

Minutes of the Conference Meeting of the Borough Council held August 15, 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 Fu
Councilmembers: Joseph Cecala
Jason Karr
Frank Mangravite
Suzanne McCluskey

Absent: Councilmember George Coogan

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

ITEMS FOR DISCUSSION

Mayor Druetzler advised that Councilmember Coogan will not be at tonight's meeting as he is away.

Mayor Druetzler asked if there were any questions regarding the Consent Calendar.

EXECUTIVE SESSION

Moved by Councilmember Mangravite:

BE IT RESOLVED THAT Resolution No. 2013-99 entitled "Executive Session" be adopted.

Seconded by Councilmember McCluskey. So ordered.

Voice vote. All present in favor. Motion carried.

Councilmember Mangravite moved that the Conference Meeting be adjourned.

Seconded by Councilmember Karr.

Frank J. Druetzler, Mayor

June Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held August 15, 2013 at 8:35 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Pledge of Allegiance and Prayer.

Remembrance of Al Johnson who suddenly passed away earlier this week at the age of 52. He was a member of the Morris Plains Department of Public Works (DPW) for 30 years and was an exemplary employee.

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 Fu
Councilmembers: Joseph Cecala
Jason Karr
Frank Mangravite
Suzanne McCluskey

Absent: Councilmember George Coogan

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

APPROVAL OF MINUTES

None.

APPROVAL OF CONSENT CALENDAR

Councilmember Fu 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

Fire Prevention, July 2013
Municipal Court, July 2013
Sanitarian, July 2013
Animal Control, July 2013
Police Department, July 2013
Borough Clerk, July 2013
Animal Licensing, July 2013
Tax Collector, July 2013
Tipping Fees, July 2013

BE IT FURTHER RESOLVED

THAT the Resolution No. 2013-100 entitled, "RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND," be adopted as attached.

THAT the Resolution No. 2013-101 entitled, "CANCELLATION OF TAXES EXEMPT PROPERTY," be adopted as attached.

THAT the Resolution No. 2013-102 entitled, “ RESOLUTION AUTHORIZING 2013-2014 CONTROLLED DEER CULLING PROGRAM” be adopted as attached.

THAT the Morris Plains Block Dance Committee in conjunction with the Borough of Morris Plains be granted permission to hold a Block Dance at the Speedwell Avenue Extension on Saturday, August 31st 2013, from 6:15 P.M. to 9:30 P.M., with a rain date of Sunday, September 1st 2013, and that permission be granted to serve alcoholic beverages and that barricades be provided.

THAT the residents of Winding Way be granted permission to hold a Block Party on Saturday, September 7th 2013, from 4:00 P.M. to 10:00 P.M.; that permission to serve alcoholic beverages be granted; and that the Road Department provide necessary barricades.

THAT having received quotes for the repair/replacement of Municipal Building signs from the following:

Garden State Highway	No Quote
American Woodcarving	\$4,700.00

THAT a purchase order be issued to American Woodcarving, Wayne, New Jersey, in the amount of \$4,700.00.

THAT the resignation of Gradie Carroll, Substitute Crossing Guard for the Police Department be accepted, effective July 23rd 2013.

THAT the attached Recreation Program Instructors be hired at the position and salary stated, effective September 17th 2013.

THAT Donald Underhill, Brook Drive, be hired as a Substitute Crossing Guard for the Police Department at a daily rate of \$71.40, effective August 16th 2013.

THAT the Borough Council authorize the release and return of the \$12,000.00 Soil Disturbance performance bond to Coventry at Morris Plains, per the Borough Engineer’s correspondence dated August 1st 2013.

THAT the residents of Greenwood, Wyndwood, Briarcliff and Lealand Roads be granted permission to hold a Block Party on Saturday, September 14th 2013, from 4:00 P.M. to 11:00 P.M.; that permission to serve alcoholic beverages be granted; and that the Road Department provide necessary barricades.

THAT the attached be hired for the Recreation program “Kids Helping Kids” at the position and salary stated effective September 16th 2013; which mentor program is authorized through a Grant and Registration [The program is self funded.].

THAT the Borough Council authorize the release and return of the \$1,000.00 Soil Disturbance performance bond to JP Morgan Chase Bank for 573-599 Speedwell Avenue as per the Borough Engineer’s correspondence dated August 12th 2013.

THAT the Mayor be and he hereby is authorized to execute the Change Order Number -2, Jim Fear Drive, Laurel Street, Maple Avenue, Granniss Avenue, Academy Road, and Watnong Drive Road Improvements, per the Borough Engineer’s correspondence dated August 12th 2013.

THAT Design Build be granted permission to hold the 6th Annual Morris Habitat for Humanity 5K Run, Thursday, September 12th 2013 beginning at 5:00 P.M. and that the Police Department provide the necessary support.

Seconded by Councilmember Karr.

Mayor Druetzler commented on the Design Build run advising that it has been changed from previous runs in that it will begin at Central Park of Morris County thereby having less impact on the Borough's local streets and local traffic.

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

Mayor Druetzler advised of there was a Traffic Committee meeting this evening. He requested that the Chief present a report on the recommendations from this Committee since there is a member of the public at this meeting in connection with this meeting.

Chief Thompson presented his report on the recommendation that instead of Florin Lane being made a one-way street, the Committee prefers to propose creating a permanent No Left Turn from West Hanover Avenue onto Florin Lane, 24 hours per day, seven days a week. With increased enforcement, he concurs with this recommendation and believes it will solve the ongoing problems on this roadway.

Mr. Adam Higgins, 117 West Hanover Avenue, Morris Plains, which property is located at the corner of Florin Lane and West Hanover Avenue sent a letter stating his concerns and recommendations for Florin Lane traffic changes. Mr. Higgins is in agreement with the Committee's recommended changes to Florin Lane traffic flow.

Mayor Druetzler requested a motion on this matter.

Borough Attorney Fraser explained that when the Borough adopts a traffic regulation for a local street, an ordinance must be introduced, published in the newspaper and then a second meeting with a public hearing and adoption. The Borough does not have jurisdiction to adopt traffic regulations on a County road which West Hanover Avenue is. This Resolution will be sent to the Board of Freeholders to advise them of this recommendation of the Borough's Traffic Safety Committee. This Board will be asked to adopt the appropriate resolution enacting this regulation. This is the first step and it is up to the Board of Freeholders to take the necessary action.

Mayor Druetzler advised there has been communication with the County Engineer who does not have a problem with this recommendation.

Borough Attorney Fraser provided additional information from her conversation with Steve Hammond, County Engineer. He located the paperwork from 1987 when Florin Lane was called School Street. He provided her with copies of this paperwork.

Mayor Druetzler commented that when a municipality requested this type of concurrence, the Freeholders generally agreed since their belief was that the municipality knows best what is needed in local matters than the Freeholders do.

Councilmember McCluskey moved that Resolution No. 2013-103, entitled
"EXPANDING THE EXISTING LEFT TURN PROHIBITION FROM WEST HANOVER AVENUE ONTO FLORIN LANE FROM 7:00 A.M. to 9:00 A.M, Monday through FRIDAY, TO A PERMANENT NO LEFT TURN, 24 HOURS PER DAY, SEVEN DAYS A WEEK"

Seconded by Councilmember Karr.

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

GREETINGS OF PUBLIC AND INVITATION FOR DISCUSSION

Mayor Druetzler opened this portion of the meeting to comments from the public.

Mrs. Amy Rongo, 22 Academy Road, Morris Plains, asked about the newly re-done sidewalks on Academy Road. All the aprons on the street were finished except for hers. She advised she was told that this was not done for her apron since the existing one was not cracked or cracked enough. Today the portion of her driveway damaged during the sidewalk work was filled in with asphalt, and a small amount of asphalt was also filled in at the end of her apron. Unfortunately, this results in a concrete slab on the apron together with the blob of asphalt on one side; there is still a hole on the other side. Is there a specific reason why all the sidewalks were not replaced since the sidewalks are still quite uneven with tripping hazards.

Mayor Druetzler explained that the ordinance(s) states it is the homeowner's responsibility to replace sidewalks. However, the Borough tries to replace slabs that are in significantly bad condition. He advised her husband told him their "apron is OK", but that "their neighbors' aprons are not good." This is why their apron was not replaced. If residents had specifically requested slab replacement while the work was being done, the Borough probably would have accommodated the request.

Mrs. Rongo stated she understands the project is done, but she does not understand what the process was to determine which slabs needed replacement. She also did not understand why it would be their responsibility to replace a Borough sidewalk.

Mayor Druetzler reminded that by ordinance it is the law that the property owner are responsible for replacing sidewalks in front of their property.

Mrs. Rongo's primary complaint appeared to be the small black blob of asphalt at the end of their apron. This is what she really does not understand.

Mayor Druetzler stated he does not like the look of their apron either and promised the appropriate person will take a look at it. He stated he thinks the whole thing should have been done.

Mrs. Rongo agreed. She expressed displeasure at how the job was done and how their property left after the work. She thanked the Council for their time.

Mr. Richard Palla, 24 Beech Drive, Morris Plains, stated he has been a resident of the Borough for 39 years. He commented on newspaper articles about rising costs of living in Morris County and retiree health costs. Does the Council address these issues in any way? He specifically was referred to pensions and benefits of municipal employees.

Mayor Druetzler responded the Borough pays into the pension fund on behalf of the employees, and they pay into the fund also, similar to how Social Security works. As to health care benefits, there are new laws requiring employees to contribute to their health care costs and the Borough makes a contribution, too.

Mr. Palla referred to a newspaper article dated June 30, 2013 projecting these costs several decades into the future.

Mayor Druetzler commented on the issue of certain employees having contracts and the matter of how municipal/governmental employees' contracts/agreements have worked over the past years and why.

Mr. Palla asked how he knows the Governing Body is running the Borough in such a way that it will always be fiscally solvent and not need to be in bankruptcy like Detroit and other cities.

Mayor Druetzler replied the Borough's credit rating is good, the audit is good, and it is not going into default on anything.

Mr. Palla asked how the public knows this or is advised of this.

Mayor Druetzler advised that the Borough's budget is published as well as the audit. The State reviews the budgets. A municipality would need to be seriously deficient to be heading for big problems. The Borough is not on any alert, and Detroit has experienced problems for a long time, especially when the automobile business contracted. Taxes increase when ratables decrease; the Borough always endeavors to be as efficient and economical as possible.

Mr. Palla asked what the Borough does to be efficient and economical. Are there plans to reduce any costs?

Mayor Druetzler explained shared services savings with the County, the local school board, the volunteer ambulance service and volunteer fire department, part-time employees versus full-time employees, animal control services with Denville, and there is continual review of how to lower costs.

Mr. Palla asked about privatizing efforts other than the garbage pick-up.

Mayor Druetzler replied that janitorial services are privatized; the Governing Body is always looking for ways to reduce costs. There is a small administrative staff and many volunteers to assist with a variety of activities.

Mr. Palla commented that he hears the words but is not comforted very much.

Mayor Druetzler asked him if he has any specific suggestions or ideas for cost cutting. He reminded that the Borough's sewage costs are included in property owners' tax bills versus paying separately which creates more cost. This is efficiency and presents a tax deduction opportunity.

Mr. Palla stated he will take the Mayor's comments to heart and "go to the drawing board and see if he can find something."

Mayor Druetzler said the Governing Body is always open to ideas. The Borough bought street lights and in return received reduced rates. The Borough has joined a group to reduce the municipal electric bills. He reminded that while people generally want many things or services they are reluctant to pay for them; but that is not life, we have to pay for some things.

Mr. Palla asked about the vacant former restaurant in town and asked if anything new is happening with it.

Mayor Druetzler advised they are in bankruptcy. He also commented on the new Chase private banking business located in their in-town office (the older building) on Speedwell Avenue.

