

Minutes of the Conference Meeting of the Borough Council held May 17, 2012, at 7:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Mayor 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 2012; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 5<sup>TH</sup> 2012, 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: Roman Zabihach  
George J. Coogan  
Laurie J. Fu  
Jason C. Karr  
Frank Mangravite  
Suzanne B. McCluskey

Also Present: Gail Fraser, Esq., Borough Attorney

### **DISCUSSION ITEMS**

Attorney Fraser stated that the bid proposal received from Air Group for the air handler and condenser was rejected for failure to submit required documentation. The bid will be go to Envirocon, LLC.

Mayor Druetzler stated that the Recreation Chairman, Sal Cortese, advised that the specs for the new field at Simons Park are almost completed. They are planning on 40 yards wide by 50 yards long toward the road. Mayor Druetzler referenced additional improvements, including drainage and lights.

### **EXECUTIVE SESSION**

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2012-72 entitled, "Executive Session" be adopted.

Seconded by Councilmember McCluskey. So ordered.

Councilmember Coogan moved to adjourn the meeting at 8:17 p.m.

Seconded by Councilmember Karr. So moved.

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Frank J. Druetzler, Mayor

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June Uhrin, Clerk

Minutes of the Regular Meeting of the Borough Council held on May 17, 2012, at 8:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Pledge of Allegiance and Prayer.

Mayor 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 2012; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 5<sup>TH</sup> 2012, 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: Roman Zabihach  
George J. Coogan  
Laurie J. Fu  
Jason C. Karr  
Frank Mangravite  
Suzanne B. McCluskey

Also Present: Gail Fraser, Esq., Borough Attorney  
Leon C. Hall, P.E., Borough Engineer

### **APPROVAL OF MINUTES**

Councilmember Zabihach moved:

*BE IT RESOLVED* that the minutes of the Executive, Conference & Regular Meeting of May 3, 2012 be approved.

Seconded by Councilmember McCluskey. So ordered.

### **APPROVAL OF CONSENT CALENDAR**

Councilmember Zabihach 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, April 2012  
Animal Licensing, April 2012  
Animal Control, April 2012  
Fire Prevention, April 2012  
Police Department, April 2012  
Tax Collector, April 2012  
Treasurer, April 2012  
Tipping Fees, April 2012

## **BE IT FURTHER RESOLVED**

**THAT** Morris Habitat for Humanity be granted permission to hold its 13<sup>th</sup> Annual Historic Morris Bike & Hike, Saturday, June 2<sup>nd</sup> 2012 beginning at 7:30 A.M. and that the Police Department provide the necessary support.

**THAT** Ana Thomas, having been appointed Treasurer for the Borough of Morris Plains receive a 5% increase in base salary, pro rated effective June 1<sup>st</sup> 2012.

**THAT** the Borough Treasurer be authorized to advertise for the receipt of bids for the demolition of the existing building located at 260 Tabor Road, Block 101, Lot 3.02, per the Borough Engineer's correspondence of May 7<sup>th</sup> 2012.

**THAT** the Mayor be and he is hereby authorized to execute the New Jersey Department of Transportation Discretionary Aid Application Form SA-96, Watnong Drive, as approved by the Borough Engineer.

**THAT** having received bids for the Speedwell Avenue Improvements, that a contract be awarded to Tony's Concrete Construction Company, Inc., for their low responsible and responsive bid of \$123,321.00, and authorize the Mayor and Clerk to execute the necessary contract in the form approved by the Borough Attorney.

**THAT** Andrew Macera be hired for the Building Department as a Substitute Electrical Inspector at \$75.00 per hour for regular and off hour inspections, effective May 14<sup>th</sup> 2012.

**THAT** Ian McCleary, "Kids Helping Kids" Program be granted permission to hold a benefit musical concert at Roberts Garden, Saturday, June 9<sup>th</sup> 2012, from 4:00 pm to 7:00 pm.

**THAT** Douglas and Deborah Ryan be granted permission to serve alcoholic beverages at a graduation party to be held Saturday, June 9<sup>th</sup> 2012, from 1:00 PM to Dusk at Community Park.

**THAT** the attached be hired for the 2012 Summer Recreation Enhancement programs at the position and salary stated, effective June 1<sup>st</sup> 2012.

**THAT** having received bids for the First Floor (MPPD) air handler and 12.5 ton condensing unit, that the bid proposal of the lowest bidder, Air Group, be rejected for failure to submit a mandatory non-waivable document and that a contract be awarded to the second lowest responsive and responsible bidder, Envirocon, LLC, for their low responsible and responsive bid of \$23,517.00, and

authorize the Mayor and Clerk to execute the necessary contract in the form approved by the Borough Attorney.

