

Minutes of the Conference Meeting of the Borough Council held February 16, 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: Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

Also Present: Gail Fraser, Esq., Borough Attorney

Absent: Councilmember George J. Coogan

DISCUSSION ITEMS

Mayor Druetzler introduced Recreation Chairman, Sal Cortese, who prepared a presentation on making improvements to Simon's Park. Mr. Cortese recommended creating a multi-use field to accommodate the growing sports leagues. Referencing a map of the park, Mr. Cortese proposed surfacing a portion of the park with turf. He discussed other options and funding, and added the life of this project will be 20 to 25 years. Mr. Cortese requested permission to pursue making improvements to the park with funding from various sports groups and possible grant money. Mayor and Councilmembers discussed dimensions, drainage, basketball court, construction, maintenance and lighting, as well as the groups that would be allowed to use the field. Mayor and Councilmembers granted Mr. Cortese permission to pursue this project, to seek funding and to move forward.

Councilmember Karr advised that Sheryl McNichol will be working extra hours during tax periods.

Councilmember Karr stated that he and Councilmember Mangravite will be attending the Elected Officials Training Seminar sponsored by JIF on March 13, 2012.

Councilmember McCluskey stated that Criminal Justice majors at Montclair College are provided internships at our Police Department, which is a requirement to graduate.

Gail Fraser, Esq. stated that the perpetual conservation easement on the Cortese property is on the Consent Calendar as it is a Planning Board requirement.

EXECUTIVE SESSION

Moved by Councilmember McCluskey:

BE IT RESOLVED THAT Resolution No. 2012-42 entitled, "Executive Session" be adopted.

Seconded by Councilmember Zabihach. So ordered.

Councilmember McCluskey moved to adjourn the meeting at 8:29 p.m.

Seconded by Councilmember Mangravite. So moved.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk

Minutes of the Regular Meeting of the Borough Council held on February 16, 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 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: Laurie J. Fu
Jason C. Karr
Frank Mangravite
Suzanne B. McCluskey

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

Absent: Councilmember George J. Coogan

APPROVAL OF MINUTES

Councilmember Zabihach moved:

BE IT RESOLVED that the minutes of the Executive, Conference & Regular Meeting of February 2, 2012 be approved.

Seconded by Councilmember McCluskey. So ordered.

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

Fire Prevention, January 2012
Borough Clerk, January 2012
Animal Licensing, January 2012
Municipal Court, January 2012
Police Department, January 2012
Sanitarian, Quarterly

BE IT FURTHER RESOLVED

THAT Resolution No. 2012-43 entitled, "TRANSFER OF FUNDS," be adopted as attached.

THAT Resolution No. 2012-44 entitled, "REFUND OF OVERPAYMENT," be adopted as attached.

THAT Jill Stiesi, 85 Malapardis Road, be hired as a part-time employee at the Community Center at an hourly rate of \$14.00, effective February 21st 2012.

THAT Richard Hilton be hired for the Recreation program "Kids Helping Kids" Talent Show at \$20.00 per hour effective February 11th 2012; which mentor program is authorized through a Grant and Registration [The program is self funded].

THAT Ann Bono be hired for the Recreation program "Kids Helping Kids" Lego Builders Instructor at \$30.00 per hour effective February 21st 2012; which mentor program is authorized through a Grant and Registration [The program is self funded].

THAT Siobhan Cassidy be hired for the Recreation program "Kids Helping Kids" Social Skills Instructor at \$50.00 per hour effective February 27th 2012; which mentor program is authorized through a Grant and Registration [The program is self funded].

THAT Carly Siber be hired for the Recreation program "Kids Helping Kids" Substitute Instructor at \$50.00 per hour effective February 27th 2012; which mentor program is authorized through a Grant and Registration [the program is self funded].

THAT the MHS Girl's Volleyball team be granted permission to solicit donations on Saturday, June 2nd, Saturday, August 18th, and Saturday, September 29th 2012, in the Merchant Block, from 9:00 AM to 1:00 PM.

