

Minutes of the Conference Meeting of the Borough Council held February 19<sup>th</sup> 2015, at 7:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

**PLEDGE OF ALLEGIANCE**

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 2015; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2015, 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: Jason C. Karr  
John Doherty  
Laurie J. Fu  
Suzanne B. McCluskey

Absent: Councilmembers: Joseph Cecala, Jr.  
Salvatore Cortese

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

**ITEMS FOR DISCUSSION**

Mayor Druetzler asked if anyone wanted to present any matter or had any questions concerning the Consent Calendar.

Mr. Karr advised the Budget books are not available yet due to a delay; however, they will be available on Thursday, February 26<sup>th</sup> 2015 in the Finance Office.

**EXECUTIVE SESSION**

Moved by Councilmember McCluskey:

**BE IT RESOLVED THAT** Resolution No. 2015-39 entitled "Executive Session" be adopted.

Seconded by Councilmember Doherty. So ordered.

Voice Vote. All in favor. Motion carried.

Councilmember Karr moved that the Executive Session be adjourned.

Seconded by Councilmember McCluskey.

Councilmember McCluskey moved that the Conference Meeting be adjourned at 8:15 p.m.

Seconded by Councilmember Doherty.

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Frank J. Druetzler, Mayor

Recorded by Rosanne Denman

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June Uhrin, Borough Clerk

Minutes of the Regular Council Meeting of the Borough Council held February 19<sup>th</sup> 2015, at 8:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

### **PLEDGE OF ALLEGIANCE**

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 2015; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2015, 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: Jason C. Karr  
John Doherty  
Laurie J. Fu  
Suzanne B. McCluskey

Absent: Councilmembers: Joseph Cecala, Jr.  
Salvatore Cortese

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

### **APPROVAL OF MINUTES**

Councilmember Karr moved:

***BE IT RESOLVED THAT*** the minutes of the Executive, Conference and Regular Meetings of February 5<sup>th</sup> 2015 be approved.

Seconded by Councilmember Doherty. So ordered.

Voice vote. All in favor. Motion carried.

### **APPROVAL OF CONSENT CALENDAR**

Councilmember Karr 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, February 2015  
Police Department, January 2015  
Sanitarian, January 2015  
Building Inspector, January 2015  
Fire Department, January 2015  
Tax Collector, January 2015

Municipal Court, 2015  
Borough Clerk, January 2015  
Animal Licensing, January 2015

*THAT* Resolution No. 2015-40 entitled, "RESOLUTION ADOPTING A TEMPORARY CAPITAL BUDGET FOR 2015," be adopted as attached.

*THAT* having received quotes for the 2015 water treatment to Community Park Pond and Watnong Pond from the following:

Aquatic Technologies, Inc.	
Comm. Pk. Pond	\$1,372.00 includes NJDEP permit
Watnong Park Pond	\$ 910.00 includes NJDEP permit

Princeton Hydro	
Comm. Pk. Pond	\$2,810.00 includes NJDEP permit
Watnong Park Pond	\$2,200.00 includes NJDEP permit

*THAT* a purchase order be issued to Aquatic Technologies, Inc., Branchville, New Jersey, in the amount of \$2,282.00

*THAT* Shaji Eapen, 66 Leamoor Drive, be appointed a Board of Adjustment, Alternate II, member which term expires December 31<sup>st</sup> 2016.

*THAT* the Borough Council authorize the release and return of the \$7,248.00 permit review/inspection fee, to Lennar/Waterview at Hanover, LLC.

*THAT* the following be hired for summer help in the Department of Public Works at the hourly rate stated, effective May 1<sup>st</sup> 2015.

Shaun Pateman	\$9.75/hour
Ryan Webster	\$9.75/hour
Dan Webster	\$9.75/hour

Seconded by Councilmember Fu.

