

Minutes of the Conference Meeting of the Borough Council held December 18th 2014, at 7:30 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
Joseph Cecala, Jr.
Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Absent: None

Present: Gail H. Fraser, Esq., Borough Attorney
Leon Hall, PE

ITEMS FOR DISCUSSION

Mayor Druetzler advised of appointments to the Planning Board: Class I for one year for Don Underhill, Class IV for four years for George Coogan, and First Alternate will be Hank Sawoski. The Planning Board liaison will be Sal Cortese. He also suggested that the Council President for the coming year be Jason Karr. He also commented on Committee appointments.

Councilmember Cecala commented on the Department of Public Works (DPW) retirement of John Joseph Kimble and on other DPW matters.

Mayor Druetzler advised of a recent meeting with Hanover Township officials in connection with the school beautification and safety initiative. This project will be done in October 2015, most likely on October 10, 2015. He provided details of the tree work that typically takes place at these events. It is coordinated by Ace Gallagher, a tree business expert. The event also includes other activities related to tree issues, volunteering with this group, and a luncheon. Among others, the Borough's Beautification Committee and the Borough School staff is looking forward to this project.

Councilmember McCluskey advised that there is an addition needed to the Consent Calendar granting the Court Administrator the ability to carry over five 2014 vacation days (35 hours) to 2015. She also provided additional details concerning the Consent Calendar entry pertaining to the part-time Violations Clerk.

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2014-157 entitled “Executive Session” be adopted.

Seconded by Councilmember Cecala. So ordered.

Councilmember Mangravite moved that the Executive Session be adjourned.

Seconded by Councilmember Karr.

Councilmember McCluskey moved that the Conference Meeting be adjourned at 8:33 p.m.

Seconded by Councilmember Cecala.

Frank J. Druetzler, Mayor

June Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held December 18th 2014 at 8:32 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Pledge of Allegiance and Prayer.

Mayor Druetzler asked for a moment of silence acknowledging the passing away of the Borough Clerk's, June Uhrin, mother, Nancy Rampone.

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 Coogan
Joseph Cecala, Jr.
Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Absent: None

Present: Gail H. Fraser, Esq., Borough Attorney
Leon Hall, PE

APPROVAL OF MINUTES

Councilmember Coogan moved:

BE IT RESOLVED THAT the minutes of the Executive, Conference and the Regular Meetings of December 4th 2014 be approved.

Seconded by Councilmember Karr. So ordered.

Voice vote. All in favor with the exception of Councilmember Coogan who abstained. **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

Borough Clerk, November 2014
Animal Licensing, November 2014
Police Department, November 2014
Sanitarian, November 2014
Municipal Court, October & November 2014

Tipping Fees, November 2014
Building Inspector, November 2014
Tax Collector, November 2014
Treasurer, November 2014

THAT the Resolution No. 2014-158 entitled, "RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL PLANNING SERVICES," be adopted as attached.

THAT the Resolution No. 2014-159 entitled, "CANCELLATION-OF-BALANCES AND OVERPAYMENTS LESS THAN \$10.00," be adopted as attached.

THAT the Resolution No. 2014-160 entitled, "REFUND OF OVERPAYMENT," be adopted as attached.

THAT the Resolution No. 2014-161 entitled, "RESOLUTION SUPPORTING THE ADOPTION OF ORDINANCE No. 21-2014, ENTITLED "AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF "CHAPTER 13, 2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE" TO PROVIDE FOR THE FOLLOWING: (1) THE ESTABLISHMENT OF A NEW SECTION 13-5.6.5 ENTITLED "R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL"; (2) THE REZONING OF LOT 1 IN BLOCK 171 TO THE NEW R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; (3) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-4.14C(2.2)(d)(ii), "SCHEDULE 'A', MINIMUM DISTANCES IN FEET FOR LOCATION OF PARKING AND LOADING AREAS WITH THE ADDITION OF THE R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; (4) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-5.1D "SCHEDULE 'D', SCHEDULE OF ZONING REQUIREMENTS WITH THE ADDITION OF THE R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; (5) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-5.1C, "SCHEDULE 'C' SCHEDULE OF PERMITTED USES, WITH THE ADDITION OF THE NEW R-7, APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; AND (6) AMENDING SECTION 13-5.1B, "ZONING MAP," CONSISTENT WITH THE FOREGOING R-7 ZONE DISTRICT DESIGNATION" be adopted as attached.

THAT the Resolution No. 2014-162 entitled, REDEMPTION RESOLUTION BLOCK NO.27 LOT NO.19 REDEMPTION OF TAX LIEN, be adopted as attached.

THAT the Resolution No. 2014-163 entitled, APPROVING SETTLEMENT ON APPEAL FROM ASSESSMENT, BOROUGH OF MORRIS PLAINS adv. PMW Associates, LLC, Block 11, Lot 3 – 1000 American Road, Docket No: 004663-2013; 000905-2014.

THAT Dara Tanzola, Court Administrator be granted permission to carry 35 hours of vacation from 2014 to 2015, which shall be used by March 31st 2015.

THAT Wayne P. Jennings, 29 W. Hanover Avenue, be hired Laborer in the Department of Public Works at an hourly rate of \$17.65, effective December 22nd 2014.

THAT Seymour L. Forman, 15C Spring Lane, Long Valley, be hired as a Diesel Mechanic in the Department of Public Works at an hourly rate of \$25.00, effective January 5th 2015.

THAT June Uhrin, Municipal Clerk be granted permission to carry 35 hours of vacation from 2014 to 2015, which shall be used by March 31st 2015.

THAT the Borough Council approve the membership application of Wayne P. Jennings, 29 W. Hanover Avenue, Morris Plains as a member of the Morris Plains Fire Department.

THAT the Mayor and Clerk are authorized to execute the 2015 CDBG Grant Application for \$100,000. for the Borough of Morris Plains Affordable Housing project located at 260 Tabor Road.

THAT the Mayor and Clerk are authorized to execute the 2015 Home Grant Application for \$300,000. for the Borough of Morris Plains Affordable Housing project located at 260 Tabor Road.

THAT Joan Edgan, 41 Berlin Road, Parsippany, was hired a part time Violations Clerk, in the Municipal Court at an hourly rate of \$16.65, effective October 22nd 2014 and which hourly rate shall be corrected from \$16.65 to \$25.00, effective October 22nd 2014.

THAT the Mayor and Clerk are authorized to execute the New Jersey Department of Transportation Driveway Access Permit Application for the Borough of Morris Plains Affordable Housing project located at 260 Tabor Road in the form approved by the Borough Engineer.

THAT Rosanne Denman, Secretary be granted permission to carry 21 hours of vacation from 2014 to 2015, which shall be used by March 31st 2015.

THAT the Borough Council approves a stipend of \$1000 be paid to Karleen Leahey for interim recreation coordination services in 2014.

THAT the Borough Council ratifies the termination of the Animal Control Shared Services Agreement with Denville Township effective December 31, 2014.

THAT having considered a contract for animal control services with Parsippany-Troy Hills Township, Randolph Township and Animal Control Solutions, LLC, that a contract for animal control services be awarded to Animal Control Solutions, LLC for \$14,400.00 per year commencing January 1, 2015 and terminating December 31, 2016, subject to the appropriation and availability of funds to meet the obligation in the succeeding year, and the Mayor and Clerk are authorized to execute the contract in the form approved by the Borough Attorney.

THAT having received quotes for the transportation of leaves to the MCMUA Compost Facility in Mount Olive Township, NJ from the following:

Greg Toye Landscaping	- \$640 per day
Ken Russell Trucking	- \$680 per day
Greik Brothers Paving	- No Quote

That a purchase order be issued to Greg Toye Landscaping.

THAT the letter of retirement of John Joseph Kimble, Borough of Morris Plains Department of Public Works be accepted with an effective date of March 31, 2015.

Councilmember Cecala asked that the Consent Calendar entry for Seymour Forman being hired as a "Mechanic" be revised to read "Diesel Mechanic".

Seconded by Councilmember Karr.

Yeas: Councilmembers Coogan, Cecala, Fu, Karr, Mangravite,
McCluskey
Nays: None
Absent: None
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 on a recent Traffic meeting. She also reported on the recent Fire Department elections. Kevin Rongo is the new Fire Chief; she also provided the names of the First and Second Assistants and the President of the Association. The Affordable Housing application will be completed with the County sometime in March 2015.

Police Chief Kohn presented his report, including that there was discussion at the Traffic meeting regarding the intersection of Route 10 East and Candlewood Drive; he provided details of what the problem(s) is. There have been a number of accidents at or near this site recently. Both Police Department new officers are now working.

Public Works

Councilmember Cecala referred to Department of Public Works (DPW) Superintendent Signorelli's report, highlighting some of the work currently being done. He did not update on the deer cull.

Public Buildings & Grounds

Councilmember Fu reported that the necessary paperwork on behalf of the Shade Tree Commission was submitted to the State. When approved, the Borough will receive reimbursement in the amount of \$12,600. She next reported on the December 2014 Recreation Commission meeting including upcoming activities/events. Also discussed were budget issues, special events, and allocations to various organizations. She will provide information on this soon so the Mayor and Council can review. She thanked everyone who helped with the Santa arrival event held recently.

Mayor Druetzler commented on the upcoming Menorah lighting.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite had no report.

Ordinance & Public Utilities

Councilmember Coogan had no report.

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 NO. 20-2014

AN ORDINANCE FOR THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REVISION OF SECTION 1-9, "PENALTY" IN CHAPTER 1, ENTITLED "GENERAL PROVISIONS" OF THE "REVISED ORDINANCE OF THE BOROUGH OF THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972" WITH A NEW REPEAT OFFENDER PROVISION.

which ordinance was introduced and passed on First Reading at a meeting held on December 4th 2014.

Councilmember McCluskey 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, in the County of Morris and State of New Jersey held on December 4th 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 December 18th 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 has been published as required by law that the ordinance has 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. He also provided commentary stating this ordinance was requested by the Borough Judge. Seeing no one, he closed the public portion.

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.

Yeas: Councilmembers Coogan, Cecala, Fu, Karr, Mangravite, McCluskey
Nays: None
Absent: None
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. 21-2014

AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF "CHAPTER 13,

2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE” TO PROVIDE FOR THE FOLLOWING: (1) THE ESTABLISHMENT OF A NEW SECTION 13-5.6.5 ENTITLED “R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL”; (2) THE REZONING OF LOT 1 IN BLOCK 171 TO THE NEW R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; (3) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-4.14C(2.2)(d)(ii), “SCHEDULE ‘A’, MINIMUM DISTANCES IN FEET FOR LOCATION OF PARKING AND LOADING AREAS WITH THE ADDITION OF THE R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; (4) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-5.1D “SCHEDULE ‘D’, SCHEDULE OF ZONING REQUIREMENTS WITH THE ADDITION OF THE R-7 APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; (5) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-5.1C, “SCHEDULE ‘C’ SCHEDULE OF PERMITTED USES, WITH THE ADDITION OF THE NEW R-7, APARTMENT/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT; AND (6) AMENDING SECTION 13-5.1B, “ZONING MAP,” CONSISTENT WITH THE FOREGOING R-7 ZONE DISTRICT DESIGNATION.

which ordinance was introduced and passed on First Reading at a meeting held on December 4th 2014.

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Councilmember Coogan read the following notice and ordinance by title and stated that the Notice and Ordinance has been published as required by law that the ordinance has 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 commented that there is a Roseland Properties representative (Jack) in the audience. He advised Jack of a number of concerns raised with him by a Johnson Road resident (Parsippany portion) in a recent telephone conversation. He invited this resident to consider attending any future meeting(s) at which Roseland Properties’s application on this proposal is heard.

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. He also provided commentary stating this ordinance relates to changes for the Mack-Cali property and further relating to a proposal by Roseland Properties to construct high-end apartments. Seeing no one, he closed the public portion.

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 Cecala seconded the motion.

Yeas: Councilmembers Coogan, Cecala, Fu, Karr, Mangravite,
McCluskey
Nays: None
Absent: None
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. 22-2014

AN ORDINANCE CONCERNING SALARIES AND LONGEVITY PAY

which ordinance was introduced and passed on First Reading at a meeting held on December 4th 2014.

Councilmember McCluskey 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, in the County of Morris and State of New Jersey held on December 4th 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 December 18th 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 has been published as required by law that the ordinance has 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, he closed the public portion.

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.

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

Nays: None
Absent: None
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

Shade Tree Contract

Councilmember Fu moved that Resolution No. 2014-164, entitled, "BOROUGH OF MORRIS PLAINS SHADE TREE WORK CONTRACT," be approved.

Seconded by Councilmember McCluskey.

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

Mayor Druetzler stated that Mr. Hall may want to present updates or share information on various projects.

Mr. Hall presented his report, referring to the Speedwell Avenue contract, future Speedwell Avenue projects, 2015 capital projects, and the December 15th 2014 Board of Adjustment meeting (Bretton Woods property and monetary contribution developer is willing to make to Speedwell Avenue projects)

Speedwell Avenue

Councilmember Cecala moved that Resolution No. 2014-165, entitled, "BOROUGH OF MORRIS PLAINS SPEEDWELL AVENUE PROJECT DAYTON ROAD TO EAST HANOVER AVENUE," be approved.

Seconded by Councilmember Karr.

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

Legal Services

Councilmember Coogan moved that Resolution No. 2014-166 entitled, "RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES," be approved.

Seconded by Councilmember Karr.

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

Engineering Services

Councilmember Coogan moved that Resolution No. 2014-167 entitled,

“RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES,” be approved.

Seconded by councilmember McCluskey.

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

VOUCHERS

Councilmember Karr moved the vouchers for December 18th 2014 in the amount of \$3,162,290.91 be approved.

Seconded by Councilmember Cecala.

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

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution 2014-168 entitled “Executive Session” be adopted.

Seconded by Councilmember McCluskey. So ordered.

Councilmember Mangravite moved that the Executive Session be adjourned.

Seconded by Councilmember Cecala. Voice vote. All in favor.

Councilmember Karr moved that the Regular Meeting be adjourned at 9:46P.M.

Seconded by Councilmember McCluskey.

Frank J. Druetzler, Mayor

June Uhrin, Borough Clerk