

Minutes of the Conference Meeting of the Borough Council held September 6, 2012, at 7:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

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 2012; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 5, 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
Council President Roman Zabihach
Councilmembers: George J. Coogan
Laurie Fu
Jason C. Karr
Frank Mangravite
Suzanne McCluskey

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

ITEMS FOR DISCUSSION

Mayor Druetzler asked stated that the upcoming 9-11 service will be held at the Borough's 9-11 Memorial site. Soccer opening day will be held this Saturday, September 8th 2012 at 9:00 a.m. Croom's Video will hold a Grand Opening on Saturday at 1:00 p.m. Mayor and Councilmembers plan on attending the Fire Department picnic on Sunday, September 9th 2012.

Councilmember Mangravite commented on making a motion to change the Bylaws. Mayor and Councilmembers will review the Bylaws for further discussion at the September 20th 2012 meeting. Councilmember Mangravite withdrew his motion for this meeting. He stated he will make it at the next meeting.

Councilmember Mangravite also mentioned the annual report. Mayor Druetzler stated that the annual report would be given at the end of the year.

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2012-98 entitled, "Executive Session" be adopted.

Seconded by Councilmember Zabihach. So ordered.

Frank J. Druetzler, Mayor

June Uhrin, Clerk

Councilmember Zabihach moved to close the Executive Session, seconded by Councilmember Coogan.

In a cross discussion following the Executive Session meeting, Councilmembers discussed issues related to the recycling center.

Councilmember Karr moved to adjourn the meeting at 8:25 p.m.

Seconded by Councilmember Zabihach. So moved.

Minutes of the Regular Meeting of the Borough Council held September 6, 2012 at 8:35 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 2012; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 5, 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
Council President Roman Zabihach
Councilmembers: George J. Coogan
Laurie Fu
Jason C. Karr
Frank Mangravite
Suzanne McCluskey

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

Mayor Druetzler stated there are no Minutes for approval.

Mayor Druetzler introduced Boy Scout, Sachin Khadse, and asked him to discuss the merit badge he is working toward. Sasha provided information on this merit badge process that includes attending a Council meeting and to report on issues discussed. He also provided information on his proposed project.

Mayor Druetzler explained how the Morris Plains Borough Council is structured and how voting takes place. He asked each Council member to provide a thumbnail sketch of his/her responsibilities.

Each Council member gave a brief description of his/her responsibilities and the Committees they head. Mayor Druetzler provided information on his responsibilities, including specifically mentioning that he only votes when there is a tie involving a certain issue and that he marries couples. He also provided information concerning the County fields and park/general areas at the Greystone site. June Uhrin, Borough Clerk, gave a description of her responsibilities. Leon Hall, P.E. gave a description of his role as the Borough Engineer. Lastly, Chief Scott Thompson gave a description of his responsibilities as the Borough's Police Chief.

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, July & August 2012
Animal Licensing, July & August 2012
Animal Control, June & July 2012
Police Department, August 2012

BE IT FURTHER RESOLVED

THAT Resolution No. 2012-99 entitled, "RESOLUTION AUTHORIZING SALE OF FLOWER BULBS AND RELATED ITEMS AT THE V.F.W. POST #3401, ROUTE 53," be adopted as attached.

THAT Resolution No. 2012-100 entitled, "A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: FUTURE WASTEWATER SERVICE AREA MAP FOR MORRIS COUNTY PROPOSED AMENDMENT TO THE UPPER DELAWARE, UPPER RARITAN AND NORTHEAST WATER QUALITY MANAGEMENT PLAN (WQMP)" be adopted as attached.

THAT the residents of Greenwood, Wyndwood, Briarcliff and Lealand Roads be granted permission to hold a Block Party on Saturday, September 15th 2012, from 4:00 P.M. to 11:00 P.M., and that permission to serve alcoholic beverages be granted; and that the Road Department provide the necessary barricades.

THAT the residents of Glenbrook Road be granted permission to change the date of the Block Party from Saturday, September 8th 2012, to Saturday, September 22nd 2012, from 3:30 P.M. to 9:00 P.M., and that permission to serve alcoholic beverages be granted; and that the Road Department provide the necessary barricades.

THAT the residents of Winding Way be granted permission to hold a Block Party on Saturday, September 15th 2012, from 4:00 P.M. to 10:00 P.M., that permission to serve alcoholic beverages be granted; and that the Road Department provide the necessary barricades.

THAT the Morristown High School Girl's Tennis Team, be granted permission to solicit donations on Saturday, September 15th 2012, in the Merchant Block, from 10:00 AM to 1:00 PM.

THAT the Borough Council grant permission to the Warner-Lambert/Pfizer Retirees Travel Club to park at the Simons Park Parking Lot from September 30th through October 2nd 2012.

THAT the Borough Council grant permission to the Warner-Lambert/Pfizer Retirees Travel Club to park at the Simons Park Parking Lot from October 22nd through November 7th 2012.

THAT the residents of Janeway Place and Bryce Way be granted permission to hold a Block Party on Saturday, September 15th 2012, with a rain date of Sunday, September 16th 2012, from 1:00 P.M. to 10:00 P.M., that permission to serve alcoholic beverages be granted; and that the Road Department provide the necessary barricades.

THAT the residents of Brook Drive, Park Way and Mayfair Road hold their annual Block Party on Saturday, September 15th 2012, with a rain date of Sunday, September 16th 2012, from Noon to 10:00 P.M., that permission to serve alcoholic beverages be granted; and that the Road Department provide the necessary barricades to block off Park Way between Grannis Avenue and Mayfair Road.

THAT having polled the Council on August 28th 2012, Peter Rolph, Patrolman, was approved for office duty in the Morris Plains Police Department, effective August 29th 2012.

THAT the residents of Hawthorne Avenue, Homer Avenue, Carlyle Avenue and Sunset Road be granted permission to hold its annual Block Party on Saturday, October 13th 2012, with a rain date of Sunday, October 14th 2012, from 3:00 P.M. to Midnight and that permission to serve alcoholic beverages be granted; and that the Road Department provide the necessary barricades.

THAT the resignation of Sandy Teger, Beautification Committee be accepted, effective September 6th 2012.

THAT the resignation of Claudia Holt, Beautification Committee be accepted, effective September 6th 2012.

THAT the Mayor and Clerk be and they hereby are authorized to execute the Development and Management revised Agreement between Morris County Housing Authority and Borough of Morris Plains in a form prepared by the Borough Attorney.

THAT having polled the Council, the Mayor and Clerk be authorized to execute the Emergency Contract with R&R Construction, Inc. for the repair and replacement of a portion of the Storm Water Pipe in the form approved by the Borough Attorney.

Seconded by Councilmember McCluskey.

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

GREETING OF PUBLIC AND INVITATION FOR DISCUSSION

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

REPORT OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr advised he had no report for this evening.

Public Safety

Councilmember McCluskey reported on an upcoming "Operation Take-Back" that will be held at Stop & Shop on Saturday, September 29th 2012. Morris County Prosecutor's Office and the Morris Plains Police Department are sponsoring a program to dispose of drugs from households that no longer need. The drugs include both prescription and over the counter. The hours are from 10:00 a.m. to 2:00 p.m.

Chief Thompson reported on Police Department activities.

Mayor Druetzler advised that Morris United will be doing some expansion work at Simon's Park to develop a generally unused area near the basketball court with artificial turf to use for soccer practice. Morris United is donating this work and supplies to the Borough.

Public Works

Councilmember Coogan stated the Superintendent's report has been distributed. He reported on another Eagle scout, Ryan Byrne, who has completed his project at Court Road. The last part of his project was to identify trees. He installed signage to identify the different trees growing in the area. Some maintenance work was done on the pathway to remove weeds and to do some re-stoning. The area looks very nice.

Councilmember Coogan advised that prior to the schools opening, the DPW visited both schools to do grass cutting and weed removal.

Councilmember Coogan reported that the Beautification Committee reports that they have dedicated a garden plot to grow produce for the Interfaith Food Pantry; other gardeners at the Community Garden were asked to donate their excess produce. The Morris Plains Community Garden has so far donated 205 pounds of produce and they are expecting between 250 and 300 pounds by the end of the growing season. He will thank the gardeners.

Engineer Hall reported on the demolition process of the old Easter Seals building, including the asbestos abatement. The Fire Department was advised to vacate this building by September 4th 2012. The demolition will take eight to ten workdays, and is anticipated to be completed by the end of September.

Mayor Druetzler commented on the history of this building, including that Pfizer bought the property and donated it to the Borough. The goal now is to construct affordable housing at this site working in conjunction with the Morris County Housing Authority. He anticipates that within two to three years there will be 25 or so affordable housing units available for people 55 years and older. It will be managed by the Housing Authority.

Public Buildings & Grounds

Councilmember Fu reported that the Recreation Commission will hold the Town-Wide Garage Sale on October 6th and 7th 2012. The Bonfire is scheduled for Saturday, October 27th 2012 from 6:00 p.m. to 9:00 p.m.

Councilmember Fu stated that the Shade Tree meeting is now scheduled for Wednesday, September 12th 2012 at 2:30 p.m. to allow for a morning meeting with a representative from the State Forestry Department regarding the no net loss grant. This grant will allow for the planting of up to 405 trees at \$300 per tree; however, there are significant requirements to be met for this grant application.

Mayor Druetzler commented on this grant and the trees needed to be planted along Route 53.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite presented his report, including on the Municipal Alliance and planned events.

Councilmember Mangravite advised that Wellness Day will be held on October 20th 2012, and flu shot clinics to be held at the Community Center.

Ordinance & Public Utilities

Councilmember Zabihach presented his report, including feedback received from the League of Municipalities on the issue of trucks. It is possible that the Borough's ordinances relating to the parking of trucks in driveways will need to be amended. In general, the Borough discourages residents from having identifiable commercial trucks parked in their driveways. He has been researching ordinances in other municipalities that relate to this matter. The committee will review the pros and cons of making a change.

Councilmember Zabihach also advised that the Planning Board passed a Resolution relating to Ordinance 14-2012 stating they found no conflict.

PRESENTATION OF COMMUNICATION, PETITIONS, ETC.

None.

INTRODUCTION OF ORDINANCES

None.

ORDINANCES OF SECOND READING

The following ordinances were read by title by Councilmember Zabihach:

ORDINANCE NO. 11-2012 – PARTIAL AMENDMENT AND SUPPLEMENTATION OF CHAPTER 11 FIRE PREVENTION OF THE REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY 1972 WITH THE ESTABLISHMENT OF A NEW ARTICLE FOUR ENTITLED “VISUAL IDENTIFIER FOR FIRE DEPARTMENT SPRINKLER STANDPIPE CONNECTIONS.”

which ordinance was introduced and passed on first reading at a meeting held on August 16th 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, August 16th 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 September 6th 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. He provided background information on this process and also on this specific ordinance. 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 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, Fu, Karr, Mangravite, McCluskey
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.

Councilmember Zabihach read by title the ordinance entitled:

ORDINANCE NO. 12-2012 – AMENDING ORDINANCE NO. 8-2012 TO REDUCE THE PURCHASE PRICE FOR THE SIMPLE FEE ACQUISITION OF REAL PROPERTY OWNED BY THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, KNOWN AS BLOCK 12, LOT 1 AND BLOCK 13, LOTS 28.08, 36, 37, 38, 39, 40, 41, AND 42 ON THE TAX MAP OF THE BOROUGH OF MORRIS PLAINS TO INCLUDE TWO ADDITIONAL PARCELS THAT CONSTITUTE A 25' WIDTH PORTION OF THE HILLCREST AVENUE RIGHT-OF-WAY AND TO LIMIT THE PROPOSED ACQUISITION OF A LEASEHOLD INTEREST FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION TO BLOCK 11, LOT 1 ON THE TAX MAP OF THE BOROUGH OF MORRIS PLAINS.

which ordinance was introduced and passed on first reading at a meeting held on August 16th 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, August 16th

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 September 6th 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. He explained the history of this sale/purchase of property. 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, Coogan, Fu, Karr, Mangravite, McCluskey
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.

Councilmember Zabihach read by title the ordinance entitled:

ORDINANCE NO. 13-2012 – BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LANDS IN AND BY THE BOROUGH OF MORRIS PLAINS IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$75,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$70,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATIONS.

which ordinance was introduced and passed on first reading at a meeting held on August 16th 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, August 16th 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 September 6th 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 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, Fu, Karr, Mangravite, McCluskey
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.

Councilmember Zabihach read by title the ordinance entitled:

ORDINANCE NO. 14-2012 – PROVIDING FOR THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REVISION OF CHAPTER 23(C) “UNIFORM CONSTRUCTION CODE OF THE REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY 2012 WITH THE ESTABLISHMENT OF A NEW ARTICLE 4(A) ENTITLED “REFERRAL OF CERTAIN PERMIT APPLICATIONS TO THE PLANNING BOARD.”

which ordinance was introduced and passed on first reading at a meeting held on August 16th 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, August 16th 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 September 6th 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. Mayor Druetzler explained the purpose of this ordinance, including the upcoming demolition of the former Pfizer buildings (those on the side of Route 53 next to the train tracks). He provided information concerning the development concept proposal presented by M & M Realty Partners. 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:

Seconded by Councilmember Karr.

Yeas: Councilmembers Zabihach, Coogan, Fu, Karr, Mangravite, McCluskey
Nays: 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.

Councilmember Zabihach moved to adjourn at 9:44 p.m.

Seconded by Councilmember Karr.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk