

Minutes of the Conference Meeting of the Borough Council held March 6th 2014, at 7:33 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Mayor Frank J. Druetzler called the meeting to order and read the following notice:

I HEREBY ANNOUNCE AND STATE THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY VIRTUE OF A RESOLUTION SCHEDULING THE TIME, DATE, AND PLACE OF MEETINGS OF THE BOROUGH COUNCIL OF THE BOROUGH OF MORRIS PLAINS FOR THE YEAR 2014; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2014, AND WAS PUBLISHED IN THE *MORRIS NEWSBEE* AND IN THE *DAILY RECORD* AND BY THE FORWARDING OF SUCH RESOLUTION TO ALL PERSONS ON THE REQUEST LIST; BY THE POSTING OF SUCH RESOLUTION ON THE BULLETIN BOARD IN THE BOROUGH HALL; ALL OF THE ABOVE ACTIONS BEING IN ACCORDANCE WITH N.J.S.A. 10:4-6, *ET SEQ.*

Present on Roll Call:

Mayor Frank J. Druetzler
Councilmembers: George J. Coogan
Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Absent: Joseph Cecala, Jr.

Present: Gail H. Fraser, Esq., Borough Attorney

ITEMS FOR DISCUSSION

Mayor Druetzler asked who wanted to begin. He then referred to Dave Schulz and Andy Grabis of the Morris Minute Men.

Mr. Schulz stated he was at the meeting tonight to explain the transfer of the rescue program from MMM to the Morris Plains Fire Department. He provided background information on this change. He commented on the five-year and ten-year planning horizons. He also spoke about the existing rescue vehicle and gave information about similar rescue groups/programs in the nearby vicinity.

Continuing, Mr. Schulz also spoke about declining interest in becoming members of the MMM, due primarily to demographics and aging issues. He stated, however, that there is a growing interest in the Junior Fire Program and there are joint members who participate with both the MMM and the fire department.

Mr. Schulz provided information about the discussions over the past three years or so with the Mike Geary, Chief of the Morris Plains Fire Department. The most recent discussions with the fire department reopened in November 2013, and a decision was made to wait until January-February 2014 to discuss this issue with the Council. He stated the MMM will loan necessary rescue equipment to the fire department and that this will occur on Saturday, March 8, 2014. MMM will provide EMS services and the fire department will provide rescue services. This will allow the MMM to focus their resources where they are really needed and also to manage staffing in a better manner. He also advised of EMS services now required at fire scenes. It is not a reduction in services, but rather putting the focus on where each organization's competencies lie.

Mr. Schulz advised that the old rescue truck will be re-purposed to an EMS Special Operations vehicle. The equipment to be loaned to the fire

department will be whatever they decide to take this coming Saturday; whatever they need.

Cross discussion about the equipment, the equipment transfer, equipment that may be needed in the future, and training issues.

Mr. Schulz commented that this will be a significant event in the MMM's history and provided commentary on why this is the case.

Various Council members added their own personal thoughts about this change. The Council members and the Mayor thanked the MMM members for attending this meeting and for all the work they have done over the years and will do in the future.

Mayor Druetzler advised that a Resolution will be voted on and prepared, and a certified copy will be provided to the MMM. This Resolution will make official the transfer of rescue services to the Morris Plains Fire Department.

Mayor Druetzler asked if anyone had any questions on the Consent Calendar. Hearing none, he asked if any member had anything he/she wanted to raise for possible discussion.

Councilmember Karr commented on the work that has been done by the auditors and that he believes their work is complete.

Councilmember Coogan advised that George Ross received a letter from the Inter-Faith Food Pantry dated March 5, 2014. This letter was to thank the Borough and Community Garden for the donation of 365 pounds of fresh produce to the food pantry. A copy was given to the Clerk for the records.

Councilmember Mangravite addressed Municipal Alliance issues. He advised that background checks will not be done on the Teen Center Board members. He stated there is no official policy and the Police Chief is not comfortable doing so without a policy. The question was why would Board members need this done when the chaperons who are with the young people do not. The Municipal Alliance members do not go through background checks either.

Cross discussion about when background checks must be done and members for various Alliance positions as well as about some of the positions themselves. There was also discussion about people working with the high school and reasons why it is important to have a high school-Borough connection.

Councilmember McCluskey relayed details of a conversation with John Ciaffone from TransOptions. He would like the Borough to consider listening to a discussion about a bike-share program. TransOptions will be beginning a discussion with Morristown, but would like to involve other communities, too. In addition, they plan to invite Morris Township, Morris Plains, and Madison to this discussion. Funding is not being requested – they have two \$50,000 corporate sponsors and a commitment of cooperation from Marty's Reliable Cycle. They are trying to avoid a feasibility study. She provided details of this proposed bike-share program for commuters and visitors.

Continuing, she mentioned that Mr. Ciaffone was also hoping that designated bike lanes would be a part of this program.

Mayor Druetzler surveyed the Council members and all or most appeared to be in favor of knowing more about this proposed program. He asked who is willing to head up this exploratory effort.

Councilmember Fu offered to head up this exploratory effort. She advised Councilmember McCluskey that she can provide all her contact information.

Mayor Druetzler commented on a summary from Stop & Shop that he provided in each member's mailbox. This information relates to a parking evaluation at Stop & Shop. Mr. Hall believes this is a good study. The Mayor explained how he came to learn more about this study and the plans the study is suggesting.

Cross discussion about the study and the plans being proposed by Stop & Shop, including a drive-through offering(s); possible other business additions to add to the Stop & Shop property; the location of any new businesses; alternative sizes, the Mayor's statement of always wanting to be open and welcoming to new businesses considering moving into Morris Plains; and ordinance changes that would need to be approved to allow what is being proposed.

Councilmembers preferred developing the back portion only of the Stop & Shop property and also offered their thoughts regarding a "drive-thru."

Mayor Druetzler advised of a request from Roseland Properties/Mack-Cali for a meeting to discuss their desire to build apartments. They provided their reasons for wanting to do this. Their main focus was on property they own on 250 Johnson Road; they currently plan to demolish this building. He shared the plans that Roseland Properties/Mack Cali provided to him with the Councilmembers. They are proposing 240 units – apartments, not condominiums. The developer prefers a four-story, but Mayor Druetzler reminded them that three-stories is the highest that the Borough allows.

Cross discussion about the Roseland Properties/Mack-Cali proposal, including the issue of open space, the pond, and the location of the pumping station.

Councilmember Mangravite provided copies of an item he had provided to Councilmember Karr in January. This item relates to ideas in connection with vendor invoicing, purchase orders, general liability insurance, audits of vendor invoices, and professional service contracts.

Councilmember Karr advised his committee has started to review this item provided by Councilmember Mangravite.

EXECUTIVE SESSION

Moved by Council President Coogan:

BE IT RESOLVED THAT Resolution No. 2014-46 entitled "Executive Session" be adopted.

Seconded by Councilmember McCluskey. So ordered.

Councilmember Coogan moved that the Executive Session be adjourned.

Seconded by Councilmember Mangravite.

Councilmember Mangravite moved that the Conference Meeting be adjourned at 8:36 p.m.

Seconded by Councilmember Karr.

Frank J. Druetzler, Mayor

June Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held March 6th, 2014 at 8:42 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Pledge of Allegiance and Prayer.

Mayor Frank J. Druetzler called the meeting to order and read the following notice:

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Present on Roll Call:

Mayor Frank J. Druetzler

Councilmembers: George J. Coogan

Laurie J. Fu

Jason C. Karr

Frank Mangravite

Suzanne B. McCluskey

Absent: Joseph Cecala, Jr.

Present: Gail H. Fraser, Esq., Borough Attorney

APPROVAL OF MINUTES

Councilmember Coogan moved:

BE IT RESOLVED THAT the minutes of the Executive, Conference and the Regular Meetings of February 6th 2014.

Seconded by Councilmember McCluskey. So ordered.

Voice vote. All in favor, with the exception of Councilmembers Coogan and Mangravite who abstained and Councilmember Cecala who was absent. Motion carried.

Councilmember Coogan moved:

BE IT RESOLVED THAT the minutes of the Executive, Conference and the Regular Meetings of February 20th 2014.

Seconded by Councilmember Karr. So ordered.

Voice vote. All in favor, with the exception of Councilmember Mangravite who abstained and Councilmember Cecala who was absent. Motion carried.

APPROVAL OF CONSENT CALENDAR

Councilmember Coogan moved:

BE IT RESOLVED by the Mayor and Council of the Borough of Morris Plains, that the attached reports be accepted and that said reports be kept on file in the Clerk's Office:

REPORTS

Sanitarian, February 2014
Animal Control, February 2014
Municipal Court, February 2014

BE IT FURTHER RESOLVED

THAT the Resolution No. 2014-47 entitled, "RESOLUTION ADOPTING A TEMPORARY CAPITAL BUDGET FOR 2014," be adopted as attached.

THAT the Resolution No. 2014-48 entitled, "RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS," be adopted as attached.

THAT the Resolution No 2014-49 entitled, "RESOLUTION ENTITLED TRUSTWORTHY TAXI & LIMO LIMOUSINE OWNER LICENSE NO. LO1-5633-2014," be adopted as attached.

THAT the Resolution No 2014-50 entitled, "RESOLUTION ENTITLED TRUSTWORTHY TAXI & LIMO LIMOUSINE OWNER LICENSE NO. LO2-2787-2014," be adopted as attached.

THAT the Resolution No 2014-51 entitled, "RESOLUTION ENTITLED TRUSTWORTHY TAXI & LIMO LIMOUSINE OWNER LICENSE NO. LO3-5568-2014," be adopted as attached.

THAT the Resolution No 2014-52 entitled, "RESOLUTION OF RECOGNITION AND SUPPORT OF TRANSFER OF RESCUE RESPONSIBILITIES FROM THE MORRIS MINUTE MEN TO THE MORRIS PLAINS FIRE DEPARTMENT," be adopted as attached.

THAT Sheryl McNichol be hired for the Recreation program "Kids Helping Kids" Craft Class Instructor at \$20.00 per hour effective March 19th 2014; which mentor program is authorized through a Grant and Registration [The program is self funded].

THAT Theresa Meyers be hired for the Recreation program "Kids Helping Kids" Fitness Class Instructor at \$40.00 per hour effective March 19th 2014; which mentor program is authorized through a Grant and Registration [The program is self funded].

THAT St. Paul's Episcopal Church, Morris Plains Presbyterian Church and Trinity Lutheran Church be granted permission to conduct an ecumenical Blessing of the Palms at Roberts Garden on Sunday, April 13th 2014, from 9:00 AM to 10:00 AM.

THAT the Borough Council approve the membership application of James B. Koller, 76 Grove Avenue, Morris Plains, NJ, as a member of the Morris Plains Fire Department.

THAT the Borough Council authorize the Amendment to the Agreement between Delta Dental Plan of New Jersey, Inc. and the Borough of Morris Plains for the period April 1st 2014 through March 31st 2015.

THAT the Borough Treasurer be authorized to advertise for the receipt of bids for the Speedwell Avenue Improvement Project, with

bids to be received on Wednesday, April 16th 2014, up to 10:00 A.M., in the Council Chambers.

THAT the Borough Treasurer be authorized to advertise for the receipt of bids for the Dayton Road, Granniss Avenue, Hillview Avenue, Community Park Parking Lot and Municipal Parking Lot #1 Paving Project, with bids to be received on Wednesday, April 16th 2014, up to 10:30 A.M., in the Council Chambers.

Seconded by Councilmember McCluskey

Yeas: Councilmembers Coogan, Fu, Karr, Mangravite, McCluskey
Nays: None
Absent: Councilmember Cecala
Abstain: None

GREETINGS OF PUBLIC AND INVITATION FOR DISCUSSION

Mayor Druetzler opened this portion of the meeting to comments from the public. Seeing no one, he closed the public portion of this meeting.

