The Meeting was called to order at 7:30 p.m. by President Golinski. The Salute to the Flag was recited, followed by an Invocation given by Councilman Fitzpatrick. The Open Public Meetings Act Statement was read by Township Clerk Kathryn Bowditch. Ms. Bowditch advised that this is a non-smoking facility and asked that all cell phones be silenced at this time.

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

ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD, ASSISTANT TOWNSHIP ATTORNEY DEBONA, POLICE CHIEF WAGNER AND CAPT. NIGRO.

President Golinski noted that he would like to move R-15-115, Resolution in Support of the Denville Police Department, to the section of the agenda that is normally Presentations and Ceremonial Matters. President Golinski asked Councilwoman Smith to read the resolution, since it was she who recommended the resolution.

Councilwoman Smith read R-15-115 into the record.

MOTION TO APPROVE R-15-115: MOVED BY MEMBER SMITH, SECONDED BY MEMBER KUSER

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

Chief Wagner made some brief comments and thanked the Council and Administration for the recognition of Denville’s Police Department.

LIAISON REPORTS:

Councilman Scollans reported that he participated in the Knights of Columbus fund raiser for persons with disabilities. Mr. Scollans noted that on May 19th the Morris County Freeholders will sponsor an event to honor volunteers in the CDBG program. Councilman Scollans advised that he has been invited to attend as one of the honored guests.

Mr. Scollans reported that he attended the Board of Education meeting and several items were discussed, such as green sustainability in the schools, the Arbor Day tree-planting, the recent school bus survey and the plan to move the Board of Education offices into the Municipal Building.

Councilman Fitzpatrick reported that the Chamber of Commerce annual awards dinner will be held tomorrow evening at Zeris Inn. Mr. Fitzpatrick noted that the next river cleanup will be held on May 16th and all volunteers are welcome. President Golinski interjected with comments on the great work being done by the professionals and volunteers in Denville. He thanked Councilman Fitzpatrick, George Strother and Administration.

Councilman Fitzpatrick praised George Strother for leading the teams in the cleanup effort and said that the river is doing well. Mr. Fitzpatrick commented on the Fox Hill neighborhood playground coming together with fund-raising and volunteer work to restore the playground. Councilman Fitzpatrick noted that the Council has a Relay for Life team that will participate in the event for the American Cancer Society. The event will be held on June 6, 2015 at the County College of Morris.

Councilwoman Lyden reported that she attended the Downtown Development Committee meeting. She advised that the discussion centered on the Main Street Program for the improvement of the downtown business district.

Councilman Gabel reported that he attended the Morris Hills Regional District Board of Education meeting. He said that a new President of the Board was appointed and the 2015-2016 budget was
adopted. Mr. Gabel noted that the Council was provided with the budget via e-mail and he quoted some of the items in that budget. He added that State Aid has increased year over year due to the State funding of students who come to the district from another school district. Mr. Gabel had additional comments on the budget and the contribution from each sending town to the M. H. Regional District. Mr. Gabel reported that the Mayor’s Council for People with Challenges sold $600 worth of raffle tickets for the Fox Hill Playground initiative and will help out at the Fall Festival again this year. He added that they will take part in a challenger day on May 28th and have also been helping the Beautification Committee. Councilman Gabel advised that there is now a Facebook page called “Friends of Denville Social Services” that is already very successful and is a great communications tool.

Councilwoman Smith asked if there is any intention to change the formula for the Morris Hills Regional District since there is such a disparity among the sending towns. Councilman Gabel replied that they are State mandated formulas. He said we need to look at them and make suggestions to the State lawmakers to perhaps reevaluate the formulas and make necessary changes.

Councilwoman Smith reported that the next Senior Social will be held on May 17th and will be a traditional barbeque. She noted that the theme will be red, white and blue. Mrs. Smith advised that, due to a shortage of volunteers, there will be no Senior Social in June.

Mrs. Smith said that the Senior Prom will be held on May 29th beginning at noon and, on the same day, County College of Morris is presenting a “Senior Day” for which there is a fee of $20.

Mrs. Smith announced that former Council member and former Police Chief Howard Shaw has been nominated for the Living Treasure Award.

Councilman Kuser reported that the Green Sustainability Committee is working on organizing a Green Fair to be held in October. Mr. Kuser noted that the Legislative Bulletin listed Assembly bill A1483, which is a bill to eliminate traffic calming measures in business districts. He suggested that our Engineer John Ruschke and our Township Attorney be requested to look into the bill regarding how it will affect Denville.

President Golinski reported that he attended the Environmental Commission meeting and they are working on plans for a booth at the Rotary Street Festival to promote tree planting. He said that he also attended the Fire Department dinner honoring Bob Matschke for fifty years of service and Mike Leonard for twenty years of service. Mr. Golinski added that he will be attending the Recreation Committee meeting tomorrow night.

MAYOR’S REPORT:

Mayor Andes reported that Morris Knolls H.S. celebrated its 50th Anniversary with a community picnic and he was pleased to present them with a proclamation. The Mayor announced that Councilman Doug Gabel will be given the YMCA Citizen of the Year Award next Wednesday. He congratulated Mr. Gabel.

Mayor Andes noted that this Saturday the “Dogs Gone Wild” event will be held at Cook’s Pond. The Mayor asked that the council look favorably on R-15-113, authorizing the contract for the United Bow Hunters of NJ. Mayor Andes advised that the sale of St. Clare’s Hospital has received approval from the State Health Commission. He added that there are two more legal steps to be completed and then the hospital can change hands.

ADMINISTRATOR’S REPORT:

Administrator Ward reported that the Township has applied for a grant to develop a one-mile long trail along the Denbrook. Mr. Ward noted that yesterday he, the Fire Chief and the Municipal Clerk attended the Picatinny Public Relations Open House. He said that it was a fantastic event and the Public Affairs Officers and Base Commander were in attendance. Administrator Ward advised that, with the approval
of the Council President, Administration would like to hold a swearing-in ceremony of two (2) Police Officers at the May 19th Council meeting.

Mr. Ward stated that two new employees have been hired. The first is Daryl Dwarnick as a Mechanics Helper, filling the vacancy created by the retirement of Ed Smith on April 30th with 27 years of service to the Township. Mr. Ward noted that the second position to be filled is a part-time meter reader and the new employee is Richard Barisconi. With regard to the Town Hall housing the Board of Education, a meeting between the Municipal staff, the School Board staff and the Board’s architect will be held on May 28th. He said that the group will review and revise plans to make the move a reality in the coming years.

**CORRESPONDENCE:** All copied to Council.

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

**CLOSE PUBLIC PORTION.**

**MATTERS OF OLD AND/OR NEW BUSINESS:** None.

**ORDINANCES FOR ADOPTION:**

President Golinski advised that Ordinance #4-15 will be withdrawn but he would like to give the public a chance to be heard on this ordinance.

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

**CLOSE PUBLIC PORTION.**

**MOTION TO WITHDRAW #4-15** entitled: An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend chapter 19, Land Use, Article 5, Zone Regulations to Adopt a Revised Zoning Map.

MOVED BY MEMBER KUSER, SECONDED BY MEMBER SMITH.

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

#05-15

**BE IT RESOLVED that an Ordinance entitled:**

An Ordinance Providing for Various Improvements or Purposes in the Sum of $101,500 from the General Capital Improvement Fund of the Township of Denville

Be Read by title on Second Reading and a Hearing Held Thereon:

**MOTION TO READ BY TITLE:** MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN.

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

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

**CLOSE PUBLIC HEARING.**

**BE IT RESOLVED that an Ordinance entitled:**

An Ordinance Providing for Various Improvements or Purposes in the Sum of $101,500 from the General Capital Improvement Fund of the Township of Denville

Be passed on final Reading and that a Notice of Final Passage be Published in the 5-13-15 issue of The Citizen Newspaper.

**MOTION TO ADOPT:** MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN.

AYES: SMITH, LYDEN, GABEL, KUSER, FITZPATRICK, SCOLLANS, PRESIDENT GOLINSKI.
BE IT RESOLVED that an Ordinance entitled:
An Ordinance Providing for Various Improvements or Purposes in the Sum of $294,000 from the Open Space Trust fund of the Township of Denville.

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER GABEL, SECONDED BY MEMBER FITZPATRICK.
AYES: GABEL, FITZPATRICK, KUSER, SMITH, LYDEN, SCOLLANS, PRESIDENT GOLINSKI.
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Providing for Various Improvements or Purposes in the Sum of $294,000 from the Open space Trust Fund of the Township of Denville.

Be passed on Final Reading and that a Notice of Final Passage be Published in the 5-13-2015 issue of The Citizen Newspaper.
MOTION TO ADOPT: MOVED BY MEMBER GABEL, SECONDED BY MEMBER LYDEN.
AYES: GABEL, LYDEN, KUSER, SMITH, FITZPATRICK, SCOLLANS, PRESIDENT GOLINSKI.

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Providing for Various Improvements or Purposes in the Sum of $111,000 from the Sewer Capital Improvement Fund of the Township of Denville

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER FITZPATRICK.
AYES: SCOLLANS, FITZPATRICK, GABEL, KUSER, SMITH, LYDEN, PRESIDENT KUSER.
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED that an Ordinance entitled:
An Ordinance Providing for Various Improvements or Purposes in the Sum of $111,000 from the Sewer Capital Improvement Fund of the Township of Denville

Be passed on Final Reading and that a Notice of Final Passage be Published in the 5-13-2015 issue of The Citizen Newspaper.
MOTION TO ADOPT: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL.
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, FITZPATICK, PRESIDENT GOLINSKI.

BE IT RESOLVED that an Ordinance entitled:
Bond Ordinance Providing for Various Capital Improvements in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $2,195,750 Therefor and Authorizing the Issuance of $1,395,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER LYDEN.
AYES: FITZPATRICK, LYDEN, GABEL, KUSER, SMITH, SCOLLANS, PRESIDENT GOLINSKI.
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED that an Ordinance entitled:
Bond Ordinance Providing for Various Capital Improvements in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $2,195,750 Therefor and Authorizing the Issuance of $1,395,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof
Be passed on Final Reading and that a Notice of Final Passage be Published in the 05-13-2015 issue of The Citizen Newspaper.
MOTION TO ADOPT: MOVED BY MEMBER LYDEN, SECONDED BY MEMBER FITZPATRICK
AYES: LYDEN, FITZPATRICK, GABEL, KUSER, SMITH, SCOLLANS, PRESIDENT GOLINSKI.

#09-15
BE IT RESOLVED that an Ordinance entitled:
Bond Ordinance Providing for Various Capital Improvements to the Water Utility in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $393,750 Therefor and Authorizing the Issuance of $375,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof
Be Read by Title on Second Reading and a Hearing Held Thereon:
MOTION TO READ BY TITLE: MOVED BY MEMBER FITZPATRICK, SECONDED BY MEMBER LYDEN.
AYES: FITZPATRICK, LYDEN, GABEL, KUSER, SMITH, SCOLLANS, PRESIDENT GOLINSKI.
OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED that an Ordinance entitled:
Bond Ordinance Providing for Various Capital Improvements to the Water Utility in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $393,750 Therefor and Authorizing the Issuance of $375,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof
Be passed on Final Reading and that a Notice of Final Passage be Published in the 05-13-2015 issue of The Citizen Newspaper.
MOTION TO ADOPT: MOVED BY MEMBER KUSER, SECONDED BY MEMBER FITZPATRICK.
AYES: KUSER, FITZPATRICK, GABEL, SMITH, LYDEN, SCOLLANS, PRESIDENT GOLINSKI.

ORDINANCES FOR INTRODUCTION:

#14-15
BE IT RESOLVED that an Ordinance entitled:
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, Article 5, Zone Regulations to Adopt a Revised Zoning Map
Be introduced and Read by Title on First Reading:
MOTION TO INTRODUCE: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN.
Discussion: Councilman Fitzpatrick asked for an explanation of this ordinance. President Golinski replied that the Aquifer Sensitive Areas were omitted from the map, called to our attention by a Planning Board member and a revised map was created.
AYES: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, FITZPATRICK, PRESIDENT GOLINSKI.

BE IT RESOLVED that an Ordinance entitled:
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, Article 5, Zone Regulations to Adopt a Revised Zoning Map 

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 06-09-15 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 newspaper according to law.

MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN

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

President Golinski read the titles of the Consent Agenda resolutions and asked if anyone from the Council or the public wished to have anything removed from the Consent Agenda.

Councilwoman Smith asked that R-15-111 be removed because she believes it needs to be commented upon. President Golinski agreed and removed R-15-111 from the Consent Agenda.

CONSENT AGENDA:
R-15-108 Resolution Authorizing Refund of Recreation Department Fees.
R-15-110 Resolution Authorizing the Sale of Surplus Equipment to the Borough of Florham Park.

MOTION TO APPROVE THE CONSENT AGENDA: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH.

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

NON-CONSENT RESOLUTIONS:
R-15-111 Resolution Urging Congress to Change Federal Law to Ensure that Veterans’ Organizations are Eligible for CDBG funding.

MOTION TO APPROVE R-15-111: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN.

Discussion: Councilwoman Smith noted that HUD is making the decision that the American Legion and VFW are social clubs and not eligible for CDBG grants. Mrs. Smith said that it is a travesty to do this since these organizations give so much to the community. She asked that the resolution be sent to all legislators representing New Jersey in Washington.

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

R-15-112 Resolution Authorizing the Settlement Agreement and Mutual Release between the Township of Denville and TQM Construction Corp.

MOTION TO APPROVE R-15-112: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL.

Discussion: Councilman Kuser asked for an explanation of this resolution. Administrator Ward replied that TQM was the contractor for the Police Dept. renovation and, due to lack of performance were taken off the job. He said that there was a sum of money due TQM which roughly amounts to the amount that we will have to pay an outside contractor to finish what TQM did not complete. Attorney DeBona added that it is a mutual release where no money changes hands.

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

R-15-113 Resolution Authorizing the Execution of an Agreement with the United Bow Hunters of New Jersey for the Management of Deer for a Two-Year Term.
MOTION TO APPROVE R-15-113: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL.
Discussion: Councilman Gabel noted that members of the Deer Management Committee are present this evening. He thanked the Committee for the very detailed report that they submitted to the Council. Mr. Gabel asked for a synopsis of the safety measures that are taken by the bow hunters and the length of time required for the training.
Administrator Ward replied that the United Bow Hunters have membership guidelines and in early September they use the DPW facility for training. Once qualified, the members are assigned a specific hunting location. Mr. Ward advised that the Police Department has all of the information regarding the hunters such as names, type of vehicle and license plate numbers and locations.
Mr. Gabel asked if the tree stands that are used for hunting must be removed by the hunters when the season is over. Mr. Ward replied that he will check into that.
President Golinski invited members of the public to comment on the Resolution.
Robert Plumb, 17 Cypress Drive, advised that the UBNJ requires that the tree stands be removed at the end of the season.
Councilman Fitzpatrick asked if there were any differences in the contract this year as compared to the last contract.
Mr. Plumb replied that a complete background check is done on each hunter and each hunter must check in with the Police Dept.
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK, PRESIDENT GOLINSKI.

R-15-114 Resolution Authorizing the Execution of an Agreement with New Jersey Transit Corporation to Use a Portion of the Right-of-Way as an Emergency Access Road.
MOTION TO APPROVE R-15-114: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN.
Per Administrator Ward’s request, the motion was amended to add the words, “pending receipt of an acceptable certificate of insurance”.
AYES: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, FITZPATRICK, PRESIDENT GOLINSKI.

R-15-116 Resolution Granting Permission to Bid for Outdoor Mobile Stage.
MOTION TO APPROVE R-15-116: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL.
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK, PRESIDENT GOLINSKI.

MOTION TO APPROVE MINUTES OF 4-21-15: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN
AYES: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, FITZPATRICK, PRESIDENT GOLINSKI.
MOTION TO ADJOURN: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN.
AYES: UNANIMOUS.
Meeting adjourned at 8:26 p.m.

Respectfully submitted by,

Kathleen A. Costello
Deputy Township Clerk