Seconded by Councilmember McCluskey.

Yeas: Councilmembers Zabihach, Coogan, Fu, Karr, Mangravite & McCluskey

Nays: None

Abstain: None

Absent: None

## **GREETING OF PUBLIC AND INVITATION FOR DISCUSSION**

Mayor Druetzler opened the meeting to the public. Hearing no one, Mayor Druetzler closed the public hearing.

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

### **Finance**

Councilmember Karr stated he has nothing to report this evening.

### **Public Safety**

Councilmember McCluskey stated that the Farmers Market will open on June 16, 2012. The same vendors will be returning and a variety of events are planned, including blood pressure screening and a "Petriotic" Pet Parade.

Chief Thompson reported that the onsite assessment for Accreditation took place on May 6<sup>th</sup> and May 7<sup>th</sup> 2012 and was successful. The inspectors will recommend approval and a determination will be made around September 2012. Sergeant Jason Kohn did a lot of the work as Accreditation Manager, with support from Patrolman Tom Keane and Patrolman Steve Rush. Chief Thompson thanked the members of the Governing Body who attended the assessment on Sunday morning. He added that the inspectors were amazed that the Police Department and Governing Body have such a wonderful relationship, the type that they rarely see in other municipalities.

Chief Thompson stated that the Click It or Ticket Program will begin on Monday, May 21, 2012 and will continue through June 3, 2012.

Chief Thompson stated that the graduation from the Police Academy for our two new police officers will be on June 14, 2012. The time will be announced.

Chief Thompson provided details of an arrest that was aired on radio station 101.5. Parents locked their young children, aged three months to four years old, in a vehicle for an extended period of time while they went shopping.

Mayor Druetzler congratulated Chief Thompson for being recommended for Accreditation. He recognized everyone's hard work, and commended the Chief and the entire Police Department.

### **Public Works**

Councilmember Coogan stated that the Department of Public Works report was distributed. He added that they will be getting the town ready for the Memorial Day Parade on May 26, 2012.

Councilmember Coogan stated that Boy Scout Ryan Byrne, who recently worked on his Eagle Scout path project, showed up at the DPW shop with a couple of scouts to put the benches together. This was the last part of the project that needed to be completed in order for him to receive the Eagle Scout Award.

Councilmember Coogan stated that the Public Works replaced the original windows in the Annex with energy efficient windows.

Councilmember Coogan stated that Public Works will start painting the pool and getting it ready shortly for the season.

Engineer Hall reported that the contract for the demolition of 260 Tabor Road will be advertised next week and bids will be due around June 19, 2012.

Engineer Hall stated Jim Harrington of Lennar advised he will be pulling all of the CO's and building five. Engineer Hall addressed some of the items that have to be done.

Engineer Hall stated that Rand Homes submitted an application to the Board of Adjustment to develop a lot at the end of the paper street portion of Madison Avenue. He believes Rand Homes will be requesting approval from Mayor and Council to build a driveway, similar to the Gaccione application a few years ago.

### **Public Buildings & Grounds**

Councilmember Fu reported that the Recreation Commission's early pool registration deadline passed this week. Karleen Leahey, Recreation Director, reported that the registrations are up from the time last year by approximately \$5,000.00. Summer Camp and Summer Enhancement Class registration is going on now.

Councilmember Fu stated that Shade Tree Commission will meet in June.

Councilmember Fu stated that there are over 90 marching units, horses, sheep, a miniature cow, 15 bands, two Grand Marshals and one plane flyover scheduled for the Memorial Day Parade on May 26, 2012. The service will begin at 9:00 a.m. at Roberts Garden and the Parade will begin at 9:30 a.m. Mayor Druetzler added that there will be a big surprise at the end of the Parade.

Councilmember Fu stated that the Sustain the Plains Committee met on Tuesday, May 15, 2012. The compost and rain barrel delivery will be at Borough School on May 19, 2012 from 1:00 p.m. to 4:00 p.m. Two are being purchased for the Community Garden. There will be a stand at the Farmers Market on July 14, 2012. The committee will also be helping with signage at the Recycling Center to promote single stream recycling.

The Board of Education Strategic Plan Committee met the weekend of May 4<sup>th</sup> and May 5<sup>th</sup> 2012 at the Community Center. They drafted a vision statement with four goals to support the statement. They organized subcommittees that will work this summer to develop action plans to support the goals.

