

Minutes of the Conference Meeting of the Borough Council held April 21<sup>st</sup> 2016, at 7:32 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 2016; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2016, 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: Suzanne B. McCluskey, Council President

Joseph Cecala, Jr.

Salvatore Cortese

John Doherty

Laurie J. Fu

Jason C. Karr

Absent: None

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

**ITEMS FOR DISCUSSION**

Mayor Druetzler advised that Mr. Carl Goldberg contacted him advising that he would like to schedule a groundbreaking; he will provide a few days notice of this event.

Mayor Druetzler briefly discussed activity related to the Coco Pazzo restaurant advising that it is likely for the property will soon go into foreclosure.

Councilmember Karr presented and update regarding the Finance Office researching payroll companies.

**EXECUTIVE SESSION**

Moved by Councilmember McCluskey:

**BE IT RESOLVED THAT** Resolution 2016-53 entitled “Executive Session” be adopted.

Seconded by Councilmember Cecala. So ordered.

Voice Vote. All in favor.

Councilmember Doherty moved that the Executive Session be adjourned.

Seconded by Councilmember McCluskey.

Councilmember Doherty moved that the Conference Meeting be adjourned at 8:35 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 April 21<sup>st</sup> 2016 at 8:32 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 2016; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2016, 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: Suzanne B. McCluskey, Council President

Joseph Cecala, Jr.

Sal Cortese

Jack Doherty

Laurie J. Fu

Jason C. Karr

Absent: None

Present: Gail Fraser, Esq.

Leon Hall, PE

#### **APPROVAL OF MINUTES**

Councilmember McCluskey moved:

***BE IT RESOLVED THAT*** the minutes of the Executive, Conference and the Regular Meetings of April 7<sup>th</sup> 2016 be approved.

Seconded by Councilmember Doherty. So ordered.

Voice vote. All in favor.

Councilmember McCluskey moved:

#### **APPROVAL OF CONSENT CALENDAR**

Councilmember McCluskey 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**

Municipal Clerk, March 2016  
Animal Licensing, March, 2016  
Municipal Court, March 2016  
Police Department, March 2016  
Building Inspector, March 2016  
Tax Collector, March 2016  
Treasurer, March 2016  
Fire Department, March 2016  
Fire Prevention, March 2016  
Tipping Fees, March 2016

Borough Attorney - Quarterly  
Borough Engineer – Quarterly

*THAT* the Resolution No. 2016-54 entitled, “RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 23, 2016 – JUNE 5, 2016” be adopted as attached.

*THAT* the Resolution No. 2016-55 entitled, “RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY,” be adopted as attached.

*THAT* the Resolution No. 2016-56 entitled, “REDEMPTION RESOLUTION BLOCK NO. 66 LOT NO. 17 REDEEM 3<sup>RD</sup> PARTY TAX LIEN #1-12,” be adopted as attached.

*THAT* the Resolution No. 2016-57 entitled, “RESOLUTION AUTHORIZING THE EXPENDITURE OF \$2000. IN FURTHERANCE OF THE PURPOSES OF THE MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT,” be adopted as attached.

*THAT* having received quotes for the supply and planting of 17 shade trees in the Borough in the Spring of 2016 from the following:

Cerbo Parsippany Greenhouses Inc	\$4,010.00
Condurso’s Garden Center	No Quote
Herold’s Landscaping & Garden Center	No Quote
Louis Barbato Landscaping	No Quote

*THAT* a purchase order be issued to Cerbo Parsippany Greenhouses Inc., Parsippany, New Jersey, in the amount of \$4,010.00.

*THAT* having received bids for Burch Drive., Merchant Place, Keenan Place, Borough Terrace and Library Parking Lot Resurfacing, Municipal Parking Lot#1, Diana Road, Littleton Road and Central Avenue Sidewalks, The American Road and East Hanover Avenue Intersection that a contract be awarded to AJM Contractors for its lowest responsible and responsive bid in the amount of \$394,745.00, subject to the Borough Attorney’s approval of the bidding documents.

Seconded by Councilmember Karr.

Yeas: Councilmembers McCluskey, Cecala, Cortese, Doherty, Fu, Karr  
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 this public portion of the meeting.

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

### **Finance**

Councilmember Karr reported on the activities that are continuing in the Clerk's Office. He commented on the applications for the affordable housing at Davenport Village.

Councilmember Karr reported that the Library had a very successful shredding event, and he provided some interesting details relating to the event. He provided information on an event that is scheduled for Saturday, April 30<sup>th</sup> 2016 at 10:00 a.m.

### **Public Safety**

Councilmember McCluskey reminded all of the drug take-back at Stop & Shop on Saturday, April 30<sup>th</sup> 2016 from 10:00 a.m. to 2:00 p.m.

Councilmember McCluskey reported that the Traffic Safety Committee will be meeting soon.

Councilmember McCluskey reported that a Troop 39 Boy Scout has asked for a project he can do for his Eagle Scout. She suggested to him that he refurbish the flag drop boxes; there is one at the VFW and another at the Community Center. He is agreeable to this project and likes the idea. The VFW will need to provide the final approval of this project.

Councilmember McCluskey reported that the affordable housing applications are now available; she advised how they are available. She updated on the details of the progress of the work still being done and needing to be completed at Davenport Village.

Police Chief Kohn reported that the Morris Plains Police Department received a donation from JBWS recently. He reported on a recent CPR rescue at a private residence. The Department completed its second round of interviews for a new police officer. The first round took place two weeks ago. He updated on the accreditation process that will occur on May 1<sup>st</sup> and May 2<sup>nd</sup> 2016.

An audience member provided some commentary.

### **Public Works**

Councilmember Cecala stated that all Councilmembers should have a copy of Superintendent Signorelli's report.

Councilmember Cecala reported that the trellises were installed and look beautiful. He advised about a telephone call received from a resident on Sun Valley Way; he and Superintendent Signorelli went to look at the situation being reported. The situation relates to a possible water flow problem that may be caused by his neighbor's putting mulch on his front lawn. It appears to be runoff that has been there for many years. There are trees and there is a slope, too. He explained that both he and Superintendent Signorelli have talked with the two parties and provided several possible recommendations, including building a wall (and mentioning this will need a permit).

Cross discussion about this water/mulch/slope/trees situation.

Mr. Hall reported that Arbor Terrace is continuing construction in connection with its project. Mack-Cali is a bit delayed for now. The permit for the cell tower at the VFW will be issued shortly. He updated on another project that will probably begin work soon.

Mayor Druetzler reported he observed work being done on the cell tower today with a large crane on site. He also advised that Mr. Carl Goldberg called to let him know he would like to schedule a groundbreaking in the future at the Mack-Cali site. He will provide several possible dates.

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

Councilmember Fu reported on Little League Opening Day which was held last Saturday, April 16<sup>th</sup> 2016. The field conditions were very good, and she thanked the Department of Public Works (DPW) staff for their fine work.

Councilmember Fu reported that Summer Camp registration has begun.

Councilmember Fu reported that the Shade Tree Commission will celebrate Arbor Day next week on Friday, April 29<sup>th</sup> 2016, at Mountain Way School. The Commission's May meeting has been cancelled. Several Commission members are planning to go with her to observe the condition of various trees in certain locations.

Councilmember Fu updated all on the generator to be installed at the Community Center. She reminded that the next *Plains Talk* is being worked on and all last-minute items should be submitted now.

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

Councilmember Doherty reported that at the last Board of Health meeting the Board adopted both ordinances under consideration – addressing vending machines and massage parlors. Wellness Day is currently scheduled for October 15<sup>th</sup> 2016.

Councilmember Doherty reported on upcoming activities of the Municipal Alliance and the Teen Center.

Councilmember Doherty reported that the recycling contract was reviewed; he advised of several upcoming projects, including the Saturday recycling program. He commented on a Shared Services Agreement.

#### **Ordinance & Public Utilities**

Councilmember Cortese stated that he concurred with Mr. Hall's comments. He commented on the Verizon strike and how this may have some impact on matters relating to the Borough.

#### **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 Cortese read by title the ordinance entitled:

### **ORDINANCE NO. 7-2016**

**AN ORDINANCE AMENDING "CHAPTER 13, 2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE" TO PROVIDE FOR THE FOLLOWING: (1) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF THE DEFINITION OF "FLOOR AREA" IN SECTION 13-2.1 "DEFINITIONS OF TERMS"; (2) THE PARTIAL AMENDMENT, REPEAL AND REVISION OF SECTION 13-5.1.C, SCHEDULE "C," SCHEDULE OF PERMITTED USES TO DELETE THE REFERENCE TO FOOTNOTE 3 FROM THE PRINCIPAL USE FOR LIMITED MANUFACTURING; (3) THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REVISION OF SECTION 13-5.1.D, SCHEDULE "D," SCHEDULE OF ZONING REQUIREMENTS TO INCREASE THE MAXIMUM PERMITTED FLOOR AREA RATIO AND HEIGHT IN THE "I LIMITED INDUSTRIAL" DISTRICT; (4) THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF SECTION 13-5.2.A, "EXCEPTION TO HEIGHT REQUIREMENTS" TO MODIFY THE EXCEPTION FOR THE I LIMITED INDUSTRIAL ZONE IN SUBPART (22.4); AND (5) THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REVISION OF SECTION 13-5.7.A, SCHEDULE "E," OFF-STREET PARKING SPACE REQUIREMENTS TO EXCLUDE THE "I L**

which ordinance was introduced and passed on First Reading at a meeting held on April 7<sup>th</sup> 2016.

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, in the County of Morris and State of New Jersey held on April 7<sup>th</sup> 2016, and 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 April 21<sup>st</sup> 2016 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 Cortese 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 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.

Mayor Druetzler provided a brief summary of this ordinance which provides some modifications for the I Zone. The I Zone is off The American Road between the railroad tracks and The American Road. The goal with these changes is to attract a company(ies) to move into one or more of the empty buildings.

Mayor Druetzler asked if anyone wished to address the Governing Body. Seeing no one, he closed the public hearing.

Thereupon Councilmember Cortese 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 McCluskey, Cecala, Cortese, Doherty, Fu, Karr  
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**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**VOUCHERS**

Councilmember Karr moved the vouchers in the amount of \$280,172.51.

Seconded by Councilmember McCluskey.

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

**EXECUTIVE SESSION**

None.

**ADJOURNMENT**

Councilmember McCluskey moved that the Regular Meeting be adjourned at 9:05 p.m.

Seconded by Councilmember Cecala.

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Frank J. Druetzler, Mayor

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June Uhrin, Borough Clerk