clean-ups in various places around town
- Participated in Rid Litter Day by cleaning the Foodtown parking lot and part of the Mt. Tabor lot
- Operated the food stand at Cook’s Pond for the home games for the Denville Dolphins

Ms. Reinhardt added that the members of the Council for People With Challenges will work again at the Fall Festival and will help with set-up and clean-up. She said that they also plan to work at the Centennial Picnic.

President Fitzpatrick commented on the great work of this committee and praised the great volunteer spirit of its members.

President Fitzpatrick called all of the member forward and presented the award to Ms. Reinhardt for the Council for People With Challenges.

Mayor Andes added his praise for the Council for People With Challenges, to the organizational skills of the leaders and thanked the entire group for their dedication, which has been such a benefit to the Township of Denville.

Mayor Andes presented a Denville Centennial pin to each of the members of the Council for People With Challenges.

OPEN PUBLIC PORTION:
Township Council
Gerry Idec, 1 East Longview Trail, asked, with regard to R-13-195, who will be involved in the collective bargaining. Administrator Ward replied that the contract for all five associations expires on December 31, 2013. He said that this evening’s discussion will focus primarily on the PBA.

Mr. Idec asked if what goes on in the Closed Session is public information that he can get a copy of to take home. Mr. Ward replied that he cannot get that information. He said that they will be discussing negotiation strategy. He added that the reason it is held in Closed Session is that he will be seeking negotiating authority from the Council in order to be able to negotiate with the various associations and arrive at agreeable contract terms. Mr. Idec asked if there is more than one union. The Administrator responded that the only one that is a formal union is the PBA. He explained that there are four (4) other associations that are not affiliated with any national or regional unions, but do have collective bargaining power. Mr. Ward noted that they are all represented by the same law firm.

Mr. Idec asked when the piers in the Rockaway River will be removed. President Fitzpatrick replied that we have to get approval from the State. Administrator Ward explained that the Council authorized Engineer Ruschke to perform a flood study. He said that we do require permission from the State DEP to remove the piers. Mr. Ward advised that part of what they are seeking is mathematical calculations from the engineer showing what the impact of the piers would be in mitigating floods. He said that applying for permits to remove the piers is still several months away but we are moving forward on it.

CLOSE PUBLIC PORTION.

President Fitzpatrick advised that we are going to have a presentation from the Green Sustainability Committee. He said that the Council plans to have presentations from various Township organizations at workshops during the remainder of the year. Mr. Fitzpatrick commented that it will be helpful to hear from these organizations about their plans, accomplishments and suggestions for the Council.

Councilman Scollans then gave a power point presentation explaining Sustainable New Jersey, the point system to attain certification and some of the programs needed to attain certification. A copy of the presentation is attached to these minutes. President Fitzpatrick asked if there are any simple steps that can be taken towards attaining our certification. Mr. Scollans replied that a lot of the things that need to be done fall on Administration. He said that he spoke with the Mayor and advised him that they need someone to work with them because it can’t be done by one person. Mr. Scollans noted that the Mayor was able to find someone from Rutgers University that will help the Green Committee. Administrator Ward interjected that recently the Council approved the contract with Township Council.
the N. J. Land Conservancy to update our Environmental Resource Inventory. He added that it is a good tool for our Board of Adjustment and Planning Board and it fits well with the Green Sustainability program and they will get points for it.

Mr. Wayne Pacconi introduced himself and noted that he is a member of the Green Sustainability Committee, the Open Space Committee and the Environmental Commission. He used a power point presentation to make a case for allowing residents to raise chickens in their backyard. A copy of that presentation is attached to these minutes.

Mr. Pacconi said that he would like to work with anyone in Denville to develop and ordinance that would allow the raising of backyard chickens.

President Fitzpatrick asked if it would help the sustainability aspect with grants or something of that nature.

Mr. Pacconi replied that Sustainable New Jersey believes so strongly in backyard chickens that they award thirty (30) points to municipalities that allow backyard chickens.

President Fitzpatrick stated that he thinks that the Council would want Administration to be supportive of this before they would weigh in on it. He said that one of the concerns would obviously be monitoring. Mr. Fitzpatrick added that having the manpower to be sure that the coops and feed are clean and well maintained could be a concern.

President Fitzpatrick asked if any interest has been expressed by the residents to do this. Councilman Golinski replied that he had one person ask him about it. He said that he spoke with ACO Meredith Petrillo and she expressed some concerns.

Administrator Ward interjected that one of the concerns is that the location of chicken coops should be a safe distance from schools, day care facilities and parks. He said that there have been a couple of incidents with an illegal chicken coop that attracted bears right across the street from one of our elementary schools.

President Fitzpatrick suggested that the Green Committee continue to look at our ordinance and then talk with Administration. He said that perhaps the other thing for Administration to possibly consider is an application process for this. Mr. Fitzpatrick commented that we could look at it on a case by case basis and the rules would have to be strictly followed.

Councilman Scollans asked if President Fitzpatrick could get an opinion from each of the Council people on how they feel about it.

President Fitzpatrick said that he is actually kind of open to it.

Councilman Gabel said that it sounds interesting but he would want to learn a little bit more about how other communities manage it and govern it.

Councilman Kuser advised that he is open to listen to the proposal but he does not see this working in the Fourth Ward and he definitely can't see it working in the lake communities. He said that we allow chicken raising now, but one must have five (5) acres of property to do it.

Councilman Golinski commented that he thinks it's a great idea but he would want to do
thorough research and feels that ACO Petrillo should have a major amount of input. Councilwoman Lyden stated that there is a lot to consider and a lot of research to be done. She said that she lives just ten feet from her neighbor and it really wouldn’t work there.

Councilwoman Smith agreed that input from ACO Petrillo is vital and she wouldn’t even consider this without her comments. She said that she wonders what would happen to the chickens in the winter time. Mrs. Smith noted that she is on the fence on this issue but is always willing to listen. She added that we don’t have the staff to monitor something like this.

Mayor Andes commented that there is a trend towards this and it has its merits, but the devil is in the details. He asked Mr. Pacconi to get a copy of the Mendham ordinance, which the Green Committee seems to favor, to him and he will have Administration and the pertinent department heads take a look at it. The Mayor said that he would then bring it back to the Council and they would most likely put it before a sub-committee.

Mark London then took the floor and advised that he is the relatively new Chair of the Green Sustainability Committee. He noted that our old Bronze Certification for Sustainable New Jersey was due to expire in December of 2013. Mr. London said that he took over the Chair of the Committee in May and was in a panic about how he could get everything together for an application in June. He said that due to Councilman Scollans’s herculean effort the certification was extended to next June.

Mr. London explained that our old certification made a lot of promises and once the document was approved by the State of N. J. nothing was ever done. He said that this is a living document and once we commit to something we are going to have to actually produce what we promised.

Mr. London explained that one of the problems faced by the Green Committee is budgetary constraints that are difficult to work into a green ordinance or procedure. Mr. London added that green products have the reputation of being important and, therefore, a piece of “green” paper may cost as much as 20% more than a regular sheet of paper. He said that we, as a town, can’t afford to pay that 20% more for that piece of paper because it just doesn't fit our budget constraints since we use a lot of paper. Mr. London spoke about the concern regarding the cost of construction versus maintenance. He noted that many green products are more expensive to buy but, over time, provide a large saving over non-green products.

Mr. London noted that it will take a massive effort to get the application for re-certification ready by next June. He said that the greater effort will come after the document is in and we have to abide by what we have put in that document. Mr. London advised that he has spoken with the Mayor, Administrator and several department heads and all are willing to help. He said, however, that everyone has their own duties and time and staff constraints and it takes time to assess a green cleaning product. Mr. London noted that the Committee has a meeting at the end of the month and they want to come up with a punch list of things that they want to look at. He said
that he now sees that one of those things will be backyard chickens. Mr. London added that one of his goals is to develop something that will have a long lasting impact on the Township.

Mayor Andes thanked Councilman Scollans for heading up the Committee and filling the gap that we had at the beginning of the year. The Mayor thanked the Committee and Mr. London and agreed that we need to go forward. He said that it is great to get the certification but doing things that have an impact on the town is more important. Mayor Andes noted that he and the Administrator have had several meetings with Mr. London and he is so glad to hear that the department heads are willing to partner with the Committee on this.
Councilman Scollans thanked the Committee members for their presentations and asked everyone to lend their support to Mark. He said that the job cannot be accomplished by one person.

R-13-195 RESOLUTION AUTHORIZING CLOSED SESSION FOR COLLECTIVE BARGAINING.
MOTION TO APPROVE R-13-195: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER LYDEN
AYES: GOLINSKI, LYDEN, GABEL, KUSER, SMITH, SCOLLANS, FITZPATRICK

President Fitzpatrick advised that no action will be taken after coming out of Closed Session.
President Fitzpatrick called for a brief recess at 8:45 p.m.

The Council went into Closed Session at 8:48 p.m.

The Council came out of Closed Session at 10:03 p.m.

MOTION TO ADJOURN: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
AYES: UNANIMOUS
Meeting adjourned at 10:04 p.m.

Respectfully submitted by:

Kathleen A. Costello
Deputy Township Clerk