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

Councilmember Mangravite stated that the Board of Health meeting was held last week and was attended by the Animal Control Officer, Meredith Petrillo of Denville. She provided a detailed report on her activities.

Councilmember Mangravite stated that he attended the MUA's tour of the recycling facilities on Wednesday, May 9, 2012. He made a number of contacts from other towns. The Morris Plains Recycling Committee met and discussed a number of issues.

### **Ordinance & Public Utilities**

Councilmember Zabihach stated that the Planning Board met on Monday, May 14, 2012 and passed a Resolution to dismiss the American High-Tech Park application off of American Road as the development is in Hanover Township.

Councilmember Zabihach stated that he will be attending a workshop tomorrow entitled, "Passaic River Basin Flood Preparedness," sponsored by Passaic County. They will discuss flooding impacts and solutions, and minimizing frequency and severity of flood events.

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

Mayor Druetzler opened the meeting to the public. Hearing no one, Mayor Druetzler closed the public portion.

### **ORDINANCES ON FIRST READING**

None.

## **ORDINANCES ON SECOND READING**

Councilmember Zabihach read by title the ordinance entitled:

### **ORDINANCE NO. 8-2012**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF THE FEE SIMPLE INTEREST IN REAL PROPERTY OWNED BY THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION KNOWN AS: BLOCK 112, LOT 1 AND BLOCK 113, LOTS 29.08, 36, 37, 38, 39, 40, 41, AND 42 ON THE TAX MAP OF THE BOROUGH MORRIS PLAINS AND ALSO KNOWN AND DESIGNATED AS A PORTION OF ROUTE 178 FREEWAY, SECTION 1, PARCELS 29, VX32A, VX33, VX 35, VX36, VX37, VX38, VX39, AND VX42 SHOWN ON A MAP ENTITLED "NEW JERSEY DEPARTMENT OF TRANSPORTATION, GENERAL PROPERTY PARCEL MAP, ROUTE 178 FREEWAY, SECTION 1, FROM ROUTE 24 FREEWAY TO ROUTES 10 & 53 INTERCHANGE" AND FURTHER AUTHORIZING THE ACQUISITION OF A LEASEHOLD INTEREST IN REAL PROPERTY OWNED BY THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION KNOWN AS BLOCK 101.01, LOT 1 AND BLOCK 111, LOT 1 ON THE TAX MAP OF THE BOROUGH MORRIS PLAINS AND ALSO KNOWN AND DESIGNATED AS A PORTION OF ROUTE 178 FREEWAY, SECTION 1, PARCEL X46 AS SHOWN ON A MAP ENTITLED "NEW JERSEY DEPARTMENT OF TRANSPORTATION, GENERAL PROPERTY PARCEL MAP, ROUTE 178 FREEWAY, SECTION 1, FROM ROUTE 24 FREEWAY TO ROUTES 10 & 53 INTERCHANGE" AND PARCEL VX67A3 AS SHOWN ON A MAP ENTITLED "NEW JERSEY DEPARTMENT OF TRANSPORTATION, GENERAL PROPERTY PARCEL MAP, ROUTE 10 (1953) SECTION 3, TABOR ROAD TO TROY HILLS ROAD, WHIPPANY."**

which ordinance was introduced and passed on first reading at a meeting held on May 3, 2012.

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 3, 2012, 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 17, 2012 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 Zabihach 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 was 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.

Thereupon Councilmember Zabihach 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 Zabihach, Fu, Coogan, Karr, Mangravite & McCluskey
Nays:	None
Abstain:	None
Absent:	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**

Moved by Councilmember Fu:

BE IT RESOLVED THAT Resolution No. 2012-73 entitled, "Summer Pool and Snack Stand Employees for 2012" be adopted.

Seconded by Councilmember McCluskey.

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

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

None.

## **VOUCHERS**

Councilmember Karr moved:

**BE IT RESOLVED** that the following vouchers for May 2012 be approved.

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Frank J. Druetzler, Mayor

Seconded by Councilmember Zabihach.

Yeas: Councilmembers Zabihach, Coogan, Fu, Karr, Mangravite & McCluskey

Nays: None

Absent: None

Abstain: None

Councilmember McCluskey moved to adjourn the meeting at 8:58 p.m.

Seconded by Councilmember Zabihach. So moved.

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Frank J. Druetzler, Mayor

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June Uhrin, Clerk