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr advised he had no report.

Public Safety

Councilmember McCluskey advised she had no report.

The Police Chief reported that E-Ticket was approved last Wednesday from AOC. It is installed in two or three vehicles, but only Pete Rolph is authorized to use it. He provided details about the interaction with the State and various necessary hook-ups involved with E-Ticket and several revisions/updates that will need to be done. Training still needs to be done and should take about one hour. He provided information about the grant for the reimbursement for the culvert.

Public Works

In the absence of Councilman Cecala, there was no report.

Public Buildings & Grounds

Councilmember Fu reported on the Shade Tree Commission held yesterday, including the draft of the five-year Community Forestry Management Plan being received. She shared some of the highlights contained in the plan and discussed at the meeting. The document is approximately 50 pages.

Last evening she met with the Beautification Committee. There was discussion about the types of trees and how many trees the Committee would like planted.

The position for the Event Coordinator has been posted by the Recreation Commission and applications have been received. Susan Carey, the Summer Recreation Coordinator, attended last week's Recreation Commission meeting to provide information on the planning for this year's program. The Pool is scheduled to open on Saturday, June 21st 2014 at 12:00 Noon and it is planned to offer two bonus weekends before the official opening of the Pool if the weather cooperates. There will be a meeting with Teen Pride on Monday, March 17th 2014.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite asked the Police Chief if he has any update on the dog and cat census. There will be a Board of Health meeting next week. He will get the handouts/booklets for them to hand out.

The Police Chief advised the people who will be doing the census are just waiting for the weather to improve.

Ordinance & Public Utilities

Councilmember Coogan reported that the Beautification Committee met last night and provided information regarding their 2014 projects. The Borough Hall is still on their priority list. Another project they would like to do is to make improvements at the rock wall heading toward the railroad underpass.

Mayor Druetzler advised of certain spraying the railroad personnel does that could impact the health of any nearby plantings. There were other plantings that did not survive the heat. Forsythia was referred to.

Continuing, Councilmember Coogan advised the Beautification Committee members will march in the Memorial Day Parade. He provided details on some of their plans for making a “grand” appearance as the Grand Marshals at the Parade.

Mayor Druetzler advised about some of the “surprises” and related procedures for the Memorial Day Parade. He also spoke about the plans for the proposed dredging of Thompson Pond and the awarding of a grant which will be announced within the next week.

PRESENTATION OF COMMUNICATION, PETITIONS, ETC.

Mayor Druetzler opened the meeting to the public. Seeing no one, Mayor Druetzler closed the public hearing.

INTRODUCTION OF ORDINANCES

None

ORDINANCES ON SECOND READING

Councilmember Coogan read by title the ordinance entitled:

ORDINANCE NO. 1-2014

AN ORDINANCE ACCEPTING A LEASEHOLD INTEREST IN A PORTION OF BLOCK 63, LOT 20 IN THE BOROUGH OF MORRIS PLAINS FOR MUNICIPAL PARKING LOT NO. 2 PURPOSES.

which ordinance was introduced and passed on first reading at a meeting held on January 9th 2014.

The Clerk read the following notice:

Notice is hereby given that the following ordinance was submitted in writing at a meeting of the Mayor and Borough Council of the Borough of Morris Plains on January 9th 2014, introduced and read by title and passed on first reading, and that the said Governing Body will further consider the same for second reading and final passage thereof at a regular meeting beginning at 8:30 P.M., on March 6th 2014 at the Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey, in said Borough at which time and place a public hearing will be held thereon by the Governing Body and all parties in interest and citizens and all persons shall have an opportunity to be heard concerning said ordinance.

Councilmember Coogan read the following notice and ordinance by title and stated that the Notice and Ordinance had been published as required by law that the ordinance had been posted on the bulletin board in the Municipal Building and that copies had been made available to members of the general public.

Mayor Druetzler announced that the meeting is open for a public hearing on the ordinance and stated that any taxpayer of the Borough of Morris Plains and all parties and persons in interest and citizens may be heard. Hearing no one, Mayor Druetzler closed the Public Hearing.

Thereupon Councilmember Coogan offered the following Resolution and moved its adoption:

RESOLVED, that the above ordinance as read by title on Second Reading, at this meeting, be adopted and finally passed.

Councilmember Karr seconded the motion.

Mayor Druetzler ordered the Clerk to call the roll on the passage thereof and the vote was as follows:

Yeas: Councilmembers Coogan, Fu, Karr, Mangravite, McCluskey
Nays: None
Absent: Councilmember Cecala
Abstain: None

Mayor Druetzler declared the ordinance adopted and finally passed, approved the same and ordered the Clerk to publish the proper notice thereof in the newspaper and to record the ordinance in the proper place.

Councilmember Coogan read by title the ordinance entitled:

ORDINANCE NO. 2-2014

AN ORDINANCE TO VACATE, RELEASE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO THE PORTION OF BRYCE WAY ADJOINING BLOCK 182, LOT 12 AND BLOCK 171, LOT 14, SUBJECT TO THE RESERVATION TO THE BOROUGH OF A UTILITY EASEMENTS WITHIN SAID PORTIONS OF BRYCE WAY AND TO AMEND THE TAX MAP OF THE BOROUGH CONSISTENT THEREWITH.

which ordinance was introduced and passed on first reading at a meeting held on January 16th 2014.

The Clerk read the following notice:

Notice is hereby given that the following ordinance was submitted in writing at a meeting of the Mayor and Borough Council of the Borough of Morris Plains on January 16th 2014, introduced and read by title and passed on first reading, and that the said Governing Body will further consider the same for second reading and final passage thereof at a regular meeting beginning at 8:30 P.M., on March 6th 2014 at the Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey, in said Borough at which time and place a public hearing will be held thereon by the Governing Body and all parties in interest and citizens and all persons shall have an opportunity to be heard concerning said ordinance.

Councilmember Coogan read the following notice and ordinance by title and stated that the Notice and Ordinance had been published as required by law that the ordinance had been posted on the bulletin board in the Municipal Building and that copies had been made available to members of the general public.

Mayor Druetzler announced that the meeting is open for a public hearing on the ordinance and stated that any taxpayer of the Borough of Morris Plains and all parties and persons in interest and citizens may be heard. Seeing no one, Mayor Druetzler closed the Public Hearing.

Thereupon Councilmember Coogan offered the following Resolution and moved its adoption:

RESOLVED, that the above ordinance as read by title on Second Reading, at this meeting, be adopted and finally passed.

Councilmember McCluskey seconded the motion.

Mayor Druetzler ordered the Clerk to call the roll on the passage thereof and the vote was as follows:

Yeas: Councilmembers Coogan, Fu, Karr, Mangravite, McCluskey
Nays: None
Absent: Councilmember Cecala
Abstain: None

Mayor Druetzler declared the ordinance adopted and finally passed, approved the same and ordered the Clerk to publish the proper notice thereof in the newspaper and to record the ordinance in the proper place.

Councilmember Coogan read by title the ordinance entitled:

ORDINANCE NO. 3-2014

AN ORDINANCE AUTHORIZING AN AMENDED PARKING AND DRIVEWAY EASEMENT WITHIN BRYCE WAY, AN UNIMPROVED RIGHT OF WAY, TO MICHAEL E. ROLPH AND KARA CAZZETTO, RELATING TO THE USE AND OCCUPANCY OF PREMISES LOCATED AT BLOCK 182, LOT 12, COMMONLY KNOWN AS 50 MALAPARDIS ROAD.

which ordinance was introduced and passed on first reading at a meeting held on January 16th 2014.

The Clerk read the following notice:

Notice is hereby given that the following ordinance was submitted in writing at a meeting of the Mayor and Borough Council of the Borough of Morris Plains on January 16th 2014, introduced and read by title and passed on first reading, and that the said Governing Body will further consider the same for second reading and final passage thereof at a regular meeting beginning at 8:30 P.M., on March 6th 2014 at the Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey, in said Borough at which time and place a public hearing will be held thereon by the Governing Body and all parties in interest and citizens and all persons shall have an opportunity to be heard concerning said ordinance.

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Mayor Druetzler announced that the meeting is open for a public hearing on the ordinance and stated that any taxpayer of the Borough of Morris Plains and all parties and persons in interest and citizens may be heard. Seeing no one, Mayor Druetzler closed the Public Hearing.

Thereupon Councilmember Coogan offered the following Resolution and moved its adoption:

RESOLVED, that the above ordinance as read by title on Second Reading, at this meeting, be adopted and finally passed.

Councilmember Fu seconded the motion.

Mayor Druetzler ordered the Clerk to call the roll on the passage thereof and the vote was as follows:

Yeas: Councilmembers Coogan, Fu, Karr, Mangravite, McCluskey
Nays: None
Absent: Councilmember Cecala
Abstain: None

Mayor Druetzler declared the ordinance adopted and finally passed, approved the same and ordered the Clerk to publish the proper notice thereof in the newspaper and to record the ordinance in the proper place.

Councilmember Coogan read by title the ordinance entitled:

ORDINANCE NO. 4 - 2014

CALENDAR YEAR 2014

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

which ordinance was introduced and passed on first reading at a meeting held on February 20th 2014.

The Clerk read the following notice:

Notice is hereby given that the following ordinance was submitted in writing at a meeting of the Mayor and Borough Council of the Borough of Morris Plains on February 20th 2014, introduced and read by title and passed on first reading, and that the said Governing Body will further consider the same for second reading and final passage thereof at a regular meeting beginning at 8:30 P.M., on March 6th 2014 at the Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey, in said Borough at which time and place a public hearing will be held thereon by the Governing Body and all parties in interest and citizens and all persons shall have an opportunity to be heard concerning said ordinance.

Councilmember Coogan read the following notice and ordinance by title and stated that the Notice and Ordinance had been published as required by law that the ordinance had been posted on the bulletin board in the Municipal Building and that copies had been made available to members of the general public.

Mayor Druetzler announced that the meeting is open for a public hearing on the ordinance and stated that any taxpayer of the Borough of Morris Plains and all parties and persons in interest and citizens may be heard. Seeing no one, Mayor Druetzler closed the Public Hearing.

Thereupon Councilmember Coogan offered the following Resolution and moved its adoption:

RESOLVED, that the above ordinance as read by title on Second Reading, at this meeting, be adopted and finally passed.

Councilmember McCluskey seconded the motion.

Mayor Druetzler ordered the Clerk to call the roll on the passage thereof and the vote was as follows:

Yeas: Councilmembers Coogan, Fu, Karr, Mangravite, McCluskey

Nays: None
Absent: Councilmember Cecala
Abstain: None

Mayor Druetzler declared the ordinance adopted and finally passed, approved the same and ordered the Clerk to publish the proper notice thereof in the newspaper and to record the ordinance in the proper place.

RESOLUTIONS

Councilmember Karr moved

THAT the Resolution No 2014-53 entitled, "A Resolution Hiring Summer Help – Department of Public Works" be approved.

Councilmember McCluskey seconded the motion.

Yeas: Councilmembers Fu, Karr, Mangravite, McCluskey
Nays: None
Absent: Councilmember Cecala
Abstain: Council President Coogan

UNFINISHED BUSINESS

None

NEW BUSINESS

Mayor Druetzler recognized a new business in the Borough. It is a music studio located next to 415 Speedwell Avenue (the building between Friendly's and Dunkin Donuts). Right now they are only open on Thursdays and Fridays. They provide lessons for all instruments and also voice lessons. He asked Councilmember Fu to give their business card to Lindsey and perhaps get a photo taken that can be published in *Plains Talk*.

VOUCHERS

None

EXECUTIVE SESSION

None

Councilmember Karr moved to adjourn the Regular Meeting.

Seconded by Councilmember McCluskey.

Frank J. Druetzler, Mayor

June Uhrin, Borough Clerk