

Minutes of the Conference Meeting of the Borough Council held September 19, 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 on Saturday, October 5, 2013, at 10:00 a.m., the Regalo Gift Shop will hold its ribbon cutting ceremony. On Saturday, September 21, 2013, at 10:30 a.m., the first official game will be played on the turf field. Several members will be able to attend one or both of these events.

Continuing, Mayor Druetzler stated that Mr. Leon Hall, the Borough Engineer, has advised him that the Governor has signed a bill to support dredging work in the Passaic River Basin. A notice was received from the State to determine interest, and since the Borough would like to perform dredging work off Central Avenue, Mr. Hall will respond to the State that the Borough is interested in learning more about this program and obtaining funds to do the necessary work. Joining with the County, probably will offer a better opportunity of success in connection with this program.

Mayor Druetzler polled the Councilmembers as to issues they want to discuss.

Councilmember Karr advised on the efforts of the Finance Committee to identify a new Deputy Borough Clerk.

Councilmember Mangravite raised the topic of a resolution regarding the Open Public Meetings Act. He commented that while some of the contents appears to be good, some of it seems to require more detail or more explanation to allow a clearer understanding of this proposed legislation. He stated he will abstain.

Mayor Druetzler stated this resolution will need to be brought down to Resolutions. He requested that Councilmember Fu not read this one. He asked if there were any other Consent Calendar matters that need to be discussed/questioned.

Councilmember Mangravite advised that Donjon has changed its pricing for the last load going from \$35 to \$220. He asked if anyone had any contact with them with regard to pricing system changes. Since no one has had any contact with them, he stated he will contact them. He also commented on Freon-related matters; for

example, that the contract states there is a \$15 charge for each Freon extraction for a refrigerators, air conditioners, etc.

He mentioned another salvage company that offers around 7 to 8 cents a pound without Freon extraction charges. He explained some “quirky” issues of how the payments and charges work in connection with the loads. Last year, the Borough made \$4,000 on approximately 10 loads. He believes working with the other salvage company would produce more funds coming back to the Borough. He presented alternative ideas for trying to make this program more productive.

Councilmember McCluskey shared information about the race last week that was cancelled because of heavy rain. Two runners, however, did make it through. She read a communication received from Denise Wendor commented very positively about the Morristown Wildcat Football volunteers and the residents living along Homer Avenue who opened their homes to these volunteers during the rain.

Councilmember Karr commented on work being done at the 9-11 Memorial consisting of some paving and parking lot lights.

Councilmember Mangravite commented on the Recycling Center. SLAP is coming less often lately and with fewer people when they do come. He believes they may result from the SLAP participants being used in more kinds of uses than before.

**EXECUTIVE SESSION**

Moved by Councilmember Mangravite:

BE IT RESOLVED THAT Resolution 2013-107 entitled “Executive Session” be adopted.

Seconded by Councilmember Cecala. So ordered.

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Frank J. Druetzler, Mayor

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June Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held September 19, 2013 at 8:30 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 Fu  
Councilmembers: Joseph Cecala  
Jason Karr  
Frank Mangravite  
Suzanne McCluskey

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

Absent: Councilmember Coogan

#### **APPROVAL OF MINUTES**

Councilmember Fu moved:

***BE IT RESOLVED THAT*** the minutes of the Executive Conference and the Regular Meetings of August 15, 2013.

Seconded by Councilmember McCluskey. So ordered.

Voice vote. All in favor. Motion carried.

Mayor Druetzler advised that Councilmember Coogan is not present at this meeting due a death in the family, and he is in Chicago.

#### **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**

Borough Clerk, August 2013  
Animal Licensing, August 2013  
Sanitarian, August 2013  
Municipal Court, August 2013  
Police Department, August 2013  
Tipping Fees, August 2013  
Tax Collector, August 2013  
Treasurer, August 2013  
Building Inspector, August 2013

**BE IT FURTHER RESOLVED**

*THAT* the Resolution No. 2013-108, entitled "BOROUGH OF MORRIS PLAINS APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE AMERICAN ROAD PROJECT" be adopted as attached.

*THAT* Katie O'Neill be granted permission to serve alcoholic beverages at a Birthday Party to be held Saturday, September 21<sup>st</sup> 2013 from 1:00 P.M. to 4:00 P.M., at Community Park.

*THAT* having received quotes for the Sun Valley Way sanitary sewer manhole rehabilitation from the following:

Ray Palmer Associates, Inc.	\$12,800.00
Jodi Construction, Inc.	\$27,125.00

*THAT* a purchase order be issued to Ray Palmer Associates, Inc., Dover, NJ, in the amount of \$12,800.00; subject to the Borough Attorney's review and approval of the documents.

*THAT* Patricia Fichtner, hired as part-time Violations Clerk, be authorized to cover the Violations Office on September 18<sup>th</sup> and September 19<sup>th</sup> 2013, not to exceed 14 hours at the rate of \$25.00 per hour. [The salary will be paid through the POAA fund.]

*THAT* RoseMarie Leyhan, 23 Pine Boulevard, Cedar Knolls, be hired as Secretary in the Borough Clerk's office at an annual salary of \$30,000.00, pro rated, effective October 1<sup>st</sup> 2013.

*THAT* Patricia Fletcher be granted permission to serve alcoholic beverages at a Birthday Party to be held Saturday, October 5<sup>th</sup> 2013, from 11:00 A.M. to 5:00 P.M., at Community Park.

*THAT* having received quotes for heaters for the Department of Public Works garages from the following:

Air Group, LLC	\$ 8,845.00
Webster Plumbing & Heating	\$11,900.00
Donnelly	\$15,137.81

*THAT* a purchase order be issued to Air Group, LLC, Whippany, NJ, in the amount of \$8,845.00.

*THAT* the Borough Treasurer be authorized to advertise for the receipt of bids for Bulk Salt, for the years 2014/2015 winter seasons, with bids to be received on Thursday, November 7<sup>th</sup> 2013, up to 10:00 A.M., in the Council Chambers.

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.

Ms. Valerie Tonini, 9 Central Avenue, Morris Plains, raised the matter of a race that ran down her street last week. She stated that no mailing went out about this race; however, she was unable to access her street for approximately one hour.

Mayor Druetzler asked if she remembers receiving the publication *Plains Talk*, noting there was a page and a half write-up about this race in this publication. This publication is roughly 24 pages in size. He mentioned nixel.

Ms. Tonini stated she does not remember if she received it or not and also that if it is large, she may not even read it all the time.

Chief Thompson provided details as to the information provided to Borough residents prior to this race.

Councilmember McCluskey added race information was on the Borough's website and on its e-mail alert. The website has information as to how to sign up for nixel.

Cross discussion about issues relating to this race as well as to why it is important to be signed up for the Borough e-mail alerts and on nixel.

Chief Thompson advised that this race will be held every year in September so that Ms. Tonini can be prepared to inform herself prior to the next race.

Ms. Tonini thought giving the residents a flyer announcing this race and the planned road closures would have been a better help to the residents.

Mr. John Tonini, 9 Central Avenue, Morris Plains, asked when the traffic problem on Central Avenue will be addressed.

Mayor Druetzler stated he has told Mr. Tonini that the problem will be addressed as soon as the State gives this property over; once the property where the road would go from Hanover Avenue gets to the County.

Mr. Tonini advised there is a risk of being hit while getting out of your vehicle on the Central Avenue. When there is an event going on on a roadway, there should be more police presence and more signs should be posted with the 25-mile speed limit.

Mayor Druetzler stated many complaints are received concerning traffic problems in the Borough. This pertains both to "collector" streets and to side streets. Many times these complaints are generated by other people living on the street complaining about neighbors' actions.

Mr. Tonini stated in years past the doctors from Greystone lived on Central Avenue; employees were told to use Hanover Avenue, not Central Avenue. It was not installed to be a collector roadway, but has become one.

Mayor Druetzler commented on the various signs in the area of Central Avenue/Stiles Avenue/Hanover Avenue indicating the direction to go in order to reach Greystone.

Mr. Tonini suggested that there always should be additional police in this area, especially when events are being held at the Greystone parks/fields.

Chief Thompson advised messages are received from the County regarding the various clubs using the fields as well as for man events.

Mr. Tonini stated last week there was a Junior Runners of Morris County event and there were "thousands of cars." There should be more police in the Central Avenue area when these kinds of major events are held. He asked that Central Avenue be made a safer street and also recommended possibly installing one or more crosswalks in the immediate area.

Chief Thompson provided information on what the police routinely try to do in these situations, such as run radar periodically, write drivers up for running stop signs, and

more. He also commented on other Borough roadways that significant complaints are received about. He said the issue of the amount of signage can be checked. He also wondered if the "pedestrian crossing" signs might help.

Mayor Druetzler stated it will take time to acquire the property currently owned by the State. There is also the possibility that the Freeholders will be reluctant to fund such a purchase. These new fields will continue to produce greater traffic flow. The pedestrian crossing signs placed in the middle of the street are often hit by motorists and destroyed.

Chief Thompson advised he and the police department will continue to consider possible solutions and keep the Borough Council informed.

Mr. Tonini asked if there is formal traffic planning done for Morris Plains. Is there a traffic master plan?

Cross discussion about the matters of formal traffic planning and a traffic master plan, including the Borough's major roads; that there is a road plan for the Borough that has been in existence for about 50 years; and that the Borough is the "cut-through" between Parsippany and Morristown.

Mayor Druetzler also commented on the fact that the Greystone property is actually located in Parsippany and the goal to keep this land as open space versus development of condominiums and townhouses. However, there will always be traffic – everywhere. Many actions have been tried to keep Greystone traffic on Hanover Avenue. It could take five or more years to bring a final resolution to these issues involving Greystone.

Mrs. Clorinda Landi, 94 Littleton Road, Morris Plains, expressed concern about a wall that was promised to be kept under 4' high, but has not been. She has kept in contact with Mr. Salerno, the Zoning Official, about this matter. If a court order to complete this project by June 30, 2013 had been enforced, she would not have to be at this meeting. In talking with Mr. Salerno this morning, she did not believe she was responded to correctly and does not understand why the Zoning Official will not enforce the zoning ordinances in this matter. The wall is now complete and is 5' to 6' high; however, it is not finished yet, and she wonders if it will ever be finished.

Mayor Druetzler responded that he knows this has been a frustrating experience all around. He does believe it is coming to an end.

Mrs. Landi wondered why this person is not being fined since there is a court order. She also mentioned a tree that was damaged and may have to be taken down.

Mayor Druetzler replied that progress is happening and if there was no progress, the person would be fined. He said he will have to visit the site himself to see the wall. He thanked her for keeping that corner fantastic on behalf of the community.

Mrs. Landi encouraged people to walk into the park and look at the bench.

Mayor Druetzler asked if there were any additional comments from the public. Hearing none, he closed this portion of the meeting to the public.

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

### **Finance**

Councilmember Karr advised there is a Best Practices document in each Councilmembers' packet; he explained that the Police Department servers that are needed any longer will be moved out. At the next meeting (first meeting in October) Motu will be give a presentation on new technology that is being looked at.

### **Public Safety**

Councilmember McCluskey stated she had no report.

Chief Thompson presented his report, including certain signage; a resolution; that Mike Kelly began working last Friday and has seen some activity; a car that was finally removed; and police department member activities.

Mayor Druetzler suggested discussion about the race. The Park Commission is not going to allow that race in September since the fields will operational and identifying additional parking for the race will be very difficult. The Park Commission has suggested that this race be held in July or August; October and November the fields will still be very busy.

Cross discussion, including that while this is not a crisis issue right now, planning will need to be done to re-schedule this race in 2014.

### **Public Works**

Councilmember Cecala commented on Superintendent Signorelli's report, specifically highlighting that Hanover Township requested tree trimming work be done on The American Road. The pumping station located on Johnson Road was damaged by lightning during a recent storm, but has been repaired. One of the Department of Public Works (DPW) employees will be attending a two-day seminar sponsored by the New Jersey Shade Tree Federation in October in Cherry Hill, New Jersey.

Councilmember Fu attended this seminar in 2012, and she provided information about her experience and some of what she learned.

He then provided an update on the deer cull. Seven deer were harvested, and he noted the locations, stating that all were does. He thanked those responsible for placing signage and helping him organize the program. Several residents have called asking that hunting be done in their backyards, but for the most part there is insufficient area to allow this. There must be 150' from their house, and it requires getting permission from certain neighbors. One of the deer cullers shot a deer and the deer ran to Peach in

Hanover Township where it lay wounded between two residential properties. After checking with the property owner about this situation, the hunter went to his vehicle to get his bow and arrow “to finish it off” and the deer jumped up and ran away.

Mr. Leon Hall, the Borough Engineer, reported there will be work done involving poles and lights that will require police assistance on traffic control. Haskell Paving completed the punch list the day after Labor Day. The architect for the Coty project is approaching a CO time frame sometime in mid October subject to providing a Maintenance Bond.

The Borough Attorney advised she has heard from their attorney and a surety bond format has been sent for a landscaping bond as well as the Cash Maintenance Agreement that needs to be completed if they are posting cash.

Mr. Hall provided some additional details in connection with Coty’s building and the work that is finishing up. Lennar had a lighting re-inspection recently, and he has released the last CO from his perspective. He is done with Lennar. Today he received a letter from the Department of Environmental Protection (DEP) in connection with a grant process and applying for funds to dredge water courses along the Passaic River Valley. He has followed up with the County in connection with the Borough’s project for Watnong/Thompson Pond since the letter implies that partnering with the County is more likely to result in success. The County has questions about their role in this process and will need to check with DEP further.

Councilmember Mangravite asked about a sewer main and what caused the blockage.

Mr. Hall referred to the item in tonight’s Consent Calendar and that once reviewed by the Borough Attorney this will be awarded to the lowest bidder. He said it was not a blockage, but rather relates to problems with manhole covers and buried manhole covers. There maybe other such sites in the Borough. DPW may be able to perform some work to try to identify the next site where this might become a problem.

Mayor Druetzler stated he thought it was a good idea to try to forecast where these problems might occur in the future.

### **Public Buildings & Grounds**

Councilmember Fu presented her report, including that the Recreation garage sale days are on October 5<sup>th</sup> and 6<sup>th</sup> 2013. She asked for volunteers to hand out the maps and greet the public especially since she will be away that weekend. The Soccer Opening Day went very well. She also reported on a walk through with representatives from Employment Horizons in connection with cleaning the municipal buildings; they are writing up a price quote.

Continuing, Councilmember Fu reported on the recent activities of the Shade Tree Commission and their recent tree planting survey for fall planting locations. Letters are being sent to the 40 or so property owners where the Commission would like trees planted to notify them of these plans. Quotes are also being solicited for the purchase

and planting of trees. She commented on a Sustain the Plains October 22<sup>nd</sup> 2013 meeting and there will be an information table at the Board of Health's Wellness Day Fair.

She thanked all those involved for the wonderfully done 9-11 Memorial ceremony.

Mayor Druetzler thanked Councilmember Fu for all her efforts in connection with the 9-11 Memorial ceremony. He also suggested that a poem be published in the next *Plains Talk*.

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

Councilmember Mangravite reported on the Teen Center's kick-off event that was attended by 165 participants. Municipal Alliance is planning for the drug-free schools week (October 28<sup>th</sup> through November 1<sup>st</sup> 2013) He believes representatives of this activity will attend the Council's October 3<sup>rd</sup> meeting for a proclamation. The Board of Health will host an open to the public flu clinic on October 2<sup>nd</sup> 2013. Wellness Day is on October 19<sup>th</sup> from 8:00 A.M. to 11:00 A.M. and will include a Health Fair with booths and exhibits. Some screenings will be held off site at a doctor's office or clinic; arrangements will need to be made with the Senior transportation coordinator to transport those having screenings who need it.

### **Ordinance & Public Utilities**

In Councilmember Coogan's absence, Mayor Druetzler reported that the Planning Board memorialized a Honeywell resolution and that the Board of Adjustment will memorialize the Harley Davidson resolution.

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

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

### **INTRODUCTION OF ORDINANCES**

None.

### **ORDINANCES ON SECOND READING**

None.

### **RESOLUTIONS**

Moved by Councilmember Fu

Thereupon, Councilmember Fu offered the following resolutions:

THAT Resolution No. 2013-109 entitled, "RESOLUTION OF THE BOROUGH OF MORRIS PLAINS, COUNTY OF MORRIS, STATE OF NEW JERSEY PROVIDING A RECAP OF A MEETING WITH PRIMARY SPONSOR SENATOR JOSEPH

PENNACHIO REGARDING AMENDMENTS TO SENATE BILLS 2511 AND 2512", be adopted as attached.

Seconded by Councilmember McCluskey. So ordered

Mayor Druetzler advised that all 13 municipalities within Senator's Pennachio's district were represented by their Clerks, elected officials and/or Administrators. He thanked Ms. June Uhrin for her attendance and her input.

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

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

The subject matter is Best Practices 2013/2014. Councilmember Karr provided commentary on this matter including recommendations. He referred to a document that he distributed.

Mayor Druetzler raised a question about No. 7 concerning elected officials being required to attend on an annual basis at least one instructional course. He believes that while councilmembers and he attend a variety of such meetings over a year, there is no requirement to do so. He suggested that the Borough Attorney prepare a resolution stating that all are required to attend at least one course in a year. There will be further discussion relating to No. 17.

The consensus of the councilmembers was that this is a good idea and the Borough Attorney will prepare a resolution.

Cross discussion, including that if enough people are interested, possibly one or more on-site programs could be offered and information on programs offered by the League of Municipalities throughout the year, not just at their annual meetings.

Mayor Druetzler suggested that if any councilmember has an idea for a specific subject to be addressed at the League of Municipalities annual meeting, to let him know and he will pass it along to Bill Dressel since he is often looking for new programs/new subject matters.

The Borough Attorney reminded that if too many officials attend an on-site meeting in connection with Borough business, it would then become a public meeting requiring formal notice.

### **VOUCHERS**

Councilmember Karr moved that vouchers in the amount of \$2,287,886.52 be approved for payment.

Seconded by Councilmember McCluskey.

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

**EXECUTIVE SESSION**

None.

Councilmember Karr moved to adjourn at 9:40 P.M.

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

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Frank J. Druetzler, Mayor

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June R. Uhrin, Borough Clerk