

Minutes of the Conference Meeting of the Borough Council held November 12<sup>th</sup> 2015, at 7:34 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  
Joseph Cecala, Jr.  
Salvatore Cortese  
John Doherty  
Laurie J. Fu  
Suzanne B. McCluskey

Absent: None

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

### **ITEMS FOR DISCUSSION**

Mayor Druetzler advised of the re-appointments of Messrs. Hank Sawoski, Ralph Lopez and Andre Jensen to the Planning Board and Mr. Salerno to the Shade Tree Commission.

Mayor Druetzler stated the Borough has been a member of the Whippany River Watershed *Action* Committee since its inception. He believes it may be time to drop the Borough's membership in this organization, especially since less assistance has been provided to the Borough than to Hanover Township and Parsippany. Example of assistance that was requested of the organization was to help with dredging in Central Park and a retention basin on Sun Valley Way (work that ultimately was done by the Department of Public Works (DPW)). The annual membership fee for the organization is \$1,500. He has discussed this change with Messrs. Jensen and Sawoski who have been members; they support this decision. When the bill is received, it will not be paid since he does believe there are any benefits to the Borough. No one will be re-appointed to this organization at the Re-Organization meeting in January 2016. He asked if any Councilmember had any comments on other subjects.

Mayor Druetzler advised of receiving a telephone call from Roman Zabihach who is now serving on the Planning Board in his new municipality. Mr. Zabihach advised he will attend the League of Municipalities meeting on the Wednesday date. Plans were made to meet up with him at the NJLOM conference.

Councilmember Cecala gave information regarding a recent interview for position in DPW. This applicant will contact the Borough after he has reviewed the benefits package.

Councilmember Fu reported on a recent meeting that she and Mrs. Leahey attended regarding various summer programs.

Councilmember Karr commented on the end-of-the-year activities, especially issues relating to a part-time accountant.

Mayor Druetzler asked if there are any questions on the Consent Calendar. He provided commentary relating to several of the items listed which concerned some small increases in certain professional fees.

There were no questions.

**EXECUTIVE SESSION**

Moved by Councilmember McCluskey:

**BE IT RESOLVED THAT** Resolution No. 2015-136 entitled “Executive Session” be adopted.

Seconded by Councilmember Cecala. So ordered.

Voice Vote. All in favor.

Councilmember Karr moved that the Executive Session be adjourned.

Seconded by Councilmember Cecala.

Councilmember Fu moved that the Conference Meeting be adjourned at 8:24 p.m.

Seconded by Councilmember Karr.

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Frank J. Druetzler, Mayor

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June Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held November 12<sup>th</sup> 2015 at 8:37 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 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 Karr, Council President  
Joseph Cecala, Jr.  
Sal Cortese  
Laurie J. Fu  
Suzanne B. McCluskey

Absent: None

Present: Gail 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 the Regular Meetings of October 15<sup>th</sup> 2015 be approved.

Seconded by Councilmember Doherty. So ordered.

Voice vote. All in favor, except Councilmember McCluskey who was absent from this meeting and abstained.

Councilmember Karr moved:

***BE IT RESOLVED THAT*** the minutes of the Special Meeting of October 28<sup>th</sup> 2015 be approved.

Seconded by Councilmember McCluskey. So ordered.

Voice vote. All in favor.

#### **SWEARING IN OF LIEUTENANTS**

Mayor Druetzler announced that this is a very happy occasion – the promotion of two members of the Morris Plains Police Department.

First to be sworn in Michael Rolph who first introduced his family. Kara held the Bible while daughter, Amber provided some assistance to him during this ceremony. Lt. Rolph thanked his family and friends as well as Mayor Druetzler and Council, the Police Chief and his fellow officers for their support.

Next to be sworn in Michael Koroski who introduced his family. Jennifer held the Bible with sons, Matthew, Michael & Joseph. Lt. Koroski thanked his wife and children; he also thanked family and friends who have been supportive of him during his career, specifically mentioning retired Lt. Joe Franklin, Centenary College professor Dr. Linsky, Chief Kohn as well as Mayor Druetzler and Council. He also remembered his father and mother and thanked them.

Mayor Druetzler congratulated both newly-promoted lieutenants and both received significant applause after their swearing in.

