

Minutes of the Conference Meeting of the Borough Council held April 19, 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 5TH 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
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Absent: Councilmember Fu

Also Present: Gail Fraser, Esq., Borough Attorney

DISCUSSION ITEMS

Mayor Druetzler stated that Councilmember Fu will not be attending tonight's meeting as she is in Texas.

Mayor Druetzler referenced the Consent Calendar and inquired as to the change in the Police Department Rules and Regulations. Gail Fraser, Esq., Borough Attorney, stated that the consultant recommended the addition of a sentence, "We may use training and counseling as alternatives to discipline, where appropriate." Mayor and Councilmembers were in agreement.

Councilmember McCluskey reported that we have two new volunteer firemen; one is a junior, the other is a junior fire auxiliary and the son of Councilmember Jason Karr.

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2012-55 entitled, "Executive Session" be adopted.

Seconded by Councilmember Zabihach. So ordered.

Councilwoman Zabihach moved to reopen the Conference Meeting at 8:02 p.m. Seconded by Councilmember Mangravite. So ordered.

Frank J. Druetzler, Mayor

June Uhrin, Clerk

Minutes of the Regular Meeting of the Borough Council held on April 19, 2012, 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 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 5TH 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
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Absent: Councilmember Fu

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

Mayor Druetzler stated that Councilmember Fu would not be attending the meeting this evening as she is on vacation in Texas.

APPROVAL OF MINUTES

None.

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

Municipal Court, March 2012
Tax Collector, March 2012

Animal Control, March 2012
Building Inspector, March 2012
Treasurer, March 2012
Tipping Fees, March 2012
Borough Clerk, March 2012
Animal Licensing, March 2012

Borough Attorney, Quarterly

BE IT FURTHER RESOLVED

THAT Resolution No. 2012-56 entitled, "ANNUAL REPORT OF AUDIT FOR THE YEAR 2011," be adopted as attached.

THAT Resolution No. 2012-57 entitled, "REFUND OF OVERPAYMENT," be adopted as attached.

THAT Resolution No. 2012-58 entitled, "REDEMPTION RESOLUTION, BLOCK NO. 25, LOT NO. 23, REDEMPTION OF TAX LIEN # 11-2," be adopted as attached.

THAT Resolution No. 2012-59 entitled, "RESOLUTION AUTHORIZING INTER-LOCAL SANITARY SEWER OWNERSHIP AND MAINTENANCE AGREEMENT WITH WATERVIEW AT HANOVER, LLC," be adopted as attached.

THAT Resolution No. 2012-60 entitled, "REDEMPTION RESOLUTION, BLOCK NO. 72, LOT NO. 8 AND BLOCK NO. 82.01, LOT NO. 9, REDEMPTION OF TAX LIEN," be adopted as attached.

THAT Resolution No. 2012-61 entitled, "RESOLUTION CONFIRMING ACCUMULATED SICK DAY REIMBURSEMENT TO CHIEF FINANCIAL OFFICER, DAVID E. BANKS," be adopted as attached.

THAT Resolution No. 2012-62 entitled, "RESOLUTION APPROVING AMENDED "MORRIS PLAINS POLICE DEPARTMENT RULES AND REGULATIONS," REVISED THROUGH APRIL 11, 2012," be adopted as attached.

THAT Resolution No. 2012-63 entitled, "RESOLUTION OF THE NEW JERSEY LEAGUE OF MUNICIPALITIES ENLISTMENT IN THE MILITARY INITIATIVE," be adopted as attached.

THAT the Borough Council approve the Mayor's Proclamation recognizing Stephen B. Wiley by the Borough of Morris Plains.

THAT the Borough Council approve the Mayor's Proclamation declaring April 27th 2012, Arbor Day in the Borough of Morris Plains.

THAT Andrew Cazzetto, having successfully completed the Morris County Vocational School Practical Heating Technology I Workshop, be granted a \$300.00 increase to annual salary effective January 1st 2012.

THAT Karen Black, be hired a part time Violations Clerk, for Municipal Court at an hourly rate of \$16.00, effective May 1st 2012.

THAT Knights of Columbus, Bishop McLaughlin Council, No. 3495 be granted permission to solicit donations on Saturday, April 21st 2012, in the Merchant Block, from 8:00 AM to 5:00 PM.

THAT the Mayor and Clerk be and they hereby are authorized to execute the Addendum to Developer's Agreement between the Borough of Morris Plains and Waterview at Hanover, LLC, regarding Block 11, Lot 8 on the tax maps of the Borough of Morris Plains in the form prepared by the Borough Attorney.

THAT the Mayor be and he hereby is authorized to execute the Municipal Alliance Morris County Board of Chosen Freeholders Application for 2012 Supplemental Funding and Letter of Agreement.

THAT the Borough Council approve the membership application of Lawrence Keller, 44 Winding Way, Morris Plains, NJ, as a member of the Morris Plains Fire Department.

THAT having received bids for the Fireworks Display Services, that a contract be awarded to Garden State Fireworks, Inc. for their low responsible and responsive bid of \$20,800.00, and authorizes the Mayor and Clerk to execute the necessary contract in the form approved by the Borough Attorney.

THAT the Borough Treasurer be authorized to advertise for the receipt of bids for a First Floor (MPPD) air handler and 12.5 ton condensing unit, with bids to be received on Wednesday, May 16th 2012, up to 10:30 A.M., in the Council Chambers.

Seconded by Councilmember Karr.

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

Nays: None

Abstain: None

Absent: Councilmember Fu

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 that he did not have a report.

Public Safety

Councilmember McCluskey reported the Municipal Court will have its annual State inspection.

Councilmember McCluskey stated that she attended the Roberts Garden Commission meeting on Monday, April 16, 2012 at the Library. Plans for the coming season were discussed. They will be planting more trees.

Chief Thompson reported that Operation Take Back program to eliminate unused prescription drugs will take place on April 28, 2012 at Wells Fargo from 10:00 a.m. to 2:00 p.m.

Chief Thompson reminded that the Police Department has been given the dates of Sunday, May 6th 2012 and Monday, May 7th 2012 for the onsite assessment for Accreditation.

Chief Thompson reported that the two new police officers are doing well and were taught defensive tactics last week. Graduation from the Police Academy will be on June 14, 2012.

Chief Thompson stated that the E-Ticket Program is still being tested by the State. They are trying to get items to properly post in the State computer system. The Criminal Justice information, which works as a stand-alone system, has many firewalls to secure information. The State has to find a safe way to access this information.

Public Works

Councilmember Coogan stated that the Department of Public Works' report was distributed. Councilmember Coogan highlighted that DPW has been working at the school as part of the Shared Services Agreement. They dug a trench for the electrical connection for the school sign. They are waiting for the box and hardware to come in. DPW also worked at Roberts Garden to begin preparation for Memorial Day. They delivered eight cubic yards of stone dust for the Eagle Scout project will start this Saturday, April 21, 2012. Public Works also delivered more mulch to Watnong Park, bringing us to approximately 5,000 yards.

Councilmember Coogan stated that the dirt and compost have been spread at the Community Garden. The fence contractor should be there tomorrow. George Ross anticipates being ready to go by May 1, 2012.

Public Buildings & Grounds

Councilmember Coogan reported on behalf of Councilmember Fu and stated that the Sustain the Plains Committee sponsored a compost and rain barrel seminar at the Community Center. Virginia Lam was the speaker and this event was attended by 24 people. Compost bins and rain barrels are on sale, sponsored by Morris Plain and Morristown.

Councilmember McCluskey reported on behalf of Councilmember Fu and stated that the Recreation Commission named Melissa Gibson as Volunteer of the Year. Her name will be added to the plaque at the Community Center. Signups have begun for summer camp and the pool. One enhancement class, Paint the Town, is already closed due to the number of enrollments.

After a brief discussion, Mayor Druetzler re-opened the Consent Calendar.

Councilmember Coogan moved:

THAT the Borough Treasurer be authorized to advertise for the receipt of bids for a First Floor (MPPD) air handler and 12.5 ton condensing unit, with

bids to be received on Wednesday, May 16th 2012, up to 10:30 A.M., in the Council Chambers.

Seconded by Councilmember Zabihach.

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

Nays: None

Abstain: None

Absent: Councilmember Fu

Public Welfare, Sanitation & Sewers

Councilmember Mangravite stated that the Municipal Alliance received supplemental funding in the amount of \$2,500 from the County, which will enable them to continue to organize drug free events and programs for the youth in Morris Plains.

Councilmember Mangravite stated that the Teen Center will be holding a 7th Grade event tomorrow night, April 20, 2012. They will play mini-golf in Mount Freedom.

Councilmember Mangravite stated that the Recycling Center has utilized SLAP people to help on Saturdays; our time has been downsized due to other towns requests for SLAP assistance.

Ordinance & Public Utilities

Councilmember Zabihach stated that the Planning Board met this past Monday, April 16, 2012, and Ordinance 7-2012 was discussed. There was one change proposed, that will be discussed during Ordinances on Second Reading this evening.

Leon Hall, P.E., Borough Engineer, advised that there will be two Bid Openings on May 1, 2012; one for Sun Valley Way and the second for Forest Drive, Park Road, and sidewalks. On May 16, 2012, a Bid Opening will be held for the lighting and brick pavers along Speedwell Avenue. Engineer Hall is also working on plans and specs for the demolition of the vacant school building on Route 53.

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 5-2012

BOND ORDINANCE APPROPRIATING \$350,000, AND AUTHORIZING THE ISSUANCE OF \$332,500 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MORRIS PLAINS, IN THE COUNTY OF MORRIS, NEW JERSEY.

which ordinance was introduced and passed on first reading at a meeting held on April 5, 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 April 5, 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 April 19, 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. Mayor Druetzler stated that this ordinance would allow for the purchase of a dump truck, sidewalks in the center of town, air handler servers, turnout gear for the Fire Department and for roof repairs on municipal buildings.

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

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 Zabihach read by title the ordinance entitled:

ORDINANCE 6-2012

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF MORRIS PLAINS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

which ordinance was introduced and passed on first reading at a meeting held on April 5, 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 April 5, 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 April 19, 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. Mayor Druetzler stated this Ordinance will allow us to pave Park Road, Forest Drive, and a section of Malapardis; drainage at Community Park; and sidewalks on Mountain Way, Littleton Road, Dayton Road and Watnong Drive.

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

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 Zabihach read by title the ordinance entitled:

ORDINANCE 7-2012

AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF "CHAPTER 13, 2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE" WITH THE AMENDMENT AND REVISION OF SECTION 13-4.5 ENTITLED "MINOR SITE PLAN PROCEDURE."

which ordinance was introduced and passed on first reading at a meeting held on April 5, 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 April 5, 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 April 19, 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.

Gail Fraser, Esq., Borough Attorney, stated that the Planning Board made a recommendation for a correction to Paragraph C (ii) to change "The Board" to "The Subcommittee," and Attorney Fraser concurs that change should be made.

Councilmember Zabihach moved that the change be made and improved.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on May 3, 2012 at 8:30 P.M. 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 republish the proper notice therefore, 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. All in favor.

RESOLUTIONS

Moved by Councilmember McCluskey:

BE IT RESOLVED THAT Resolution No. 2012-64 entitled, "Application for Junior Fire Auxiliary Membership" be adopted.

Seconded by Councilmember Coogan.

Mayor Druetzler stated that this is Nicholas Karr's application, son of Councilmember Jason Karr and his wife, Donna, who was also present.

Yeas: Councilmembers Zabihach, Coogan, Mangravite & McCluskey

Nays: None

Absent: Councilmember Fu

Abstain: Councilmember Karr

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

VOUCHERS

Councilmember Karr moved:

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

Frank J. Druetzler, Mayor

Seconded by Councilmember Zabihach.

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

Nays: None

Absent: Councilmember Fu

Abstain: None

Councilmember McCluskey moved to adjourn the meeting at 9:01 p.m.

Seconded by Councilmember Mangravite. So moved.

Frank J. Druetzler, Mayor

June Uhrin, Clerk