

Minutes of the Regular Meeting of the Borough Council held on May 20, 2010, 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 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: Joseph Cecala, Jr.
George J. Coogan
Laurie J. Fu
Suzanne B. McCluskey
Roman "Ray" Zabihach

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

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

Fire Prevention, April 2010

Tax Collector, April 2010
Municipal Court, April 2010
St. Hubert's Giralda, April 2010
Treasurer, April 2010
Building Inspector, April 2010
Tipping Fees, April 2010

BE IT FURTHER RESOLVED

THAT Resolution No. 2010-60 entitled, "INTERFAITH FOOD PANTRY, INC., RAFFLE LICENSE NO. 221-10," be adopted as attached.

THAT Resolution No. 2010-61 entitled, "ANNUAL REPORT OF AUDIT FOR THE YEAR 2009," be adopted as attached.

THAT having received quotes for Storm Sewer repairs at 22 Greenwood Road, Morris Plains, from the following:

W.J. Harrington & Sons, Inc	\$5,025.00
Salomone Bros., Inc	\$7,493.00

THAT a purchase order be issued to W.J. Harrington & Sons, Inc., Chester, NJ, in the amount of \$5,025.00.

THAT the letter of retirement from Louis Damiano, Police Officer, be accepted effective October 1st 2010.

THAT Michele Manfredi, be granted permission to serve alcoholic beverages at a Graduation party to be held Saturday, June 12th 2010, from 2:00 P.M. to 9:00 P.M. at Community Park.

THAT having received proposals for a 2010 Fireworks Exhibition for the contract price of \$20,800.00 through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 from

Garden State Fireworks
International Fireworks Mfg. Co.
Pyro Engineering, Inc. d/b/a Bay Fireworks
Pyrotechnico

and having evaluated said proposals on the basis of the most advantageous proposal, price and other factors considered, for a

fireworks display to be held June 26th 2010, with a rain date of June 27th 2010, at Community Park, the Borough hereby awards the contract to Pyro Engineering, Inc., d/b/a Bay Fireworks and authorizes the Mayor and Clerk to execute the necessary contract in the form approved by the Borough Attorney, which contract was awarded through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.

THAT the attached be hired for the 2010 Summer Recreation Enhancement programs at the position and salary stated, effective June 1st 2010.

THAT the Borough Council approve the membership application of Paul Cullen, 5 Kathleen Place, Morris Plains, NJ, as a member of the Morris Plains Junior Fire Auxiliary.

THAT Scott Thompson, Police Chief, be appointed an Alternate Commissioner to the Morris County JIF which term expires December 31, 2010.

Seconded by Councilmember Cecala.

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

APPROVAL OF MINUTES

Councilmember Karr moved:

BE IT RESOLVED that the minutes of the Conference & Regular Meeting of May 6th 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 Drive resident, commended the Department of Public Works for work performed, and commented on boards and committees. Mr. Fletcher also commended the Borough Engineer for staying on top of things and addressed other appointments. Mr. Fletcher discussed boat and trailer parking in residential areas. Mr. Fletcher referenced some of Governor Christie's undertakings.

Keith Neigel, Walsh Way resident, advised that he and his wife have lived in Morris Plains for over 30 years and have appreciated that the town has been governed well, offers great services, and believes the taxes are moderate. Mr. Neigel referenced some properties that have been neglected.

Roy Stewart, Sunrise Drive resident, agreed with Mr. Neigel's comments. Mr. Stewart referenced ordinances on property maintenance, storage of commercial vehicles and equipment, and outdoor storage. Mr. Stewart cited fencing and satellite dish requirements. Councilmember Zabihach stated that he will review Mr. Stewart's list of concerns and will address them accordingly.

Ed Fletcher, Dogwood Road resident, extended praise and appreciation to the Clerk's Office and the Finance Office.

Seeing 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 2010 Budget will be introduced this evening and extended thanks and appreciation for everyone's time, hard work and effort in the preparation of the budget.

Public Safety

Councilmember Cecala reminded that the auction will take place this Saturday, May 22nd 2010 at the Borough Garage on Borough Terrace at 10:00 a.m.

Chief Thompson advised that a radar patrol is scheduled for tomorrow, May 21st 2010.

Chief Thompson advised that Click It or Ticket begins Monday, May 24th 2010.

Chief Thompson reported on the E-ticket program is approximately three weeks away from final approval. The offer still stands for the six new licenses.

Chief Thompson advised that Patrolman Jeff Hochman will participate in an aggressive driving campaign, organized by the County Chiefs. The goal is to increase enforcement of aggressive drivers in an effort to make the roads safer. The two most dangerous roads in the county have been identified as part of Route 206 and part of Route 46.

Chief Thompson stated that the Morris Plains Police Department participated in a program with Atlantic Health to enhance safety measures.

Chief Thompson advised that there was recent concern expressed by a resident relative to the crosswalk in the center of town. After inspecting the area, it is not feasible to put a midblock crosswalk along the extension. Chief Thompson stated that the pedestrian warning signs will be used to alert drivers to pedestrians so they may cross safely.

Chief Thompson stated that bear sightings have been reported on the hill. Patrolmen Jeff Hochman and Tom Keane went to the Division of Fish and Games Bear Class and both are now certified to handle these situations. Consideration is being given to posting a video on the Police Department website for residents to understand how they can avoid bears coming onto their property. A message will be sent out over Nixle.

Chief Thompson added that a Nixle alert was sent out advising that the Recycling Center will be closed due to construction on the Route 53. The construction should be completed by the middle of next week.

Public Works

Councilmember Coogan stated that the Department of Public Works' report has been distributed and includes repairs made to facilities and parks as a result of the recent Morris County Joint Insurance Fund report. A few additional safety precautions are being addressed at this time.

Borough Engineer Leon Hall provided an update on recent contracts. The Teen Center sewer lateral project will begin the first week of June 2010. The Central

Avenue project will begin mid to late June. The Speedwell Avenue sidewalk and light project will begin in August.

Borough Engineer Hall advised that he has been working with Tilcon and New Jersey Natural Gas to coordinate the terms of the gas pipe project planned along Route 10 within the limits of the Route 53/Route 10 interchange.

Borough Engineer Hall advised that he has met with NJDEP Code Enforcement relative to our Annual Certification. Some of the requirements that have not yet been met include adoption of ordinances. The DEP is giving the Borough until September 2010 to consider adoption. Two of the outstanding ordinances address (1) containers/dumpster and (2) retrofitting of private storm drain inlets on private property. The other requirement is thorough recordkeeping of vehicles washed at DPW.

Councilmember Karr inquired about the driveway at the Teen Center being marked out and Borough Engineer Hall advised that stone will be removed and stockpiled at DPW for later use.

Councilmember Zabihach advised that Borough Engineer Hall provided him with copies of model ordinances which are being reviewed.

Mayor Druetzler advised that he met with a representative of New Jersey Natural Gas to review the plans for the pipeline project at the Route 10 corridor. Mayor Druetzler stated that the towns affected include Hanover Township, Parsippany, Denville and Morris Plains. Additional details on the project were provided, including the replacement of an 8" line with a 12" line and requirements for paving upon completion. Attorney Fraser has been in contact with the Director of Regulatory Affairs for New Jersey Natural Gas relative to legal notice and concrete fill requirements per Borough Engineer Hall. Mayor Druetzler further advised that there will be a public hearing on Thursday, May 27th 2010 in Parsippany.

Public Buildings & Grounds

Councilmember McCluskey advised that Recreation registration is going well and reminded Council that recreation program and pool fees will increase effective June 1st 2010. The pool will be open on the weekends of June 5th and June 12th, and will open for the season on June 19th 2010. Picture ID badges will be prepared on Saturday, May 22nd 2010.

Councilmember McCluskey stated that the Memorial Day Parade will be on Saturday, May 29th 2010.

Public Welfare, Sanitation & Sewers

Councilmember Fu stated that the Municipal Alliance has received \$2,500 from the County for supplemental funding. As a result of a recent audit, the State has increased reporting requirements for grant applications and funding, which will double the amount of work now. A middle school book club will be held in July; an adult book club is being planned. DARE graduation is Thursday, May 27th 2010 at 10:00 a.m. at Borough School.

Councilmember Fu advised that Robert Heiser, Board of Health President, advised that the State is planning to offer board members a certification program in the future.

Councilmember Fu advised that the Teen Center held its parent orientation meeting on Tuesday, May 18th at the Community Center. Step Up Night is scheduled for June 11th. A couch was recently donated to the Teen Center.

Councilmember Fu advised that the Recycling Center is closed for the second week in a row due to construction. Notice was sent through Nixle and was posted on the Borough's website. A sign will be posted in town.

Councilmember Fu attended a recycling tour held by the MUA and it included the Dover Consolidation Center for the collection of paper and card board, Mine Hill FCR for the separation of glass and cans, Mt. Olive Waste Transfer Station where household waste is deposited, Mt. Olive Vegetative Waste Recycling Center where mulch and compost can be purchased, and a store run by Habitat for Humanity for recycled building materials collected for people in need.

Councilmember Fu advised that one of the pumps on a sewer had to be rebuilt at the Johnson Road Pumping Station.

Ordinance & Public Utilities

Councilmember Zabihach advised that the Planning Board met on Monday, May 17th 2010 on two applications. A resolution was memorialized for Learning Resource Center's application to move to a new location. Advance Realty's application for Signature Place was reviewed by the Board. Councilmember

Zabihach provided information on their presentation at the May 6th 2010 Council Meeting; the Planning Board concurred with Council's recommendations. The creation of a new zoning designation was discussed.

Councilmember Zabihach was asked to attend the June 8th meeting of the Government Efficiency Movement ("GEM") and to participate on the Planning and Zoning Subcommittee. The Subcommittee will be reviewing the building and construction code process.

Councilmember Zabihach stated that the Board of Adjustment will be meeting Monday, May 24th 2010 and Raceway Petroleum is on the agenda relative to operating a convenience center at the facility.

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 NO. 4-2010

BOND ORDINANCE APPROPRIATING \$495,000, AND AUTHORIZING THE ISSUANCE OF \$470,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MORRIS PLAINS, IN THE COUNTY OF MORRIS, NEW JERSEY.

which ordinance was introduced and passed on first reading at a meeting held on May 6th 2010.

The Clerk read the following notice:

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Morris Plains, in the County of Morris, New Jersey, on May 6, 2010. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the Municipal Building in said Borough on May 20, 2010 at 8:30 o'clock P.M. During the week prior to and up 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 said Municipal Building for the members of the general public who shall 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. Mayor Druetzler explained that this ordinance represents our capital program this year, which is less than past years. It includes roads at Cornine Lane and Thompson Way, the center of town, purchase of a leaf machine, and drainage work and field work on recreation facilities.

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, Cecala, Coogan, Fu, McCluskey & Zabihach
Nays: None
Absent: None
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 Cecala advised that the Public Safety Committee met with the Traffic Committee on Monday, May 17th 2010 to discuss parking restrictions on the right side of Glenbrook Road down to Stiles Avenue. This would allow emergency vehicles access, which is now difficult when vehicles are parked on both sides of the road. Meetings were held with Dangler Funeral Home and they are amenable to help rectify the situation. Mayor, Council and Chief Thompson discussed options. Prior discussion included trying temporary signage so as not to inconvenience residents. It was the consensus of the Governing Body to further study parking on Glenbrook Road.

NEW BUSINESS

None.

2010 BUDGET INTRODUCTION

Councilmember Karr introduced the 2010 Municipal Budget.

Councilmember McCluskey seconded the motion.

Mayor Druetzler provided a brief summation of the budget, explaining the budget of \$12,305,000 is \$7,400 less than last year. There have been decreases in salaries of \$142,000.00, bond interest of \$21,000.00, garbage collection of \$58,000. There are increases in insurance of \$82,000.00, pension costs of \$71,000.00, and street lighting is up \$12,000. Even though there is a lower budget, there will be a tax increase due to loss of income. On a town averaged assessed home valued at \$400,000.00, there will be a \$132.00 increase in taxes. Less income for the Borough includes state aid at \$173,000.00, interest income at \$80,000.00, and hotel tax revenue of \$56,000. There are four less full time employees, no summer help at the Road Department, and a number of employees have had a reduction in their hours. There are no new initiatives and the Borough hopes to maintain our services.

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

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

VOUCHERS

Councilmember Karr moved:

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

Frank J. Druetzler, Mayor

Seconded by Councilmember Zabihach.

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

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2010-62 entitled, "Executive Session" be adopted.

Seconded by Councilmember McCluskey.

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

Moved by Councilmember Cecala:

BE IT RESOLVED THAT Resolution No. 2010-63 entitled, "Resolution Appointing Edward J. Dobbins to the Rank of Sergeant in the Morris Plains Police Department" be adopted.

Seconded by Councilmember Karr.

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

Moved by Councilmember Cecala:

BE IT RESOLVED THAT Resolution No. 2010-64 entitled, "Resolution Appointing Michael M. Koroski to the Rank of Sergeant in the Morris Plains Police Department" be adopted.

Seconded by Councilmember Zabihach.

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

Councilmember McCluskey moved to adjourn the meeting at 12:16 p.m.

Seconded by Councilmember Cecala. So moved.

Frank J. Druetzler, Mayor

June R. Uhrin, Borough Clerk