

Minutes of the Regular Meeting of the Borough Council held on February 18, 2010, at 8:37 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 2010; WHICH RESOLUTION WAS ADOPTED BY THE BOROUGH COUNCIL ON JANUARY 8TH 2010, 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 Jason C. Karr
Councilmembers: George J. Coogan
Laurie J. Fu
Suzanne B. McCluskey
Ray Zabihach

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

Absent: Councilmember Joseph Cecala, Jr.

APPROVAL OF CONSENT CALENDAR

Councilmember Karr 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, January 2010
Dogs & Cats, January 2010
Fire Prevention, January 2010
Tax Collector, January 2010
Police Department, January 2010

Building Inspector, January 2010

BE IT FURTHER RESOLVED

THAT Resolution No. 2010-40 entitled, "BOROUGH OF MORRIS PLAINS, MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM," be adopted as attached.

THAT Resolution No. 2010-41 entitled "MORRIS PLAINS FIRE ASSOCIATION, RAFFLE LICENSE NO. 219-10," be adopted as attached.

THAT having received quotes for Phase II of drainage improvements at Community Park Baseball Field #2 from the following:

Toby Barkman Excavating	\$14,856.00
D. Panetta Contracting, LLC	\$15,719.00
Harrington Construction Co., Inc.	\$19,965.60
Owl Contracting	\$21,800.00
R&R Construction Co., Inc.	\$26,390.00
Frank Semeraro Const. Co., Inc.	\$26,726.50

THAT a purchase order be issued to Toby Barkman Excavating, Califon, NJ in the amount of \$14,856.00.

Seconded by Councilmember McCluskey.

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

Nays: None

Absent: Councilmember Cecala

Abstain: None

APPROVAL OF MINUTES

Councilmember Karr moved:

BE IT RESOLVED that the minutes of the Executive, Conference & Regular Meetings of February 4th 2010 be approved.

Seconded by Councilmember Coogan. So ordered.

GREETINGS OF PUBLIC AND INVITATION FOR DISCUSSION

Mayor Druetzler opened the meeting to the public.

Ed Fletcher, Dogwood Road resident, stated he supports Governor Christie's plans. Mr. Fletcher stated that he did not support the Board of Education's budget cuts in 2009, but believes Governor Christie's changes will be better for the community.

Hearing no one else, Mayor Druetzler closed the public portion of the meeting.

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr reported that the proposed 2010 budget was distributed to the Governing Body. He added that the budget meeting will be held on February 26th 2010.

Public Safety

Due to Councilmember Cecala's absence, Mayor Druetzler provided the public safety report. Mayor Druetzler reported on the deer cull and advised that a total of 40 deer were taken to date this season.

Chief Thompson provided a report on the Police Department's activities.

Public Works

Councilmember Coogan stated that he asked the DPW Assistant Supervisor to remove one call phone from Watnong Park as it was not functioning.

Councilmember Coogan stated that one of the leaf vacuums is in desperate need of repair. Cost estimates for this repair are forthcoming, however, quotes may come close to the cost of a replacement.

Public Buildings & Grounds

Councilmember McCluskey passed out flyers for the Haiti Relief Project which will take place at the end of March 2010.

Councilmember McCluskey stated that the pool booklet is being worked on with hopes of having it mailed by early next month.

Public Welfare, Sanitation & Sewers

Councilmember Fu stated that the Board of Health meeting was cancelled on February 10th 2010 due to the snow storm. Councilmember Fu added that there was a wonderful article in yesterday's Daily Record attributed to Bob Heiser, who has served as President of the Board of Health for 32 years.

Councilmember Fu stated that the Teen Center will be offering a bowling event on Friday, February 26th 2010 as their last bowling event had to be cancelled due to inclement weather. They will be holding an ice skating event the following Friday, March 5th 2010.

Councilwoman Fu stated that the Municipal Alliance is working on new robotic and ceramic programs to be held after school at Borough School for third through eighth graders in March 2010. The Girls on the Run Program will be starting soon as well. These programs are designed to engage the students in positive activities.

Ordinance & Public Utilities

Councilmember Zabihach advised that the Board of Adjustment meeting scheduled for February 22nd 2010 has been canceled.

PRESENTATION OF COMMUNICATION, PETITIONS, ETC.

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

INTRODUCTION OF ORDINANCES

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

ORDINANCE NO. 2 - 2010

CALENDAR YEAR 2010

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.

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

Thereupon, Councilmember Zabihach offered the following resolution:

WHEREAS, the above ordinance was introduced and read by title at this meeting on February 18th 2010 and passed on first reading.

NOW, THEREFORE, BE IT RESOLVED at a meeting to be held on March 4th 2010 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

Councilmember Zabihach read by title the ordinance entitled:

ORDINANCE NO. 1 - 2010

AN ORDINANCE PROVIDING FOR THE AMENDMENT AND SUPPLEMENTATION OF SECTION 22-11 "PARKING PROHIBITED AT CERTAIN TIMES" IN CHAPTER 22, "TRAFFIC AND PARKING," OF THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972" TO ESTABLISH A NEW SECTION (C)PROHIBITING OVERNIGHT PARKING OF COMMERCIAL MOTOR VEHICLES, TRAILERS, SEMITRAILERS AND POLE TRAILERS.

which ordinance was introduced and passed on first reading at a meeting held on February 4th 2010.

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, in the

County of Morris and State of New Jersey held on February 4th 2010, 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 18th 2010 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 Karr, Coogan, Fu, McCluskey & Zabihach
Nays: None
Absent: Councilmember Cecala
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

Councilmember Coogan asked Engineer Hall if had a report and Engineer Hall provided his report and stated that construction is very slow this time of year due to weather conditions.

NEW BUSINESS

None.

VOUCHERS

Councilmember Karr moved:

BE IT RESOLVED that the following vouchers for February 2010 be approved.

Frank J. Druetzler, Mayor

Seconded by Councilmember Zabihach.

Yeas: Councilmembers Karr, Coogan, Fu, McCluskey and Zabihach

Nays: None

Absent: Councilmember Cecala

Abstain: None

Councilmember McCluskey moved to adjourn the meeting at 9:02 p.m.

Seconded by Councilmember Karr. So moved.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk