

TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
WORKSHOP MEETING

JANUARY 12, 2010

The Meeting was called to order at 7:31 p.m. by President Tom Andes. The Salute to the Flag was recited, followed by the reading of the Open Public Meetings Act Statement by Deputy Clerk Kathy Costello.

Mrs. Costello advised that Councilman Shaw will not be present this evening.

ROLL CALL: FITZPATRICK, GOLINSKI, KUSER, SMITH, STECKY, ANDES
ABSENT: SHAW

ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR GOBLE, UTILITIES SUPERVISOR KATHY WARD, DPW SUPERVISOR JOHN EGBERT AND WATER DEPT. FOREMAN GENE GARABRANT.

OPEN PUBLIC PORTION:

Mike Dzurney, 99 Woodstone Road, stated that there continues to be an issue at the end of Woodstone Road with the violation of Township ordinances. He said that, since the name of the lake is Hollstein Lake, there is an entitlement issue when the police come to enforce the Township ordinances. Mr. Dzurney displayed a photograph depicting snowmobiles and four-wheelers being operated on the surface of Hollstein Lake. He said that years ago, when the Township acquired the property, it was agreed that there would be no motor vehicles permitted on the property. Mr. Dzurney noted that, when the Hollstein children claim that they have special entitlement, the police just turn and walk away. He stated that the children say that they are not subject to the law because their father owns lake front property. Mr. Dzurney advised that he learned from the Marine Police at Lake Hopatcong that laws concerning the surface of any lake applies to everyone, including lake front property owners. He asked what can be done to remedy this situation.

President Andes replied that there was some activity there this past week-end and Mrs. Goble filled him in on it. He said that perhaps the Administrator can shed some light on that for Mr. Dzurney.

Mrs. Goble advised that the Police were out there and summonses were issued and no special consideration was given to the Hollstein family. Mr. Dzurney replied, that is this time; this has been going on for many years. Mrs. Goble noted that Mr. Dzurney has brought the issue to Administration's attention and it is not going to be ignored and is not being overlooked. She said that action was taken this week-end and the Township has made the commitment to try and do everything possible; signage has been erected, there is a greater police presence and summonses will continue to be issued if this continues. Mrs. Goble noted that all the police can do is issue the summonses and have them come to Court. Mr. Dzurney asked if there would be some consequences should these individuals be found guilty, or will they just get a "slap on the wrist". Mrs. Goble replied that the sentence would be up to the Judge and that we

certainly cannot influence the Judge's decision. She said that due process will be followed and no special consideration given. Mr. Dzurney thanked the Council for their time and said that he is satisfied with their response.
CLOSE PUBLIC PORTION.

President Andes introduced Josh Ordway and Fred Schweighardt to make a presentation of the Sensus automatic water meter reading system.

Mr. Ordway gave a power point presentation, a copy of which is attached to these minutes.

He gave the background of the company, the areas that are presently using the system and the size of the municipalities that are being serviced. Mr. Ordway explained the workings of the meters and towers and stressed the fact that Sensus is the primary license holder of a 901 MHz frequency. He spoke of the excellent customer service that the system brings by being able to read meters immediately if necessary.

Councilwoman Smith asked if the 901 MHz frequency would interfere in any way with anything that she has in her home. Mr. Ordway replied that it does not because nothing in a home operates on that frequency band.

Councilman Stecky noted that all the meters will be working on the same frequency and asked if each has its own identification. Mr. Ordway answered in the affirmative.

Mr. Stecky asked what the range is for the towers. Mr. Ordway replied that it varies, depending on the topography of the area. He said that the number of towers needed is determined by doing a propagation study. Mr. Schweighardt noted that the largest number of towers in any town in New Jersey is two. He said that Denville would probably need two towers, but that would have to be determined by the propagation study.

Mr. Ordway demonstrated one of the units and explained its installation process.

He said that there is a 20 year published warranty; the first 10 years has a full warranty and the second 10 years is pro-rated. Mr. Ordway explained that, when a new transmitter is received under the warranty, a new twenty-year warranty goes into effect. He stated that this is not a "dead-end" system; up-graded technology will be added in the future.

Mr. Ordway noted that this is a one-vendor system; if anything goes wrong it will require one phone call to obtain service. He said that HD Supply will provide immediate service. Mr. Ordway introduced Mr. Bill Roth, Local District Manager for Sensus and said that he would be involved in the process.

Mr. Ordway asked if the Council had any questions.

Councilman Stecky asked if there are any moving parts to detect flow.

Mr. Ordway explained the moving parts in the system and added that a new technology with no moving parts will be on the market soon.

Mr. Stecky asked about dirt flowing through and Mr. Ordway replied that there is a strainer at the inlet of the meter.

Councilman Golinski asked how long installation for a town the size of Denville would take.

Mr. Ordway replied that it depends on who is doing the installation. He said that in Long Island they used two college students on summer break and they installed 2200 units in 2 ½ to 3 months. Mr. Ordway added that he is sure the students were not working very hard at getting the job done.

Councilman Kuser asked where Sensus is located.

Mr. Ordway replied that the corporate offices are in Raleigh, N.C. and the main, manufacturing plant is in Uniontown, PA.

Mr. Kuser asked if HD Supply would be called if there are computer problems with the system. Mr. Ordway responded that HD Supply can handle that to a point and then Sensus would be called. Mr. Kuser asked if customers who are out in the far corners of town would have to have manual reading of the meter.

Mr. Ordway said that they would give 100% coverage. Mr. Schweighardt noted that repeaters can be utilized instead of installing an additional tower.

Councilman Kuser asked about the possibility of the gas and electric companies sharing the technology so that there would only be the need for one meter on a house. Mr. Ordway said that it is being done now and some utilities have all three services; electric, gas and water. He noted that the Flex-Net system can cover all three.

Councilman Kuser inquired about the monthly or yearly cost for the warranty on the servers.

Mr. Ordway replied that the warranty on the servers is just a Dell warranty, there is no warranty from Sensus on the servers. He said that there is an annual maintenance agreement at a cost of \$3,000 a year, per antenna and the first year is free.

Mr. Schweighardt added that there are currently two towns sharing one tower that reads the meters in both towns.

Councilman Kuser asked if the reading of the meters is 100% accurate. Mr. Ordway answered in the affirmative.

Mr. Kuser asked if Sensus has done a survey of Denville. Mr. Ordway said that they did but they would like to re-run it, at no charge, because the model that they use has been enhanced. Mr. Kuser asked how long it would take to re-run the survey. Mr. Ordway replied that they could do it within the next 2 to 3 weeks. Mr. Kuser asked if we could piggy-back data lines off the antenna that would be installed on our water tower.

Mr. Ordway said that could be done.

Water Dept. Foreman Gene Garabrant advised that we do not send water tower information over data lines. He said that they are radio readings.

Mr. Ordway advised that the situation could be handled with a Raven modem. Mr. Kuser asked if that would be expensive. Mr. Ordway noted that the installation cost is about \$700 and the monthly fee is about \$100. He said that a Verizon DSL line would be more economical and more reliable.

Councilman Fitzpatrick asked Administrator Goble if we would pay for the technology and do the installation in-house. Mrs. Goble replied that we would have to

go out for bid before anything could be done. She advised that funds have been earmarked for this over the past couple of years in the Capital Improvement Fund. Mrs. Goble said that, after getting some cost estimates, we would fund it through our Utility budget. She noted that we would do a bond ordinance and pay it off over the next couple of years.

Mr. Ordway explained the benefits of their frequency and how it would allow for future expansion.

Councilman Stecky asked Administrator Goble if we are contemplating doing this project because of the payback it will realize.

Mrs. Goble replied that we are doing it not only for the payback but for the accuracy it offers. She noted that all the figures involved with this project will be discussed at budget time. Mrs. Goble advised that the Utility Dept. has been looking at the ways that we may be able to utilize the technology that is available. She said that she will bring the whole cost-effectiveness and the whole program with the funding, to the Council at budget time.

President Andes asked if the Mayor or the professionals from the Utilities Dept. had any questions. The Mayor noted that, as Mrs. Goble stated, the issue will be discussed at the budget meetings.

President Andes thanked the gentlemen for their presentation and assured them that the program will be discussed in detail at the budget meetings.

Councilman Kuser asked President Andes if the Township can have Sensus do another survey, since there is no charge for it. President Andes replied that they absolutely can. Mrs. Goble interjected that they would almost have to in order to come up with a guesstimate of what the cost would be.

Councilman Stecky asked if we have done a mass balance by reconciling the total water that we put into the distribution system with the total amount of our billing to customers. Water Dept. Foreman Garabrant advised that the State allows a 15% loss. Mr. Stecky asked if we monitor that. Mrs. Goble replied that it is monitored and that Joe Lowell, as our licensed Water and Sewer Operator, would be able to provide that information. She said that Mr. Lowell does submit reports and he does have to report to DEP. Mrs. Goble advised that consumption/billing reports are done on a monthly basis. She noted that we can also get input from Mr. Lowell regarding this program since he is the one who introduced the Township to this type of technology.

President Andes advised the representatives of Sensus that they will hear from the Council after all of the information is compiled.

President Andes stated that the next topic for discussion is a proposed ordinance concerning the Green Sustainability Committee.

Mayor Husa gave a brief re-cap of what the Committee is about. He noted that in 2008 it came to the Township's attention that it would be good for the town to join "Sustainable N. J." Mr. Husa said that, in order to accomplish that, the Township must have a "Green Team"; the Mayor formed such a team by naming various members to

the team and running it as a Mayor's Advisory Committee. The Mayor noted that the committee operated in that manner for approximately a year, until he was advised by John Ciardi that "Sustainable N.J." required such a group to be a Standing Committee, regulated by ordinance, rather than a Mayor's advisory board, which is subject to the Mayor's discretion.

Mayor Husa advised that some of the professionals who were recommended as ex-officio members showed a reluctance to commit to the meeting schedule. He said that to circumvent the problem of not having the professionals at the meetings, they devised an alternate system similar to the Planning Board. The Mayor noted that the four ex-officio members who will be represented by alternates, when necessary, are Health, Facilities Management, Engineering and DPW; each of these members will have an alternate who will attend the meetings and report to the ex-officio member.

The Mayor then noted some changes to the ordinance and suggested that the Council jot them down on their copies:

- Pg. 1 a. Change: "Mayor appoints Council member" to "Council appoints Council member"
- Pg. 2 b. Add: "one additional member, who will be the liaison to the Environmental Commission.
- f. Remove "3"
- g. On 4th line after "any appointed" add "member".

Second line of membership table: Council member should be - "Appointed by Council" Under "Meetings", letter b.: Should read "At all meetings, a quorum shall consist of a majority of all **voting** members of the committee."

President Andes asked if the alternates to the ex-officio members will be citizens or employees. The Mayor replied that they will be citizen volunteers.

President Andes asked if any Council member had any questions or comments. No one responded.

President Andes asked for a consensus on going forward with the amended ordinance. The consensus was a unanimous approval.

President Andes noted that the next item for discussion is the proposed Gorch property ordinance.

Mayor Husa stated that this ordinance is on the agenda for the benefit of the new Council members. He explained that the Township is interested in this property, even though it is in the middle of the woods, because there was a very serious threat of development on this property. The Mayor gave a brief history of how the Township entered into, and successfully completed, negotiations with the Gorchs. He provided the Council members with a map of the subject property and indicated where each lot is located.

Mr. Husa noted that the negotiated price is \$65,000 and the assessed value is \$41,000, but when the equalized market value is taken into account, the value rises to

\$63,000. He advised that acquisition of this property will increase the size of the Muriel Hepner

Park. President Andes asked the Mayor what he is requesting from the Council this evening. Mayor Hussa replied that the ordinance is scheduled for introduction at the January 19th meeting and he was asked to bring the new members up to speed on it. Administrator Goble explained that the Township is paying 10% of the selling price and Morris County Open Space is funding the remaining \$58,500.

In response to a Council question, Mayor Hussa said that the land will remain as passive recreation, with the possible exception of a couple of parking spaces.

President Andes noted that the whole Muriel Hepner Park area is a puzzle of small lots, surrounding the original main park land. He said that, during the past ten years or so, the Township has been buying up individual parcels in order to expand the park area. The Mayor advised that one parcel is 1.2 acres and the other is 2.2 acres.

There was a brief discussion regarding Mary Ave. and the Hepner Park area.

President Andes noted that the next topic is a handicapped bridge ramp. He asked Mrs. Goble to speak to that subject.

Administrator Goble explained that our Construction Official, Walter Stefanacci, was approached by a resident who wants to build a handicapped ramp for an adult, handicapped child. She said that Mr. Stefanacci was okay with it because it met code but, because two exemptions are required and it is a hardship case, he wanted to bring it to the Council. Mrs. Goble noted that she did not receive a copy of the letter and map that was distributed to the Council. She said that it was understood by the home owner that, should anything happen to negate the need for the ramp, it will be removed.

Councilwoman Smith asked why this is not a Board of Adjustment issue, where they could put that condition into the resolution. Mrs. Goble replied that she does not know if Walter talked to Clerk Donna Costello about it and that she, herself, did not get a copy of the paperwork. Mrs. Smith noted that the Board of Adjustment hears hardship variances all the time. The Administrator said that she will check with Walter and bring all the information to the Council at next week's meeting.

Councilwoman Smith stated that she believes it is a legal question as to where it belongs. She said that if they are looking for a consensus from the Council to make a recommendation to the Board of Adjustment, that is not appropriate.

Mrs. Goble reiterated that she will check on it and bring the information to the meeting of January 19th.

President Andes interjected that, depending upon the hardship, Mr. Stefanacci may have been trying to save the homeowner the cost of going through the Board of Adjustment. He said that, after Mrs. Goble investigates the matter, we will act accordingly at the next meeting.

President Andes noted that there is a vacancy on the Board of Adjustment. He said that he will announce that again at the next meeting and, hopefully, there will be some

applications and interviews can be held in February.

President Andes advised that the annual Library Board Breakfast Meeting will be held on January 30, 2010 at 9:00 a.m. He said that, in the last few years, a budget meeting has been held after the Library Breakfast since everyone is already assembled for half the Saturday morning.

President Andes proposed the following dates for budget meetings that he and Mrs. Goble discussed earlier:

Saturday, 1-30-10	9:00 a.m. at the Library followed by a meeting at the Municipal Building (approx. 10:30 a.m.) - presentations by the Fire Chief and Police Chief.
Saturday, 2-6-10	9:00 a.m. at the Municipal Building - presentations by DPW, Engineering (road paving) and Recreation.
Saturday, 2-20-10	9:00 a.m. at the Municipal Building - discussion of Operating Budget

Tuesday, 2-23-10

Councilwoman Smith asked about the February workshop. Mr. Andes noted that the February 9th workshop will be dedicated to the Highlands and COAH.

Mrs. Smith commented that the Council has, on occasion, met early on a meeting night to consider budget matters before the regular meeting. Mrs. Goble replied that they are considering that in March, if needed, and she thinks it will be needed.

Mrs. Goble advised that she was told today that the State is going to delay the budget process by two months. She said that, previously by State statute, our budget had to be introduced by February; then they changed that to March. The Administrator noted that, historically, Denville's Council has always been very good at getting the budget introduced and adopted no later than April. She advised that the State held us up last year, even though we were ready, and we introduced in April and adopted in May. Mrs. Goble stated that Denville does not fall into the "self-certification" category this year, so we have to go through the State's certification of the budget. She noted that the State's delay could result in a May introduction with adoption in June. Mrs. Goble advised that everyone involved is fighting the State on the delay.

President Andes stated that, at this point, he would like to have those four dedicated budget meetings and see how we proceed from there.

MOTION TO ADJOURN: MOVED BY MEMBER SMITH, SECONDED BY MEMBER STECKY

AYES: SMITH, STECKY, FITZPATRICK, KUSER, GOLINSKI, ANDES

ABSENT: SHAW

MEETING ADJOURNED AT 8:45 P.M.

Respectfully submitted by:

Kathleen A. Costello, Deputy Township Clerk