Yeas: Councilmembers Karr, Doherty, Fu, McCluskey  
Nays: None  
Absent: Councilmembers Cecala, Cortese  
Abstain: None

Mayor Druetzler welcomed Mr. Eapen to the Board of Adjustment and introduced him to Mr. Hall, stating he is the Borough's Engineer. He thanked him for agreeing to serve in this capacity. He also introduced him to Police Chief Kohn.

**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 reported that the Finance Office received confirmation from the State that the Borough's financial statement for 2014 was received. The auditors will be here on Monday, February 23<sup>rd</sup> 2015 and will stay for approximately five days. He advised that the Borough has already received an \$11. reward from the Bank of America P-Card.

### **Public Safety**

Councilmember McCluskey reported that Eagle Scout Jacob Stellwagon met with the Fire Department last evening to begin preparation for his project. He will write his plan for his Scout Master and will also plan to attend the Council's next meeting if all is in order and he prepared to make a report. The Fire Department has begun to prepare monthly reports versus the year-end reports.

Chief Kohn reported that the two new officers are finishing their training and have started the "shadow" phase. As of March 2 everything should be in place.

Chief Kohn reported the lights along Route 53 have been checked. Mayor Druetzler added he believes the lighting has been repaired.

### **Public Works**

Mayor Druetzler reported that the Department of Public Works (DPW) Superintendent is expecting to receive a new shipment of salt tomorrow.

Mr. Hall reported on two telephone calls he received recently. One was from an engineer representing Stop & Shop; he would like to meet with him to review the Borough's ordinance(s) relating to the Stop & Shop site.

He briefly commented on a matter related to B-3 parking and an ordinance change that occurred last May.

The second call was from another engineer who was inquiring about a feasibility plan and related issues. He referred him to the Planning Board.

### **Public Buildings & Grounds**

Councilmember Fu reported that the "Kids Helping Kids" Talent Show was held last Thursday and was very well done – a great job by all the participants and volunteers. Family Bingo Night will be tomorrow night at the Community Center at 7:00 p.m.

An annual accomplishment report was submitted on behalf of the Shade Tree Commission in support of the progress in connection with the Community Forestry Management Plan. It was approved.

Councilmember Fu reported that the DPW staff has completed most of the interior work checklist items, including the Teen Center house which had a new kitchen sink and cabinets installed. Also the floor and a sink were replaced in one of the bathrooms.

Councilmember Fu reported that she and Councilmember Doherty met with another potential Eagle Scout to discuss a project he would like to pursue. He would like to enhance the landscaping of the Teen Center house. He will be back in touch once approval has been obtained from his troop.

Councilmember Fu reported on the status of the Memorial Parade Committee.

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

Councilmember Doherty provided an update regarding the ongoing problem with grease traps. The Borough's Health Inspector, Mr. Perez, had inspections done at all appropriate locations. He also developed a log sheet that can be provided to the establishments for them to keep. It appears that the problem is resolved. The Township of Morris was advised.

Councilmember Doherty provided information concerning a bat issue reported in a resident's home. Following discussion it was decided that Animal Control Solutions will be responsible for transporting the bat for testing.

Councilmember Doherty reported on the recycling program, including the electrical/electronic items. There is a dumpster that the former contractor left there; they would like to purchase this dumpster to be used by the program. Also it appears that Foxwood Maintenance is apparently dumping garbage at the recycling center when their garbage is not picked up in a timely manner. The issue has been addressed

Councilmember Doherty reported that the Teen Center requested permission to hold a clothing drive at the Teen Center to raise funds for the Washington trip. It would be held in March for four days, Monday through Thursday.

Cross discussion that this is actually a school-run project, not a Teen Center project.

Councilmember Doherty will get back with those he is in contact with to further discuss the request. More discussion needs to occur before the project can be considered feasible and finalized.

Councilmember Doherty reported that the Municipal Alliance is very busy with various projects they are working on such as contests, education courses, and a variety of wellness programs.

Cross discussion about the idea for a clothing drive.

### **Ordinance & Public Utilities**

In the absence of Councilmember Cortese there was 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**

#### **ORDINANCE 3-2015**

Councilmember McCluskey introduced the following ordinance and read the same by title and moved that it be passed on First Reading.

**ORDINANCE NO. 3-2015**

AN ORDINANCE TO PROVIDE FOR THE READOPTION OF ORDINANCE NO. 21-2014 ENTITLED: "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".

The Borough Attorney provided information concerning the reason for this LDO re-adoption. This ordinance was originally adopted in late December 2014 to create the new R-7 Zone. There has been recent case law that sets forth that it cannot be simply a Master Plan amendment, but a rather a total re-examination report in order to qualify under the exception to the notice requirement where everyone in the zone is notified and everyone within 200' of the change in the zone classification. Since this was not done when it was initially adopted and it is an important procedural step, the recommendation is that it be re-adopt and take the necessary steps to do the publication according to the requirements.

Councilmember Karr seconded the motion.

Yeas: Councilmembers Karr, Doherty, Fu, McCluskey  
Nays: None  
Absent: Councilmembers Cecala, Cortese  
Abstain: None

Thereupon, Councilmember McCluskey offered the following resolution:

**WHEREAS**, the above ordinance was introduced and read by title at this meeting on February 19<sup>th</sup> 2015 and passed on First Reading.

**NOW, THEREFORE, BE IT RESOLVED** at a meeting to be held on March 19<sup>th</sup> 2015 at 8:30 PM prevailing time in the Municipal Building in the said Borough, this Council will further consider for Second Reading and final passage of said ordinance.

**AND BE IT FURTHER RESOLVED** that the Clerk of this Borough be and she is hereby directed to publish and mail the proper notice thereof, including the ordinance, post the ordinance on the Bulletin

Board in the Municipal Building and make copies available to members of the general public.

Councilmember Doherty seconded the resolution. Voice vote. All in favor. Motion carried.

**ORDINANCE 4-2015**

Councilmember McCluskey introduced the following ordinance and read the same by title and moved that it be passed on First Reading.

**ORDINANCE 4-2015**

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS IN AND BY THE BOROUGH OF MORRIS PLAINS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$10,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$8,500,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

Councilmember Karr seconded the motion.

Yeas: Councilmembers Karr, Doherty, Fu, McCluskey  
Nays: None  
Absent: Councilmembers Cecala, Cortese  
Abstain: None

Thereupon, Councilmember McCluskey offered the following resolution:

**WHEREAS**, the above ordinance was introduced and read by title at this meeting on February 19<sup>th</sup> 2015 and passed on First Reading.

**NOW, THEREFORE, BE IT RESOLVED** at a meeting to be held on March 5<sup>th</sup> 2015 at 8:30 PM prevailing time in the Municipal Building in the said Borough, this Council will further consider for Second Reading and final passage of said ordinance.

**AND BE IT FURTHER RESOLVED** that the Clerk of this Borough be and she is hereby directed to publish and mail the proper notice thereof, including the ordinance, post the ordinance on the Bulletin Board in the Municipal Building and make copies available to members of the general public.

Councilmember Doherty seconded the resolution. Voice vote. All in favor. Motion carried.

**ORDINANCES ON SECOND READING**

None.

**RESOLUTIONS**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**VOUCHERS**

Councilmember Karr moved the vouchers for February 19<sup>th</sup> 2015 in the amount of \$3,302,476.82 be approved.

Seconded by Councilmember McCluskey.

Yeas: Councilmembers Karr, Doherty, Fu, McCluskey

Nays: None

Absent: Councilmembers Cecala, Cortese

Abstain: None

Motion carried.

**EXECUTIVE SESSION**

None.

**ADJOURNMENT**

Councilmember moved that the meeting be adjourned.

Seconded by councilmember McCluskey. Voice vote. All in favor.  
Motion carried.

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Frank J. Druetzler, Mayor

Recorded by Rosanne Denman

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June Uhrin, Borough Clerk