

Minutes of the Special Meeting of the Borough Council held May 29<sup>th</sup>, 2014 at 7:05 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:

“I HEREBY ANNOUNCE AND STATE THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY THE CLERK OF THIS BOROUGH BY PREPARING A NOTICE DATED MAY 16<sup>TH</sup> 2014 SPECIFYING THE TIME, DATE AND PLACE OF THIS MEETING; POSTING SUCH NOTICE ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING; FORWARDING THE NOTICE TO MORRIS COUNTY’S DAILY RECORD AND THE MORRIS NEWS BEE; AND FORWARDING, BY MAIL, THE SAID NOTICE TO ALL PERSONS ON THE REQUEST LIST; AND I HEREBY HAND A COPY OF SUCH NOTICE TO THE CLERK OF THE BOROUGH OF MORRIS PLAINS FOR INCLUSION IN THE MINUTES OF THIS MEETING, ALL OF THE ABOVE ACTIONS BEING IN ACCORDANCE WITH N.J.S.A. 10:4-6, ET SEQ.”

“NOTICE IS HEREBY GIVEN THAT THE GOVERNING BODY OF THE BOROUGH OF MORRIS PLAINS SHALL HOLD A SPECIAL MEETING AT 7:00 P.M. ON THURSDAY, MAY 29<sup>TH</sup> 2014, IN THE COUNCIL CHAMBERS, BOROUGH HALL, 531 SPEEDWELL AVENUE, MORRIS PLAINS, NEW JERSEY, FOR THE PURPOSE OF INTERVIEWING POLICE CHIEF CANDIDATE AND ANY OTHER MATTERS WHICH MAY COME BEFORE THE GOVERNING BODY. FORMAL ACTION MAY BE TAKEN

Present on Roll Call:

Mayor Frank J. Druetzler  
Councilmembers: George J. Coogan  
Joseph Cecala, Jr.  
Laurie J. Fu  
Jason C. Karr  
Suzanne B. McCluskey

Absent: Councilmember Frank Mangravite

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 May 15<sup>TH</sup> 2014 be approved.

Seconded by Councilmember McCluskey. So ordered.

Voice vote. All in favor. Motion carried.

Mayor Druetzler asked if there were any questions concerning the Consent Calendar. He also read a portion of a newspaper article that read “. . . the parade, a modest procession at least by the standards set on Saturday in Morris Plains, ended at the Green.”

## **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**

Fire Prevention, May 2014  
Tax collector, May 2014 revised

*THAT* the Resolution No. 2014-70 entitled, "RESOLUTION REQUESTING THE NJDOT TO AUTHORIZE AND APPROVE A 100% MUNICIPAL AFFORDABLE HOUSING PROJECT AS A PUBLIC USE ON LANDS PREVIOUSLY ACQUIRED FROM THE NJDOT," be adopted as attached.

*THAT* the Resolution No. 2014-71 entitled, "RESOLUTION AMENDING THE EXISTING 'PERSONNEL POLICIES AND PROCEDURES MANUAL' OF THE BOROUGH OF MORRIS PLAINS, DATED APRIL 2011, CERTAIN AMENDMENTS TO THE 'DISCIPLINARY PROCEDURES' AND 'EXIT INTERVIEW PROCEDURES' AND 'EXIT INTERVIEW PROCEDURE' IN ARTICLE II, EMPLOYMENT," be adopted as attached.

*THAT* the Resolution No. 2014-72 entitled, "NEW JERSEY MILITARY FACILITIES," be adopted as attached.

*THAT* the Resolution No. 2014-73 entitled, "DEPOSITORIES FOR BOROUGH FUNDS," be adopted as attached.

*THAT* the Resolution No. 2014-74 entitled, "ANNUAL AUDIT CORRECTIVE ACTION PLAN," be adopted as attached.

*THAT* the Resolution No. 2014-75 entitled, "BOROUGH OF MORRIS PLAINS MUNICIPAL ALLIANCE APPLICATION FOR FUNDING," be adopted as attached.

*THAT* the following entitled A.B.C. License Application Resolutions for the 2013-2014 year, be adopted as attached:

Watnong Post No. 3401, V.F.W.	2014-76
State License No. 1423-31-006-002	
Nofito, LLC	2014-77
State License No. 1423-33-004-003	
Dore Art Corporation	2014-78
State License No. 1423-33-001-003	
Jo-Lyn Liquor, Inc.	2014-79
State License No. 1423-44-003-003	
Morris Plains Wine Shoppe, Inc.	2014-80
State License No. 1423-44-002-005	

*THAT* Rosanne Denman receive a \$1,000 increase for anniversary increase, effective June 1<sup>st</sup> 2014.

*THAT* Pam Dise-Moran, 7 Hillview Avenue, be appointed a member of the Municipal Alliance which term expires December 31<sup>st</sup> 2014.

*THAT* the Borough Council authorize the Amendment to the Agreement between Assurant Life/AD&D and the Borough of Morris Plains for the period August 1<sup>st</sup> 2014 through July 31<sup>st</sup> 2015.

*THAT* Adam Klymko, Patrolman, Police Department, be granted permission to be assigned to Light Duty assignments, that the Light Duty assignment will not go beyond August 23<sup>rd</sup> 2014.

*THAT* the attached be hired as Summer Camp counselors for the 2014 Recreation Summer season at the salary stated, effective June 1<sup>st</sup> 2014.

*THAT* the Mayor be and he hereby is authorized to execute Hazard Mitigation Grant application, DR4086, certifications and affidavits as required.

*THAT* having received quotes for the 260 Tabor Road project upgrades from the following:

R&R Construction	
CAT 325 with hammer	\$1,700.00 per day
CAT 330 with hammer	\$2,300.00 per day
Drop Off Fee	\$ 225.00
Harrington	No Quote
Speicer	No Quote

*THAT* a purchase order be issued to R&R Construction, Chester, N.J.

Seconded by Councilmember McCluskey.

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

Nays: None

Absent: Councilmember Mangravite

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 that there is some work that still must be done in connection with the continuation of the P-Cards.

##### **Public Safety**

Councilmember McCluskey advised that the D.A.R.E. graduation will be held tomorrow at 10:00 a.m. There are five candidates for the open Patrolman position; now there are five since one of the top candidates was recently hired by Mendham Township.

The Police Chief had no formal report.

##### **Public Works**

Councilmember Cecala advised that the shredder is repaired and has new blades. Debris pick-up began last week.

##### **Public Buildings & Grounds**

Councilmember Fu reported on the underpass Eagle Scout project advising that it will begin this Saturday. A group will start working at 7:00 a.m. The Shade Tree Commission has marked out all 100 locations for tree planting; trees will begin to be planted next week. A tree in Simons Park was destroyed by a lighting strike last week.

She reported that registration for Summer Camp is down a bit as of right now, but it is anticipated that registration will pick up as it gets closer to the end of school and the weather warms up. She commented on a presentation given by Anastasia Bergeron, a Morristown High School freshman, at the May Recreation Commission meeting. She would like to offer a leadership program for middle school students. Her father is Tom Bergeron who also attended the meeting and who requested that one of the existing softball fields be reconfigured for use as a 50/70 field.

The Mayor commented that he believes the field at the Borough School will be used at least for this year.

Continuing, Councilmember Fu advised that Family Day is all set for June 28<sup>th</sup> 2014 as is the Senior Picnic on July 17<sup>th</sup> 2014. There will be a Splash Party at the Pool on July 19<sup>th</sup> 2014. Summer Concerts will begin on July 6<sup>th</sup> 2014. She stated the Memorial Day Parade was fantastic.

### **Public Welfare, Sanitation & Sewers**

No report.

### **Ordinance & Public Utilities**

Councilmember Coogan advised of a letter in the Councilmembers' folders from George Ross expressing thanks for the addition at the Community Garden and the work done by a variety of Borough staff. There is also an update on the Master Plan from Mr. William Denzler.

Mayor Druetzler commented that the Borough is responsible for a number of items for condominiums and townhouses in the Borough such as garbage, recycling, leaf pick-up and other related services. He explained a letter was recently received from Coventry for the electric from January 2013 to December 2013. The electric is only for street lighting. This expense will be transferred to the Borough; Coventry should not be paying this bill. Coventry will be reimbursed for any payments made. A bill was also received for snow plowing from January 2013 to December 2013. This bill totaled \$42,709.05, and he has spoken with the Borough Attorney about this expense. He does not believe this is the Borough's responsibility. He stated the Borough "will be plowing and salting the roads from now on." The Treasurer worked with DPW staff to determine the amount of time it would take to plow and how many times plowing and/or salting would be done. A voucher was sent to Coventry to reimburse for \$632.07. This amount represents what it would have cost if the Borough performed this work.

Ms. Fraser stated the Borough does not have an obligation to reimburse Coventry for their costs, only what it would have cost the Borough to perform the work.

Mayor Druetzler reported that the Treasurer received a call from the attorney that holds the mortgage on Coco Pazzo. He advised he wants to arrange to have the lien paid off now that they are finished with the bankruptcies. They will then foreclose and sell the property. The Treasurer is working with him to provide the information needed.

Brief discussion about the Coco Pazzo liquor license.

Ms. Fraser advised that it has been a "pocket license" for two years meaning it is inactive. The Borough Council is not authorized to renew beyond the two-year pocket license; to do so would require going to the State. She further advised that apparently a number of the people involved in this matter are not planning to take the steps required to preserve the license. It is possible that the attorney representing the bank/mortgagee will do so. An application will still need to be filed with the Borough before the deadline together with a fee. It

would then be forwarded to the State. This must be done in June. The State allows the license to be re-activated within one full year beyond the year in which they should have obtained the license.

Brief cross discussion concerning the matter of liquor licenses expiring and being kept active.

Mayor Druetzler commented on the resignation of Ken Pfeil from the Library Commission. A replacement has now been appointed to fill this position.

**PRESENTATION OF COMMUNICATION, PETITIONS, ETC.**

Mayor Druetzler opened the meeting to the public. Seeing none, Mayor Druetzler closed the public hearing.

**INTRODUCTION OF ORDINANCES**

None.

**ORDINANCES ON SECOND READING**

Councilmember Coogan read by title the ordinance entitled:

**ORDINANCE 10-2014**

**AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF CHAPTER 9 "FINANCE AND TAXATION" OF THE REVISED ORDINANCE OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972, WITH THE ESTABLISHMENT OF A NEW ARTICLE 7 ENTITLED "POLICIES AND PROCEDURES GOVERNING THE USE OF PROCUREMENT CARDS**

which ordinance was introduced and passed on first reading at a meeting held on May 15<sup>th</sup> 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 May 15<sup>th</sup> 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 May 29<sup>th</sup> 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. He stated that adoption of this procedure should help the Borough in eliminating substantial paperwork.

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, Cecala, Fu, Karr, McCluskey  
Nays: None  
Absent: Councilmember Mangravite  
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.

Mayor Druetzler stated that Councilmember Mangravite is not in attendance at tonight's meeting as he is on vacation.

#### **RESOLUTIONS**

None.

#### **UNFINISHED BUSINESS**

None.

#### **NEW BUSINESS**

None.

#### **VOUCHERS**

None.

#### **EXECUTIVE SESSION**

Moved by Council President Coogan:

**BE IT RESOLVED THAT** Resolution No. 2014-81 entitled "Executive Session" be adopted.

Seconded by Councilmember McCluskey. So ordered.

Councilmember Karr moved that the Executive Session be adjourned.

Seconded by Councilmember Coogan.

Mayor Druetzler asked for a motion approving the resolution to appoint an Acting Chief of Police.

Councilmember Coogan moved that the resolution to appoint an Acting Chief of Police and Emergency Management Coordinator.

Seconded by Councilmember McCluskey.

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

Councilmember Coogan moved that the Special Meeting be adjourned at 10:39 P.M.

Seconded by Councilmember McCluskey.

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Frank J. Druetzler, Mayor

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June Uhrin, Borough Clerk