\*\* BREAK FOR REFRESHMENTS – 8:45 P.M. TO 9:25 P.M. \*\*

### **APPROVAL OF CONSENT CALENDAR**

Councilmember Karr moved:

### ***REPORTS***

Borough Clerk, October 2015  
Animal Licensing, October 2015  
Fire Prevention, October 2015  
Sanitarian, October 2015  
Animal Control, October 2015  
Building Inspector, October 2015  
Tax Collector, October 2015  
Treasurer, October 2015  
Tipping Fees, September 2015

*THAT* Resolution No. 2015-137 entitled, “RESOLUTION REGARDING APPROVAL OF DETECTIVE STIPEND TO PATROLMAN RYAN McKAY,” be adopted as attached.

*THAT* Resolution No. 2015-138 entitled, “TRANSFER OF FUNDS,” be adopted as attached.

*THAT* Resolution No. 2015-139 entitled, “RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR THE COLLECTION, TRANSPORTATION AND RECYCLING OF SCRAP METAL,” be adopted as attached.

*THAT* Resolution No. 2015-140 entitled, “SAJ II LLC, A.B.C. LICENSE, STATE LICENSE NO. 1423-33-005-004,” be adopted as attached.

*THAT* Resolution No. 2015-141 entitled, “RESOLUTION FOR EXTENSION OF LICENSE PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 1423-33-005-004,” be adopted as attached.

*THAT* Resolution No. 2015-142 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL PLANNING BOARD COUNSEL SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-143 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL BOARD OF ADJUSTMENT COUNSEL SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-144 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SPECIAL PROFESSIONAL LEGAL SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-145 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL PLANNING SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-146 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL TRAFFIC SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-147 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL AUDITING SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-148 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL APPRAISER SERVICES,” be adopted as attached.

*THAT* Resolution No. 2015-149 entitled, “RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL BOND COUNSEL SERVICES,” be adopted as attached.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute the Agreement with Joe Norton, Norton Conservation Company, Inc. for 2016 Environmental services.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute an Agreement with Matthew R. Petracca, Esq., of King & Petracca for 2016 Municipal Prosecutor services.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute an Agreement with Ronald D. Nicola, Esq. for 2016 Public Defender services.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute an Agreement with Stephen E. Trimboli, Esq., Trimboli & Prusinowski, LLC for 2016 Special Labor Counsel services.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute the Agreement with Thomas Olson, Esq., McKirdy and Riskin for 2016 Special Tax Counsel services.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute the Agreement with Kenneth Werner, DVM, for the annual Animal Rabies Clinic to be held Saturday, January 9<sup>th</sup> 2016.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute the Agreement with Elizabeth VanNess for 2016 Youth Counseling services.

*THAT* the Borough Treasurer be authorized to advertise for the receipt of bids for Emergency Generator Installation at Community Center, with bids to be received on Thursday, December 10<sup>th</sup> 2015, up to 10:00 A.M., in the Council Chambers.

*THAT* the Borough Council authorize the Borough Engineer to prepare plans and specifications for the 2016 Capital Improvements for Central Avenue sidewalk Littleton Road Sidewalk, Municipal Parking Lot Sidewalk, Library Parking Area, Keenan Place, Burch Drive, Merchant Place and Borough Terrace.

*THAT* the Borough Council authorize the release and return of the one-year maintenance bond to Stanziale Construction, LLC per the Borough Engineer's correspondence dated November 4, 2015.

*THAT* the Mayor and Clerk be and they are hereby authorized to execute the Restrictive Covenant covering the affordable housing covenants between the Borough of Morris Plains and CSH Morris Plains, LLC.

*THAT* the attached Instructors be hired for the Recreation 2015 winter programs at the position, date and salary stated.

*THAT* the Mayor be and he is hereby authorized to execute Salt Shed at DPW, Change Order #1, per the Borough Engineer's correspondence of November 4, 2015.

*THAT* the Borough Council authorize the purchase of a 2016 Dodge Grand Caravan, under the State of New Jersey Contract A32889, in the amount of \$20,858.00, which contract was awarded through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.

*THAT* the Warner-Lambert and Morris Plains Seniors be granted permission to park ten (10) vehicles at Simons Park while on a trip to Hershey, PA from December 8<sup>th</sup> through December 9<sup>th</sup> 2015.

*THAT* having received bids for Cleaning & Maintenance of the Borough's Municipal Buildings for year 2016, that a one year contract be awarded to Best Cleaning Building Service, and that the Mayor and Clerk be and they are hereby authorized to execute the contract, subject to the approval of the Borough Attorney. Award is subject to the availability and appropriation annually of sufficient funds as may be required to meet the obligation in succeeding years.

*THAT* the Borough Council authorize the release and return of the 2-year Landscaping Maintenance Surety Bond No. 72BSBG6613-M, to U. S. Home Corporation d/b/a Lennar, per the Borough Engineer's correspondence of November 10, 2015.

*THAT* the Borough Clerk publish the proper notice for a Special Meeting of the Mayor and Borough Council to be held on November 24, 2015 at 7:30 p.m. to discuss legal matters and any other matters that may come before the Borough Council.

Seconded by Councilmember Cecala.

Yeas: Councilmembers Karr, Cecala, Cortese, Doherty, Fu,  
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. Hearing none, he closed this meeting to the public.

### **REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS**

#### **Finance**

Councilmember Karr reported that budgets were distributed to Department Heads for review. The elections went well, and he congratulated the re-elected Councilmembers. There was a tie in certain write-ins, and the final outcome is still unknown for the School Board.

#### **Public Safety**

Councilmember McCluskey reported that the Fire Department used Bretton Woods several weeks for training exercises. She reminded of Christmas trees being sold at the V.F.W. The Police Department recruits will graduate in December from the Police Academy. She also commented on plantings done last week at Roberts Garden.

Police Chief Kohn reported on provided additional information regarding the recruits' training and graduation. He commented on "No-Shave November" and the P.B.A. is participating. Their goal is to raise \$1,500. He has still not heard about the total of drugs received at the Drug Take-Back event. He will contact the organization to obtain this total.

#### **Public Works**

Councilmember Cecala stated the Councilmembers should have a copy of Superintendent Signorelli's DPW report. A deer cull report update was also distributed.

Mr. Hall reported on the salt shed which is a bit behind schedule. He reported on the progress of work being done along Speedwell Avenue. Next he discussed the M & M soil disturbance project which has begun with the trucking off of soil on October 30<sup>th</sup>. Additional soil removal will take place in the first few weeks of November. He reported on certain details of this removal process. He also discussed topsoil issues. He advised of a call he received yesterday from an engineer (Dewberry) who worked on certain Honeywell site approval plan; Parsippany approved a site plan for new construction at the corner of Johnson Road and Route 10. There is a large existing office building. What was approved is a Starbucks, a gymnasium or daycare center, and a 350-seat restaurant. Each use will be in its own building. The Applicant wants to tie their sewage into the Borough's sewer main on Johnson Road. The engineer will send him a copy of the resolution of approval, site plans and any other pertinent documents for this approved application so that he and Ms. Fraser can review. He mentioned there is in excess of 200 parking spots. This Applicant received use variance approval. There is final approval for Starbucks because they want to begin construction now. There is not yet final site approval for the other two uses. He stated there would be a connection fee. He estimated that since there may be a flow for all three uses of 15,000 gallons per day, the Borough may request a contribution toward the pump station.

Mayor Druetzler asked if the existing Borough equipment can handle this extra flow?

Mr. Hall replied that the new pump station surely will be able to handle; however, the existing pump station may present a problem.

### **Public Buildings & Grounds**

Councilmember Fu reported that the Recreation Commission will meet next week. The Halloween Parade and Party were very successful. She thanked all who helped with this event, including the Fire and Police Departments.

Mayor Druetzler advised Police Chief Kohn that next year there needs to be a crossing guard or a police officer “down at the bottom” at the Bonfire event to direct the traffic to prevent people from “driving up to the top to drop people off”. It is very dark at the timeframe of this event. He also suggested that next year the Police Department could allow young children to look into their vehicles.

Councilmember Fu reported that the Opening Day for Basketball will be at the Borough School on Saturday, December 5<sup>th</sup> 2015 at 10:00 A.M.

Continuing, Councilmember Fu reported on recent Shade Tree Commission plantings. The 20 trees to be planted at the Affordable Housing project are not yet done, but all other plantings have been installed. The Community Band has two performances booked already, and the Band is still searching for additional interested members.

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

Councilmember Doherty reported on a recent Municipal Alliance meeting. Their next event will be a Senior Luncheon on this coming Monday (November 16<sup>th</sup>) with a guest speaker from the Morristown Medical Center. Ashley has not yet had her baby and showed up at the Teen Center meeting on Tuesday night. The Center’s kick-off event had 155 attendees. There will be a Center dance at Community Park on Friday night. The Teen Center now has agendas as well as job description responsibilities. He reported on a Clean Communities clean-up event. He next reported on the Board of Health’s Wellness Day that had a pretty good attendance. They are reviewing the vendors they invite to make them more interesting for attendees so that more people coming for flu shots will take the time to visit the vendors. More than 200 flu shots were administered between Wellness Day and the shots at the urgent care facility. He provided additional details from the Wellness Day activities.

### **Ordinance & Public Utilities**

Councilmember Cortese advised there was no Planning Board meeting in October.

Mayor Druetzler commented on Wellness Day, providing some historical background information about this event. One thing mentioned was possibly pairing this event with the Farmers’ Market. Fast ER Urgent Center coordinates some of the testing that is done on Wellness Day.

Cross discussion about the need to address changes in connection with the Wellness Day vendors to encourage more people coming for flu shots to visit some or all of the vendors participating in this event.

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

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

**INTRODUCTION OF ORDINANCES**

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

**ORDINANCE NO. 18-2015**  
**AN ORDINANCE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF CHAPTER 22, "TRAFFIC AND PARKING" IN THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972", SECTION 22-12, "PARKING LIMITED DURING CERTAIN HOURS," TO ESTABLISH A SIX-HOUR TIME LIMIT FOR PARKING IN WATNONG PARK**

Councilmember McCluskey seconded the motion.

Mayor Druetzler advised that the motivation for this change is that people are beginning to use this location for parking to go to the train station.

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

Thereupon, Councilmember Cortese offered the following resolution:

**WHEREAS**, the above ordinance was introduced and read by title at this meeting on November 12<sup>th</sup> 2015 and passed on First Reading.

**NOW, THEREFORE, BE IT RESOLVED** that at a meeting to be held on December 3<sup>rd</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 therefor, 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 Karr seconded the resolution. Voice vote. All in favor.

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

**ORDINANCE NO. 19-2015**  
**AN ORDINANCE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF CHAPTER 22 - "TRAFFIC AND PARKING" IN THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972", SECTION 22-8, "YIELD INTERSECTIONS," TO DESIGNATE SUNRISE DRIVE AT SUN VALLEY WAY AND LAKEVIEW DRIVE AT RUDDEN LANE AS YIELD INTERSECTIONS**

Councilmember McCluskey seconded the motion.

Mayor Druetzler advised that the motivation for this change is that people are beginning to use this location for parking to go to the train station.

Yeas: Councilmembers Karr, Cecala, Cortese, Doherty, Fu, McCluskey

Nays: None

Absent: None

Abstain: None

Mayor Druetzler advised this action is being recommended by the Police Department and the Traffic Committee. Once passed, it must be forwarded to the State for final approval.

Thereupon, Councilmember Cortese offered the following resolution:

**WHEREAS**, the above ordinance was introduced and read by title at this meeting on November 12<sup>th</sup> 2015 and passed on First Reading.

**NOW, THEREFORE, BE IT RESOLVED** that at a meeting to be held on December 3<sup>rd</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 therefor, 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 Karr seconded the resolution. Voice vote. All in favor.

#### **ORDINANCES ON SECOND READING**

None.

#### **RESOLUTIONS**

None.

#### **UNFINISHED BUSINESS**

None.

#### **NEW BUSINESS**

None.

#### **VOUCHERS**

Councilmember Karr moved the approval of the vouchers for November 12<sup>th</sup> 2015 in the amount of \$3,625,866.13.

Seconded by Councilmember Doherty.

Yeas: Councilmembers Karr, Cecala, Cortese, Doherty, Fu, McCluskey

None: None

Absent: None

Abstain: None

Mayor Druetzler reminded all Councilmembers that there will be a ribbon-cutting ceremony at the Honeywell site at 10:00 A.M. on Monday, November 16<sup>th</sup> 2015. He stated that he is aware that several Councilmembers (Cecala, Karr, and Fu) are not able to attend this event. He also invited Police Chief Kohn, Ms. Fraser, Mr. Hall and Ms. Uhrin to attend the ribbon-cutting ceremony if they are able to. He advised they should plan to arrive at the site by about 9:45 A.M. and go to the back. There should be staff there to direct everyone to parking and on to the auditorium. He believes the Honeywell President, CEO, and Chairman of the Board will be in attendance. In addition, there may be a special State representative participating, too.

**EXECUTIVE SESSION**

None.

**ADJOURNMENT**

Councilmember McCluskey moved that the Regular Meeting be adjourned at 9:55 PM.

Seconded by Councilmember Cecala.

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Frank J. Druetzler, Mayor

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June Uhrin, Borough Clerk