THAT the Borough Council authorize the release and return of the engineering inspection escrow fees for Block 11, Lots 1.01, 1.02, 1.03, 1.04 and 1.05, Application Nos. PB-6-05 and PB-6-06 in the amount of \$9,557.62 to Baker Properties, LP, in accordance with the Borough Engineer's correspondence dated February 13, 2012.

THAT the Council President and Clerk be and they are hereby authorized to execute the perpetual Conservation Easement on Block 185, Lot 7 from John and Maria Cortese in connection with a minor subdivision approved by the Morris Plains Planning Board in the form approved by the Planning Board and Borough Attorneys.

Seconded by Councilmember Karr.

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

Nays: None

Abstain: None

Absent: Councilmember Coogan

GREETING OF PUBLIC AND INVITATION FOR DISCUSSION

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

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr stated that the Finance Office prepared and distributed 2012 Budget binders for the Budget Meetings to be held on February 24 and 25, 2012.

Councilmember Karr stated that the Borough Clerk asked retirees to get back to her by February 20, 2012 relative to their dental insurance.

Public Safety

Councilmember McCluskey stated that Sergeant Koroski and Detective Rapp will be attending DARE training from February 28 through March 1, 2012 in Atlantic City. Chief Thompson has completed half of his core studies and he is hoping to come home for Presidents weekend. Chief Thompson advised that the Morris County Prosecutor's Office and the Morris Plains Police Department will offer another Operation Take Back Program some time in April or May 2012 at Wells Fargo. They are hoping to break their 90 pound record from last October 2011.

Lt. Tom D'Ambola reported on police department activities. Lt. D'Ambola reported that Morris Plains will be reimbursed approximately \$120,000. for damages incurred as a result of the 2011 storms. The two new police officers are doing well at the Academy. Officer Tom Keane will be able to return to light duty work on February 7, 2012. Lt. D'Ambola attended a JIF meeting last week and they would like to use the Morris Plains Police Department as an example on the accreditation process. Lt. D'Ambola discussed the internship offered to Montclair College seniors majoring in Criminal Justice.

Councilmember McCluskey stated that she was very impressed with Sergeant Michael Rolph's tour. She was present when he responded to a car crash and a car fire. He provided a wealth of information relative to procedures. She added that the job redefines multi-tasking.

Public Works

In Councilmember Coogan's absence, Councilmember Fu stated that the Department of Public Works' report was distributed. They were quite busy as a result of a flood in the basement of the Municipal Building.

Public Buildings & Grounds

Councilmember Fu stated that the Kids Helping Kids Program held a *Special Talent Show* on Thursday, February 9, 2012 at 6:30 p.m. at Borough School. Approximately 20 children and their mentors participated. It was funded by the Music for Acceptance concert performed last summer.

Councilmember Fu stated ticket sales for the Recreation Commission's Comedy Night on March 3, 2012 are going well. Pool booklets are being prepared and will be posted on the website. Registration is now open and postcard reminders will be sent out at the end of March 2012. The Commission has changed their February meeting to Wednesday, February 29, 2012.

Councilmember Fu reported that the School's Strategic Planning Committee has moved the weekend meeting from April 13-14 to May 4-5, 2012 due to conflicts with other events scheduled that weekend in April.

Mayor Druetzler added that Judge Carlucci will be holding a Mock Trial with students on Tuesday, February 28, 2012 in Council Chambers.

Mayor Druetzler stated that everyone is invited to the Ribbon Cutting at Sprint tomorrow, February 17, 2012 at 10:00 a.m.

Public Welfare, Sanitation & Sewers

Councilmember Mangravite stated that the Board of Health will hold their Wellness Day on October 20, 2012. Grease traps were discussed and Madison Board of Health was advised that a log should be kept.

Councilmember Mangravite stated that an estimate was received from the Department of Public Works to construct a six hundred square foot patio at the Teen Center.

Councilmember Mangravite received a quote for recycling from a recycling firm out of Newark, NJ; however, a contract was just signed with DonJon.

Councilmember Mangravite stated the State of the Communities for the School's Strategic Planning has drafted the survey, which appears acceptable.

Mayor Druetzler and Councilmembers entertained a lengthy discussion on grease trap inspections.

Ordinance & Public Utilities

Councilmember Zabihach advised that he will be attending the State's Strategic Plan to be held in Hanover Township on Tuesday, February 21, 2012. On February 27, 2012, the State will hold a presentation and public hearing at 6:00 p.m. at the Arboretum. Councilmember Zabihach provided a detailed history of previous plans.

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

None.

ORDINANCES ON SECOND READING

Councilmember Zabihach read by title the ordinance entitled:

ORDINANCE 1-2012

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE STORM WATER DRAINAGE SYSTEM ALONG SUN VALLEY WAY IN AND BY THE BOROUGH OF MORRIS PLAINS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

which ordinance was introduced and passed on first reading at a meeting held on January 19, 2012.

The Clerk read the following notice:

The bond ordinance, the summery terms of which are included was introduced and passed upon first reading at a meeting of the governing body of the Borough of Morris Plains, County of Morris,

New Jersey, on January 19, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building in said Borough on February 16, 2012 at 8:30 p.m. During the week prior to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office in the Municipal Building of the Borough for members of the general public who request the same.

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 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, Fu, Karr, Mangravite and McCluskey
Nays:	None
Abstain:	None
Absent:	Councilmember Coogan

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.

Engineer Hall stated that the culvert has been completed, but not without incident. A broken water main took a most of the day to clean up. R&R did a great job, it just took three extra days to finish. Mayor Druetzler agreed that the job was well done and added that R&R were complimented in a letter from one of the residents.

Engineer Hall stated that the contracts and plans for the 2012 improvements (Forest Drive, Park Road, sidewalk on Watnong, Littleton Road, Mountain Way and Dayton, improvements at Community Park) should be done within one or two weeks. We are still waiting to hear from the DOT for a grant for Watnong Drive. If this grant is received, the sidewalk project on Watnong will get pulled from improvements and put on the DOT to do list.

Engineer Hall stated that he and Lt. D'Ambola met with FEMA representatives and will prepare documentation for hard costs (construction) and soft costs (engineering, DEP permitting, emergency permit, stream encroachment permit, etc.). FEMA is considering reimbursing the Borough for work done on the culvert which was approximately \$80,000.

Councilmember Zabihach read by title the ordinance entitled:

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)

which ordinance was introduced and passed on first reading at a meeting held on February 2, 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 Plains on February 2, 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 February 16, 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, Fu, Karr, Mangravite and McCluskey
Nays: None
Abstain: None
Absent: Councilmember Coogan

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. 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.

which ordinance was introduced and passed on first reading at a meeting held on February 2, 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 Plains on February 2, 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 February 16, 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 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, Fu, Karr, Mangravite and McCluskey
Nays: None
Abstain: None
Absent: Councilmember Coogan

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. 4-2012
AN ORDINANCE ESTABLISHING PAY GRADES AND FIXING SALARIES AND BENEFITS FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF MORRIS PLAINS

which ordinance was introduced and passed on first reading at a meeting held on February 2, 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 Plains on February 2, 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 February 16, 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 McCluskey, Cecala, Fu, Karr & Zabihach
Nays: None
Abstain: None
Absent: Councilmember Coogan

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

Moved by Councilmember Fu:

BE IT RESOLVED THAT Resolution No. 2012-45 entitled, "Department of Public Works' Salaries" be adopted.

Seconded by Councilmember Zabihach.

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

VOUCHERS

Councilmember Karr moved:

BE IT RESOLVED that the following vouchers for Febuary 2012 be approved.

Frank J. Druetzler, Mayor

Seconded by Councilmember Zabihach.

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

Councilmember McCluskey moved to adjourn the meeting at 9:17 p.m.

Seconded by Councilmember Zabihach. So moved.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk