

Minutes of the Conference Meeting of the Borough Council held February 2, 2012, at 7:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Mayor Druetzler called the meeting to order and read the following notice:

I HEREBY ANNOUNCE AND STATE THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY VIRTUE OF A RESOLUTION SCHEDULING THE TIME, DATE, AND PLACE OF MEETINGS OF THE BOROUGH COUNCIL OF THE BOROUGH OF MORRIS PLAINS FOR THE YEAR 2012; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 5TH 2012, AND WAS PUBLISHED IN THE MORRIS NEWSBEE AND IN THE DAILY RECORD AND BY THE FORWARDING OF SUCH RESOLUTION TO ALL PERSONS ON THE REQUEST LIST; BY THE POSTING OF SUCH RESOLUTION ON THE BULLETIN BOARD IN THE BOROUGH HALL; ALL OF THE ABOVE ACTIONS BEING IN ACCORDANCE WITH N.J.S.A. 10:4-6, ET SEQ.

Present on Roll Call: Mayor Frank J. Druetzler
Council President Roman Zabihach
Councilmembers: George J. Coogan
Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Also Present: Gail Fraser, Esq., Borough Attorney

DISCUSSION ITEMS

Mayor Druetzler and Councilmembers discussed the Recycling Contract on the Consent Calendar.

Councilmember Zabihach discussed the East Hanover Avenue planning meeting. A report representing various proposals is forthcoming. The preferred proposal recommends a project from American Road to Speedwell Avenue. He and Engineer Hall will review the report and make a recommendation at the next Council Meeting on February 16, 2012.

Councilmember McCluskey stated that the Court Administrator will be on vacation for two consecutive weeks in May. She requested permission to find another Court Administrator to work three half days a week. Judge Carlucci will not be scheduling court in her absence. Councilmember McCluskey discussed this with the Public Safety Committee and it was agreed that a replacement will be necessary.

Mayor Druetzler discussed moving the School Election to the General Election in November. This decision can be made by either the Governing Body or the School Board. The Board of Education will be meeting on February 14, 2012 and they are looking for recommendations. A decision will need to be made by February 17, 2012. Mayor and Councilmembers discussed their thoughts and the consensus is to support moving the election to November, which Mayor Druetzler will share with the Board of Education.

Mayor Druetzler stated the Rotary Club requested permission to upgrade the sign in the middle of town located by the clock. Mayor and Councilmembers will review the plans when they are submitted.

Mayor Druetzler stated that a new Mexican restaurant, Panchero's, will have a soft opening on Monday, February 6, 2012. They are located on Route 10.

Councilmember Karr is organizing the 9-11 Legacy Committee and has a commitment from five groups. He will report more at the next meeting.

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2012-39 entitled, "Executive Session" be adopted.

Seconded by Councilmember McCluskey. So ordered.

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

Seconded by Councilmember Zabihach. So moved.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held on January 19, 2012, at 8:30 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Pledge of Allegiance and Prayer.

Mayor Druetzler called the meeting to order and read the following notice:

I HEREBY ANNOUNCE AND STATE THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY VIRTUE OF A RESOLUTION SCHEDULING THE TIME, DATE, AND PLACE OF MEETINGS OF THE BOROUGH COUNCIL OF THE BOROUGH OF MORRIS PLAINS FOR THE YEAR 2012; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 5TH 2012, AND WAS PUBLISHED IN THE MORRIS NEWSBEE AND IN THE DAILY RECORD AND BY THE FORWARDING OF SUCH RESOLUTION TO ALL PERSONS ON THE REQUEST LIST; BY THE POSTING OF SUCH RESOLUTION ON THE BULLETIN BOARD IN THE BOROUGH HALL; ALL OF THE ABOVE ACTIONS BEING IN ACCORDANCE WITH N.J.S.A. 10:4-6, ET SEQ.

Present on Roll Call: Mayor Frank J. Druetzler
Council President Roman Zabihach
Councilmembers: George J. Coogan
Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Also Present: Gail Fraser, Esq., Borough Attorney

APPROVAL OF MINUTES

Councilmember Zabihach moved:

BE IT RESOLVED that the minutes of the Executive, Conference & Regular Meeting of January 19, 2012 be approved.

Seconded by Councilmember McCluskey. So ordered.

APPROVAL OF CONSENT CALENDAR

Mayor Druetzler explained to Tyler Amspacher and his father, Brett, Davenport residents, that a Consent Calendar includes routine items that can be voted on together instead of individually.

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

None

BE IT FURTHER RESOLVED

THAT Resolution No. 2012-40 entitled, "MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION BOROUGH OF MORRIS PLAINS," be adopted as attached.

THAT Resolution No. 2012-41 entitled, "BOROUGH OF MORRIS PLAINS, MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM," be adopted as attached.

THAT the MHS Girls Softball Team be granted permission to solicit donations on Saturday, March 3rd 2012, in the Merchant Block, from 9:00 AM to 11:00 AM.

THAT the Mayor be and he hereby is authorized to execute the Division of Land Use Regulation Application Form (LURP-2) in reference to the NJDEP FHA Individual and FWGP1 Permit Application for the Sun Valley Way culvert replacement per the Borough Engineer's correspondence of January 26th 2012.

THAT the Memorial Day Parade Committee be granted permission to hold its 26th Annual Memorial Day Parade on Saturday, May 26th 2012.

THAT the Mayor and Clerk be and they are hereby authorized to execute a Labor Agreement between the Borough of Morris Plains and the International Brotherhood of Teamsters, Local 469, for the period January 1, 2012 through December 31, 2014.

THAT the resignation of Stephen Welsh, Web Master be accepted, effective January 1st 2012.

THAT the Mayor and Clerk be and they are hereby authorized to execute a contract for recycling E-scrap and scrap metals from DonJon Recycling, for the period 2012 through 2014 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.

Tyler Amspacher, from Boy Scout Troop 34 of Morristown, stated he was attending this evening's meeting to get his Communications Badge, which he needs in order to get his Eagle Scout Badge. He has already completed his Eagle Scout project, but this badge is necessary to become an Eagle Scout.

Hearing no one, Mayor Druetzler closed the public hearing.

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr stated that the Finance Office is working on closing out the 2011 budget. The 2012 Budget binders will be prepared by the next meeting. The Budget Meetings will be held on February 24 and 25, 2012 at 6:00 p.m.

Councilmember Karr referenced the Consent Calendar and stated that a three-year contract was signed with the Department of Public Works.

Public Safety

Councilmember McCluskey stated that the Traffic Committee met on January 19, 2012. They discussed a Traffic Study that was done on Washington Avenue and it was determined that speed tables were not warranted. Further discussion on sidewalks on Littleton Road, north of Lealand, were addressed by the Borough Engineer who stated that this project was not feasible as represented by the topography. The Committee addressed a request for a Stop Sign at the intersection of Forest Drive and Forest Avenue at Malapardis Road intersection, which they agreed to do. There is an Ordinance on the agenda to be introduced this evening. Councilmember McCluskey advised that Chairman Rotando met with the Department of Transportation, however, they still would not give a guarantee for a third eastbound lane on Route 10, but did agree the accident numbers showed that it is warranted. The DOT does intend to pave Route 10 from Candlewood Drive to Livingston beginning in June 2012. A Foxwood resident requested a right turn lane from Foxwood Drive to Route 53 South; Chairman Rotando will need to contact the State.

Lt. Tom D'Ambola reported on police department activities. He advised that the two new patrolmen are doing very well. Patrolman Tom Keane will have surgery tomorrow, February 3, 2012 and will be out for approximately five weeks. Patrolman Steve Rush was allowed to return to active duty. The software for the e-ticket program is being downloaded and it is moving along very well. Ticket detail was run on Wednesday and 28 summonses were issued within three hours. Lt. D'Ambola reported that he spoke with a representative from the Office of Emergency Management

requesting reimbursement of approximately \$66,000. for damages to the Borough during the October 2011 storm. Lt. D'Ambola reported that Tropical storm Irene calculations are still being prepared.

Public Works

Councilmember Coogan stated that the Department of Public Works report was distributed. While the weather has been bearable, they have done a lot of outside work such as yard clean-ups and paint columns at the Community Center. They have completed lighting improvements at the Annex, which will hopefully show a reduction on future electric bills.

Councilmember Coogan reported that one of the culverts on Sun Valley Way was repaired. The project was delayed due to a broken water pipe, but has been successfully completed.

Public Buildings & Grounds

Councilmember Fu stated that the Recreation Commission met last week and she distributed a schedule of events for the year. The next event will be Comedy Night on March 3, 2012. That evening the Recreation Commission will recognize the Volunteer of the Year, who will be nominated by the different volunteer groups in the community. The Easter Bunny Breakfast will be held on March 31, 2012

Councilmember Fu stated that the Kids Helping Kids Program will sponsor a Kids Are Special Talent Show on Thursday, February 9, 2012 at 6:30 p.m.

Councilmember Fu reported on Sustainable New Jersey and advised that the School's Green Team is comprised of 15 students ranging from fourth grade to eighth grade. They will be celebrating Energy Week next week and each day will have a different theme, i.e., using less lights, using less paper, a waste-free lunch day, etc.

Councilmember Fu reported that the School's Strategic Planning Committee is moving forward. They have established two other committees; State of the Community Committee and State of the School's Committee. They are presently working separately, however, they will collectively analyze the information both committees gather in April. She and Councilmember Mangravite, along with Tom Schnipp, are members of the State of the Community Committee. Councilmember Zabihach requested that Councilmember Fu share their findings with the Planning Board. Mayor Druetzler added that the Borough Planner, William Denzler, is preparing a report on the census shortly, which could be shared with Councilmember Fu's committee.

Councilmember Fu stated that the Memorial Day Parade Committee met this week and agreed to hold the Parade on May 26th to celebrate the 26th anniversary. Miss Teen New Jersey will be participating in the Parade.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite added to Councilmember Fu's report and stated that the School Board's Strategic Planning Committee, State of Community Committee will be preparing a survey that will be posted on the Borough's website and surveymonkey.com. It poses 13 questions and may include opinions about the schools.

Councilmember Mangravite stated that the Municipal Alliance will present a play entitled *School House Rock* on March 9, 2012 at Borough School. Tickets will be \$5.00 each and are available at www.mpmac.org; seniors and children are free.

Ordinance & Public Utilities

Councilmember Zabihach reported that the Whippany Watershed Association completed a stormwater management project at the Police and Fire Academy under budget. They requested that remaining funds be utilized for projects in the Borough. The monies need to be used for construction, not studies. We are awaiting DEP approval and will then proceed.

Councilmember Zabihach reported that the County held a meeting last Monday on the findings of the East Hanover Avenue study. Proposed alternatives were discussed relative to easing the expected increase in traffic as a result of the development in Hanover Township. He and Borough Engineer Hall will attend another meeting to be scheduled before the next Council Meeting and Councilmember Zabihach will provide an updated report.

PRESENTATION OF COMMUNICATION, PETITIONS, ETC.

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

ORDINANCES OF FIRST READING

Councilmember Zabihach introduced the following ordinance and read the same by title and moved that it be passed on first reading.

ORDINANCE 2-2012

CALENDAR YEAR 2012

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.. 40A:4-45.14)

Councilmember Karr seconded the motion.

Mayor Druetzler stated this Ordinance is introduced and adopted annually to prevent losing any CAP Bank.

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

Thereupon, Councilmember Zabihach offered the following resolution:

WHEREAS, the above ordinance was introduced and read by title at this meeting on February 2, 2012 and passed on first reading.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on February 16, 2012 at 8:30 P.M. prevailing time in the Municipal Building in the said Borough, this Council will further consider for second reading and final passage of said ordinance.

AND BE IT FURTHER RESOLVED that the Clerk of this Borough be and she is hereby directed to publish the proper notice therefore, including the ordinance, post the ordinance on the Bulletin Board in the Municipal Building and make copies available to members of the general public.

Councilmember Coogan seconded the resolution. All in favor.

Councilmember Zabihach introduced the following ordinance and read the same by title and moved that it be passed on first reading.

ORDINANCE NO. 3-2012

AN ORDINANCE PROVIDING FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF CHAPTER 22, "TRAFFIC AND PARKING," IN THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972," SECTION 22-6, "THROUGH STREETS," TO DESIGNATE MALAPARDIS ROAD AS A THROUGH STREET, AND SECTION 22-7, "STOP INTERSECTIONS," TO DESIGNATE FOREST DRIVE AT FOREST AVENUE AS A NEW STOP INTERSECTION.

Councilmember McCluskey seconded the motion.

Mayor Druetzler stated this Ordinance was recommended by the Traffic Committee as discussed earlier.

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

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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 the proper notice therefore, including the ordinance, post the ordinance on the Bulletin Board in the Municipal Building and make copies available to members of the general public.

Councilmember Coogan seconded the resolution. All in favor.

Councilmember Zabihach introduced the following ordinance and read the same by title and moved that it be passed on first reading.

ORDINANCE NO. 4-2012

AN ORDINANCE ESTABLISHING PAY GRADES AND FIXING SALARIES AND BENEFITS FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF MORRIS PLAINS

Councilmember Fu seconded the motion.

Mayor Druetzler stated this Ordinance is required in order to implement the Labor Agreement.

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

Nays: None

Absent: None

Abstain: None

Thereupon, Councilmember Zabihach offered the following resolution:

WHEREAS, the above ordinance was introduced and read by title at this meeting on February 2, 2012 and passed on first reading.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on February 16, 2012 at 8:30 P.M. prevailing time in the Municipal Building in the said Borough, this Council will further consider for second reading and final passage of said ordinance.

AND BE IT FURTHER RESOLVED that the Clerk of this Borough be and she is hereby directed to publish the proper notice therefore, including the ordinance, post the ordinance on the Bulletin Board in the Municipal Building and make copies available to members of the general public.

Councilmember Coogan seconded the resolution. All in favor.

ORDINANCES ON SECOND READING

None.

RESOLUTIONS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

VOUCHERS

None.

Councilmember Coogan moved to adjourn the meeting at 9:05 p.m.

Seconded by Councilmember McCluskey. So moved.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk