

Minutes of the Conference Meeting of the Borough Council held January 24, 2013, 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 2013; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2013, 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 Laurie J. Fu
Councilmembers Joseph Cecala, Jr.
George J. Coogan
Jason C. Karr
Frank Mangravite
Suzanne McCluskey

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

ITEMS FOR DISCUSSION

Mayor Druetzler stated that the Consent Calendar contains a number of settled tax appeals.

Councilmember Fu discussed brush pickup and suggested putting the dates that the Department of Public Works begins collection on the website. Mayor Druetzler stated that special accommodations were made for Storm Sandy, however, he suggested adding that there is no more leaf pickup at this time. Councilwoman Fu recommended that residents should be urged to return to the original schedule.

Councilmember Karr requested that anyone seeking information from the Finance Office or the Clerk's Office speak to him first due to time restraints put on personnel. Mayor and Councilmembers had a brief discussion on the number of responsibilities placed on each office. Mayor and Councilmembers discussed the process relative to departmental budgets and procedures to request information from administrative employees.

EXECUTIVE SESSION

Moved by Councilmember Coogan:

Minutes of the Regular Meeting of the Borough Council held January 24, 2013 at 8:33 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 2013; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 7, 2013, 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 Laurie J. Fu
Councilmembers Joseph Cecala, Jr.
George J. Coogan
Jason C. Karr
Frank Mangravite
Suzanne McCluskey

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

APPROVAL OF MINUTES

Councilmember Fu moved:

BE IT RESOLVED that the minutes of the Executive, Conference & Regular Meeting of December 6, 2012 be approved.

Seconded by Councilmember McCluskey. Councilmember Cecala abstained. So ordered.

Councilmember Fu moved:

BE IT RESOLVED that the minutes of the Executive, Conference & Regular Meeting of December 20, 2012 be approved.

Seconded by Councilmember Karr. Councilmember Cecala abstained. So ordered.

Councilmember Fu moved:

BE IT RESOLVED that the minutes of the Executive, Conference & Regular Meeting of December 27, 2012 be approved.

REPORTS

Fire Prevention, December 2012
Police Department, December 2012
Animal Control, December 2012
Tax Collector, December 2012
Tax Collector, year end 2012
Treasurer, December 2012
Municipal Court, December 2012

BE IT FURTHER RESOLVED

THAT Resolution No. 2012-31 entitled, "BOROUGH OF MORRIS PLAINS, MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM," be adopted as attached.

THAT Resolution No. 2012-32 entitled, "TRANSFER OF FUNDS," be adopted as attached.

THAT Resolution No. 2012-33 entitled, "APPROVING SETTLEMENT ON APPEAL FROM ASSESSMENT BOROUGH OF MORRIS PLAINS, adv. PAR THREE PROPERTIES, INC. BLOCK 11, LOT 2.01 – 60 E. HANOVER AVENUE," be adopted as attached.

THAT Resolution No. 2012-34 entitled, "APPROVING SETTLEMENT ON APPEAL FROM ASSESSMENT BOROUGH OF MORRIS PLAINS, adv. TUCKER LIMITED PARTNERSHIP BLOCK 64, LOT 10 – 663 SPEEDWELL AVENUE DOCKET NO: 010528-2009; 003447-2010; 000962-2011; 010133-2012," be adopted as attached.

THAT Resolution No. 2012-35 entitled, "APPROVING SETTLEMENT ON APPEAL FROM ASSESSMENT BOROUGH OF MORRIS PLAINS, adv. WULH 100 AMERICAN, LLC BLOCK 11, LOT 1.01 – 100 AMERICAN ROAD DOCKET NO: 010044-2011; 006497-2012," be adopted as attached.

THAT Resolution No. 2012-36 entitled, "APPROVING SETTLEMENT ON APPEAL FROM ASSESSMENT BOROUGH OF MORRIS PLAINS, adv. WULH 300 AMERICAN, LLC BLOCK 11, LOT 1.03 – 300 AMERICAN ROAD DOCKET NO: 010083-2011; 006515-2012," be adopted as attached.

THAT the Borough Council authorize the release and return of the engineering inspection escrow fees for Building 185 to Johnson and Johnson, in accordance with the Borough Engineer's correspondence dated January 14, 2013.

THAT the Borough Council approve the Mayor's Proclamation declaring May 5th 2013, *Celebrating the 6th Annual Susan G. Komen for the Cure@ North Jersey Race for the Cure@* in the Borough of Morris Plains.

THAT the Borough Council approve the Mayor's Proclamation declaring February 1st 2013 as *National Wear Red Day for Women* in the Borough of Morris Plains.

GREETINGS OF PUBLIC AND INVITATION FOR DISCUSSION

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

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr stated that the Tax Office is getting caught up on their workload. Sheryl McNichol is back from Family Leave and there will be part-time help.

Councilmember Karr stated that the Finance Committee met with webmaster, George Ross, to discuss upgrades to the website.

Public Safety

Councilmember McCluskey stated that she did not have a report.

Chief Thompson reported on Police Department activities and the deer cull.

Public Works

Councilmember Cecala stated that the report from the Department of Public Works has been distributed.

Councilmember Cecala stated that he and Councilmembers Fu and Coogan visited municipal properties and prepared a list of items needing maintenance or improvement. The Department of Public Works has already begun some of the updates.

Leon Hall, P.E., Borough Engineer, provided a report on various projects.

Councilmember Coogan added that the Borough applied for a Community Development Grant for a generator at the Community Center.

Public Buildings & Grounds

Councilmember Fu reported on some events coming up, including the Easter Bunny Breakfast on Saturday, March 23, 2013 at 9:00 a.m. at the Community Center; Little League Opening Day is tentatively scheduled for Saturday, April 13, 2013; and the Kids Helping Kids Talent Show will be held on Thursday, February 7th 2013 at 6:30 p.m. at Borough School.

Councilmember Fu stated that the Memorial Day Parade Committee will be meeting on Tuesday, January 29th 2013.

Councilmember Fu stated that Sustainable Jersey will also be meeting on January 29th 2013.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite stated that the Board of Health transition is continuing. The Public Health Nurse will be at the Community Center four hours a month, beginning tentatively in May 2013.

Councilmember Mangravite stated that the Municipal Alliance is sponsoring a program entitled "Generation X" relative to bullying.

Councilmember Mangravite stated that the Teen Center will play Laser Tag at the Community Center on February 8th 2013.

Ordinance & Public Utilities

Councilmember Coogan reported that the Planning Board held their Reorganization Meeting; Ralph Lopez will serve as the Chair and Sydney Leach will serve as the Vice Chair.

Councilmember Coogan stated that the Board of Adjustment will hold their Reorganization Meeting on January 28th 2013.

Councilmember Coogan thanked Chief Thompson for the list of street light outages.

PRESENTATION OF COMMUNICATION, PETITIONS, ETC.

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

ORDINANCES OF FIRST READING

None.

ORDINANCES OF SECOND READING

Councilmember Coogan read by title the ordinance entitled:

ORDINANCE NO. 1-2013

AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF "CHAPTER 13, 2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE" WITH THE AMENDMENT, SUPPLEMENTATION OF THE MAXIMUM FLOOR AREA RATIO IN THE L-1 ZONE

which ordinance was introduced and passed on first reading at a meeting held on January 10, 2013.

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, January 10, 2013, 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 January 24, 2013 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 Coogan 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 Coogan 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:

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| Yeas: | Councilmembers Fu, Cecala, Coogan, Karr, Mangravite and 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.

UNFINISHED BUSINESS

None

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2013-37 entitled, "Executive Session" be adopted.

Seconded by Councilmember Cecala. So ordered.

The Regular Meeting reopened at 10:27 p.m.

Councilmember Coogan moved:

BE IT RESOLVED THAT Resolution No. 2013-38, Special Counsel is hereby authorized to execute a Stipulation of Dismissal and/or any other documents necessary to effectuate the dismissal of the consolidated matters entitled "ACP Morris Plains, LLC v. Borough of Morris Plains et al." Docket No. MRS-L-3109 PW and "In the Matter of the Application of the Borough of Morris Plains, Docket No. MRS-L-577-09."

Councilmember Karr seconded the motion.

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

Nays: None

Absent: None

Abstain: None

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2013-39 entitled, "Resolution Endorsing the Housing Element and Fair Share Plan Adopted by the Morris Plains Planning Board and Petitioning the Council on Affordable Housing for Substantive Certification" be adopted.

Seconded by Councilmember Cecala.

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

Nays: None

Absent: None

Abstain: None

Councilmember Cecala moved to adjourn at 10:29 p.m.

Seconded by Councilman Mangravite. All in favor.