Mr. Palla thanked the Council for their time and consideration of his comments.

Mayor Druetzler and the Councilmembers thanked Mr. Palla.

Mayor Druetzler asked if there was anyone else who wanted to address the Governing Body. Seeing none, he closed this public portion.

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr reported that elections held earlier this week went well and that the Special Election will be held in October.

Public Safety

Councilmember McCluskey advised the volunteer Court intern is still working approximately eight hours a week.

Police Chief Thompson reported that Michael Kelly anticipates returning to work by October 1st 2013. Chris Cornine is in the last phase of the field training, but does drive alone and is doing very well. They are pleased with his progress. The two new police cars are in and have been lettered and are now being outfitted with the necessary equipment. These cars should be on the road in several weeks. The plate readers are in and should be turned on next week by the County. The automatic plate reader was installed on Truck 5. The Design Build 5K race will begin on Central Avenue near the tent with registration beginning at 5:00 P.M. and the race at 6:30 P.M. The revised route should have significantly less impact on traffic and be safer.

Mayor Druetzler commented on the Harley-Davidson dealership application to be heard by the Board of Adjustment. Michael Kelly could be the one to cut the ribbon.

Public Works

Councilmember Cecala stated that all should have the report from Mr. Signorelli, Superintendent, Department of Public Works (DPW). He spoke with Mr. Signorelli about telephone calls from residents not having their grass clippings picked up. Checking out one of the calls, the container had hedge clippings mixed with grass, not branches, not limbs. This is a new problem.

Mayor Druetzler advised that the New Jersey Department of Environmental Protection (NJDEP) is rejecting more and more of these kinds of clippings situations because it brings air pockets that do not disintegrate and also brings odors.

Cross discussion about how best to handle this matter and also how best to notify residents as to what will and will not be picked up going forward.

He stated the on August 21st 2013 the annual deer culling meeting will be held at the Community Center. This meeting is open to the public. The opening day is on September 14th 2013.

Public Buildings & Grounds

Councilmember Fu presented her report. Both the Shade Tree Commission and the Recreation Commission do not hold meetings in August. She advised she and two members of the Shade Tree Commission will meet with John Linson, Forester, who will develop the Borough's community forestry management plan, on August 28th 2013. Fall Recreation Program registration has started, and there will be several new programs. Soccer opening day is on Saturday, September 7th 2013, at Simons Park at 10:00 A.M. She mentioned the Garage Sale Days and the Bonfire.

The Buildings & Grounds Committee met and continue to discuss policies and procedures for the Community Center. She will provide an update when available and bring to the Council for approval. She and Councilmember McCluskey will meet with cleaning service tomorrow about the cleaning contract.

Mayor Druetzler asked Chief Thompson how residents on Maple Avenue and Florin Lane will be informed about the requested No Left Turn proposal.

Chief Thompson replied he will send a letters next week.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite presented his report advising the Senior Lunch and Learn hosted by the Municipal Alliance was well received with 60+ seniors in attendance. He provided information about the Public Health Nurse and will place business cards in each councilmembers' mailbox. There is a car at the recycling center that two young men are taking apart; the metal will go to the same vendor the center uses. They are getting 8.5 to 10.5 cents a pound and the center's last roll-off of roughly 5,000 pounds resulted in a net payment of \$35.00 for the whole roll-off. The car needs to be towed out. "It was destroyed while it was parked up there" and he cannot afford to tow it and is living in another vehicle. It will be towed out within a week or so.

Councilmember Mangravite next discussed the situation with cats. The Animal Control Officer Meredith Petrillo met with the Board of Health. Two years ago 52 cats were caught in the Borough. There are currently 41 cats from Morris Plains in the shelter. One of the Morris Plains cats had ringworm infecting the shelter resulting in it now being closed for a period of time while all the cats are tediously treated through dips. There are four Borough streets experiencing higher issues of congregating feral cats.

Continuing, Ms. Petrillo is suggesting a trap and release (TNR) ordinance as a humane solution to this problem versus holding for seven days and then euthanizing. He explained details of this kind of procedure. It includes spaying/neutering and giving a rabies shot. Such a program would greatly reduce the costs of holding the cats in the shelter. Mount Olive is a Morris County municipality that has introduced this approach. There needs to be a caregiver identified to oversee the TNR cat colonies. St. Hubert's is willing to perform the spay/neutering for \$50.00 per cat going into a TNR colony. Mayor Druetzler commented on his thoughts regarding this proposed approach. He does not believe this is a plan that can work in the Borough. He commented on the article appearing in the most recent *Plains Talk* addressing stray cats.

Councilmember Mangravite reminded that cats serve a critical purpose in controlling mice populations. Wild/feral cats do serve a purpose. Communities that have virtually exterminated wild/feral cats have learned this lesson. He also commented this is a difficult situation, and he is uncertain of this approach for the Borough. The Board of Health is quite interested in this proposal and will be investigating it further.

Mayor Druetzler stated he is unaware of a health officer supporting this kind of proposal and does not know how this is happening in Mount Olive. The Borough must determine a different plan, possibly an aggressive adoption program. Perhaps another shelter can be paid to receive these cats until a better solution can be agreed upon.

Cross discussion about possible ways of resolving this situation, including discussion with other municipal and shelter contacts.

Borough Attorney Fraser raised the subject of the existing ordinance concerning pets and wildlife, but she is not sure if cats fall under this ordinance.

Councilmember Mangravite stated that funding is likely to be needed to address this matter.

Councilmember Cecala asked what the cost of euthanasia is.

Councilmember Mangravite replied that Ms. Petrillo said it costs approximately \$175 per cat to hold the cats for seven days, euthanize them and dispose of them. This is information from a municipality adjacent to Denville.

Chief Thompson said he is not aware of any Borough resident being prosecuted for feeding cats or deer.

Councilmember McCluskey advised the Animal Control has issued violations for feeding deer, specifically on Overlook Terrace, roughly three years ago.

Chief Thompson recalled that several years ago it was thought the a resident was baiting deer with food in his backyard and then killing them. The resident swore he did not do this, but after the police talked with him about this, it stopped.

Councilmember Mangravite thanked everyone for their input stating this is a complex situation and that he will keep the Council informed.

Ordinance & Public Utilities

No report presented in Councilmember Coogan's absence.

PRESENTATION OF COMMUNICATION, PETITIONS, ETC.

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

INTRODUCTION OF ORDINANCES

Councilmember McCluskey introduced the following ordinance and read the same by title and moved that it be passed on First Reading.

ORDINANCE NO. 9-2013

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF MOUNTAIN WAY IN AND BY THE BOROUGH OF MORRIS PLAINS IN THE COUNTRY OF MORRIS, NEW JERSEY, APPROPRIATING \$395,000 THEREFOR AND AUTHORIZING THE INSTRUMENTS OF \$161,900 BOND OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

Councilmember Karr seconded the motion.

Mayor Druetzler commented on this ordinance advising a State grant was received for \$225,000. The work will not occur until 2014.

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

Thereupon, Councilmember McCluskey offered the following resolution:

WHEREAS, the above ordinance was introduced and read by title at this meeting on August 15th 2013 and passed on First Reading.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on September 5th 2013 at 8:30 PM 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 publish and mail the proper notice thereof, 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 Fu seconded the resolution. All in favor.

Councilmember McCluskey introduced the following ordinance and read the same by title and moved that it be passed on First Reading.

ORDINANCE NO. 10-2013

AN ORDINANCE AUTHORIZING A RETAINING WALL MAINTENANCE AGREEMENT WITHIN THE RIGHT-OF-WAY OF MALAPARDIS ROAD IN THE BOROUGH OF MORRIS PLAINS RELATING TO THE USE AND OCCUPANCY OF PREMISES LOCATED AT 68 MALAPARDIS ROAD ALSO KNOWN AND DESIGNATED AS BLOCK 171 LOTS 11 AND 12 ON THE MORRIS PLAINS TAX MAPS AND AUTHORIZING A RETAINING WALL MAINTENANCE AGREEMENT WITHIN THE BOROUGH OF SANITARY SEWERS EASEMENTS ON PROPERTY LOCATED AT 159 SUN VALLEY WAY ALSO KNOWN AND DESIGNATED AS BLOCK 91 LOT 14 ON THE BOROUGH TAX MAPS.

Councilmember Cecala seconded the motion.

Borough Attorney Fraser explained this ordinance and what is required by the agreements and why these agreements are needed.

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

Thereupon, Councilmember McCluskey offered the following resolution:

WHEREAS, the above ordinance was introduced and read by title at this meeting on August 15th 2013 and passed on First Reading.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on September 5th 2013 at 8:30 PM 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 publish and mail the proper notice thereof, 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 Fu seconded the resolution. All in favor.

Councilmember McCluskey introduced the following ordinance and read the same by title and moved that it be passed on First Reading.

ORDINANCE NO. 11-2013

AN ORDINANCE PROVIDING FOR THE REPLACEMENT OF TREES LOST DURING DEFORESTATION OF STATE LAND IN AND BY THE BOROUGH OF MORRIS PLAINS IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY APPROPRIATING \$122,400 THEREFOR AND PROVIDING THAT SUCH SUMS SO APPROPRIATED SHALL BE RAISED FROM STATE GRANTS WITH \$40,000 APPROPRIATED FROM CAPITAL FUNDS BALANCE.

Councilmember Fu seconded the motion.

Borough Attorney Fraser explained this ordinance and what is required by the agreements and why these agreements are needed.

Mayor Druetzler recapped why this ordinance is needed for replanting at the intersection of Routes 53 and 10 and elsewhere within the Borough and the State's no net loss of trees rule. A total of 411 trees can be planted. The Borough has to pay first and then will be reimbursed.

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

Thereupon, Councilmember McCluskey offered the following resolution:

WHEREAS, the above ordinance was introduced and read by title at this meeting on August 15th 2013 and passed on First Reading.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on September 5th 2013 at 8:30 PM 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 publish and mail the proper notice thereof, 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 Cecala seconded the resolution. All in favor.

ORDINANCES ON SECOND READING

Councilmember McCluskey read by title the ordinance entitled:

ORDINANCE NO. 8-2013

ORDINANCE PROVIDING FOR THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REVISION OF STATUTE 28 ENTITLED DEER CULLING PROGRAM OF THE REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY 1972 WITH PROVISIONS RELATING TO HUNTING ON PRIVATE LANDS WHICH ORDINANCE WAS INTRODUCED AND PASSED ON FIRST READING AT A MEETING HELD ON JULY 18TH 2013.

which ordinance was introduced and passed on first reading at a meeting held on July 18th 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 Plains on July 18th 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 August 15th 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 McCluskey 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 Druetzer 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. He advised this allows a hunter to obtain permission to hunt on private property if they go through a specific process with a private owner. Seeing no one, he closed the public hearing.

Thereupon Councilmember McCluskey 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.

Mayor Druetzler ordered the Clerk to call the roll on the passage thereof and the vote was as follows:

Yeas: Councilmembers Fu, Cecala, Karr, Mangravite, McCluskey
Nays: None
Absent: Councilmember Coogan
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 moved that the vouchers for August 15th 2013 in the amount of \$5,022,128.98 be approved.

Seconded by Councilmember McCluskey.

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

Nays: None

Absent: Councilmember Coogan

Abstain: None

EXECUTIVE SESSION

Moved by Councilmember Mangravite:

BE IT RESOLVED THAT Resolution 2013-104 entitled "Executive Session" be adopted.

Seconded by Councilmember McCluskey. So ordered.

Voice vote. All present in favor. Motion carried.

Councilmember Cecala moved that the Executive Session be closed, seconded by Councilmember Fu.

It was moved that the Regular Meeting be adjourned by Councilmember Karr.

Seconded by Councilmember Mangravite. Voice vote. All in favor. Motion carried.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk