

TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

FEBRUARY 20, 2010

The Meeting was opened by President Andes at 9:00 a.m. The Salute to the Flag was recited, followed by the reading of the Open Public Meetings Act Statement by Deputy Township Clerk Kathy Costello. Mrs. Costello noted that this is a non-smoking facility and anyone wishing to smoke must leave the grounds. She requested that all cell phones be muted.

ROLL CALL: FITZPATRICK, GOLINSKI, KUSER, SHAW, SMITH, STECKY, ANDES
ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR GOBLE, ENGINEER ROSANIA, DPW SUPERVISOR EGBERT AND RECREATION DIRECTOR BOGARDUS.

OPEN PUBLIC PORTION:

Walter Siegel, 167 Hillcrest Dr., advised that he has lived on Hillcrest Dr. since 1978. He said that he is here to speak for the Bald Hill Assn. Mr. Siegel noted that there has not been any real repair work done to the road except for filling potholes and it is in dire need of re-paving in some areas. He said that the road does not need to be widened as there are several spots to pull over in order for a car coming up the hill to pass one that is coming down. Mr. Siegel described the area at the top of the hill where it flattens out and stated that this area is in need of repair. He also noted that a speed bump would be beneficial in that section because there are young families there and speeding is a problem. Mr. Siegel added that the road in some areas is unable to accommodate large trucks, such as oil delivery trucks. He said that some companies are threatening to refuse to come up the hill if the road is not repaired.

President Andes advised Mr. Siegel that there is a priority list of roads that are in need of paving. He said that this year the list is quite long. Mr. Andes noted that, later this morning, the Council will be discussing the narrow stretch that has been a problem for emergency vehicles. He asked Engineer Rosania to take a look at the rest of the road that Mr. Siegel has stated is in need of repair and the Council will put it on the list for next year.

President Andes thanked Mr. Siegel for his input and advised that the Engineer will look at the road to see what it needed for next year.

CLOSE PUBLIC PORTION.

President Andes advised that the first topic for discussion is Recreation. He asked Administrator Goble if she had any comments to begin the discussion.

Administrator Goble stated that Mr. Bogardus, Mr. Rosania and Mr. Egbert are here to discuss the full project at Veteran's Park, in addition to anything that the Council might want to talk to Mr. Bogardus about with regard to the Recreation program. Mrs. Goble advised that she, Nick, John and Don have worked very hard on putting this project together, but reminded everyone that the hand-out that the Council received is a guestimate. She said that, with a project of this magnitude, we will have to go out to

public bid but we need a guestimate in order to do a bond ordinance to get the project started. Mrs. Goble added that the project will be funded through Open Space fees that the Township collects. She said that the project will be phased, and that is what the three departments are here to discuss.

Mr. Bogardus advised the Council that, after having done prep work such as marking trees, they lost the window of opportunity to start in the fall due to objections from the DEP and Highlands Council. He called that Council's attention to the hand-out which was put together to assist the Council in answering questions from constituents. A copy of the hand-out is attached to these minutes.

Mr. Bogardus provided the Council with a schedule of field use, a copy of which is also attached to these minutes.

Mr. Bogardus explained that the need for additional fields is because of over-use of the fields by multiple sports. He said that, as a result, the fields don't get a chance to rest. Mr. Bogardus noted that the agreement with St. Clare's for their fields is great, but it is tenuous at best. He said that the Veteran's Park project will produce three all-purpose fields which could replace the St. Clare's fields, should that become necessary.

Engineer Rosania displayed a map showing the two 24-acre parcels that the township owns on Zeek Road. He pointed out the area that is targeted for additional fields. Mr. Rosania noted that the parcel involved is eight acres and that a soil erosion permit has been obtained. He pointed out the details of what they plan to do on this eight acres, including a parking lot and four fields.

Mr. Rosania explained that there is a drainage problem but the Township does not want to have to incur the expense of piping and an elaborate drainage system. He said that they told the soil erosion people that we would flatten the area out, thus reducing the water concentration and add a gravel parking lot which would access a big seepage chamber. Mr. Rosania advised that the second half of the wooded area would be used as the soil erosion control area while the first area is being established. He said that, once the main area is established, the second area can be cleared and soil erosion fence erected around it. Mr. Rosania advised that the figures on the hand-out were put together after speaking with contractors, excavators and tree removal experts who have previously done work for the township. He said that they have increased the figures slightly in case some of the estimates are too good to be true.

Mr. Rosania noted that he feels these are realistic numbers and that the project will take at least two years for construction and one year to re-seed. He said that the bulk of the money would probably be spent in the first two years.

Mrs. Goble asked Mr. Rosania to go over some of the things that can be done in-house. Mr. Rosania noted that we will manage that as best we can. He said that Mr. Egbert will talk about the re-seeding, grading and the running of a water main for sprinklers.

Mr. Egbert added that the DPW could assist with seeding, weeding and running the water line for a sprinkler system. He said that they would not be able to grade because they don't have the equipment. Mr. Egbert noted that, with a project like this, a sprinkler

system is the best way to go. He said that the difference can be seen in the quality of the grass between Gardner Field, where a water cannon is used, and Knuth Farm, which has a sprinkler system. Mr. Egbert advised that the Parks Department can help after opening day which would be a great saving over hiring a contractor. He said that phasing the project over three years, with the major portion being completed in two years, it will be a win-win situation.

President Andes asked how the water main would be brought in. Mr. Egbert displayed the route that would be taken on the map. He said it is a one-inch main. Mr. Andes asked if it would give the flexibility to have year-round water to the field house at a future time. It was noted that there is minimal water service with a one-inch main at this time, and it is shut off in winter or it would freeze.

Councilman Stecky asked if the water to the homes on Zeek Road is a four-inch main. Mr. Egbert advised that there is no water service, or sewer service, on Zeek Road. He said that there is only well water there.

Councilwoman Smith asked if the current field is on the cannon system and is there any way to incorporate it into the proposed sprinkler system. Mr. Rosania replied that the new system would run about \$100,000 and it would be about the same to add the other one. Mrs. Smith asked if there have been any comments from Parsippany. Mr. Rosania replied that there have been no comments from Parsippany. He explained that Parsippany has proposed project that would be close to the Denville border and, if that project comes to fruition, we would have to deal with any run-off from our property.

Councilman Golinski asked if we really need to put a sprinkler system there or can we let nature take its course.

Mr. Rosania replied that former DPW Director Lowell always emphasized the need for sprinklers. He said that with the amount of fields that we have around town, we can't have just one guy running around with a water cannon to keep them healthy.

Mr. Stecky stated that sprinkler systems need a lot of maintenance. Mr. Egbert replied that, unless it is a major repair, the Parks Dept. takes care of the maintenance of the existing sprinkler system.

there was a lengthy discussion concerning the pros and cons of a sprinkler system versus water cannons, and the manpower needed for each method of watering the fields. Administrator Goble explained that the funding would be through a bond ordinance and it would be paid off each year through Open Space. She noted that the Cook's Pond bond will be paid off in two year, at which time this one would be requiring a payment. Mrs. Smith asked if that would require the Township to maintain the 3 cent Open Space tax. Mrs. Goble replied that it would because so many costs are transferred over to Open Space and, once that it done, it is almost impossible to bring those costs back into the budget. Mrs. Smith asked if, by using Open Space funds for this project, will it constrain us for future Open Space projects. Mrs. Goble replied that she does not believe that would be the case because, sooner or later, there will be no more open space to go after.

Councilman Golinski said that he feels the irrigation system will pay for itself in a short

time but, his concern is whether or not we are managing our irrigation system effectively now up on Cooper Road so that we conserve as much water as possible. Mr. Egbert replied that it is turned on as needed.

Mr. Kuser said that he would like to see the baseball fields be contiguous and suggested that Mr. Bogardus ask the baseball leagues if they really need another field. Mr. Rosania pointed out the layout of the proposed fields on the map.

Mr. Kuser noted that, if we take out the baseball field, seeding and irrigation, it amounts to almost \$200,000. He said that he would like to have the Township investigate turf. Mr. Kuser stated that Mt. Olive did a cost study on maintaining their fields and found that installing turf would lower their costs. He said that he understands that it is a big expenditure. Mr. Bogardus replied that it is \$7.00 per square foot. He said that we are at the prep level where a decision would be made to either put down more top soil and re-seed, or put down a drainage surface, artificial turf and rubber fill. Mr. Kuser asked what the square footage is up there.

Mr. Rosania replied that the cost would be approximately \$900,000 for turf. Mrs. Goble added that it would cost \$300,000 per field.

There was an extended discussion regarding the benefits of turf as opposed to maintaining natural grass fields. It was noted that the life of a turf field is 7 to 10 years and only top needs to be replaced. It was also noted that the sports programs could start earlier and run longer, which allows for better field availability for all sports. Mr. Kuser commented that if two all-purpose turf fields were put in, that would be all that would be needed - even if we lost Pocono Road. The discussion included comments about keeping children busy with sports and starting with a couple of fields to get experience with maintaining turf fields.

President Andes noted that Veteran's Park is the only place that new construction can be done. He said that the other fields, for various reasons, prohibits permanent structures. Mr. Bogardus said that he will provide a cost comparison for the Council between artificial and natural turf fields.

Mr. Kuser raised the question of asking local tree specialists to volunteer to help with clearing. Mr. Bogardus replied that they have tried but the job is too big for Seneca Tree, which is the company we normally do business with.

Mr. Kuser asked about scaling back a little bit and remove fewer trees. He spoke very strongly in favor of turf fields and said that he really feels it is the way to go for the longevity of our town's fields. Mayor Hussa agreed with Mr. Kuser and stated that he went to the Recreation Committee and vigorously lobbied for one less field but they declined to cut back. Mr. Bogardus replied that they had talked about turf several times but, in light of the budget and articles in the newspapers about Denville's spending, they brought forth a responsible project. He said that if the Council wishes Recreation to go in that direction, they will be happy to do so.

Councilwoman Smith said that she likes the idea of not having to water it but she would like to see the cost analysis, with the manpower cost included. President Andes asked about the possibility of bubbles forming on a turf field as it settles. Mr. Rosania replied

that it could happen. He said that when you get into these hybrid fields, it is a completely different structure and requires different monitoring. Mr. Rosania told Mr. Andes that his concern about bubbling will have to be investigated. Mr. Bogardus provided some information as to how the fields can be damaged during the prep period and result in damage to the turf field. He also explained how one town that has turf fields rents it to various schools and organizations and creates a "nest egg" for replacing the fields at the end of their life-span. Mr. Bogardus stated that, if we went with turf fields, we would have to develop some kind of program to do the same thing.

Mr. Kuser spoke in favor of turf fields and listed the costs involved with grass fields. Mr. Andes said that he would be in favor of doing the four fields in one shot. Administrator Goble asked Mr. Bogardus if he thinks we might approach the schools and ask them to partner with us on a third field. Mr. Bogardus answered in the affirmative, adding that the schools have expressed an interest in turf fields.

Mr. Kuser asked how much money the sports programs donated. Mr. Bogardus replied that it was a total of \$9,000 to help pay for clearing the trees.

Mr. Kuser asked, since it is Open Space, would we be permitted to rent the fields. Mr. Bogardus replied that we would be allowed to do that and there would be an in-town and out-of-town rate. He advised that the fee for out-of-town groups can only be double whatever the in-town rate is.

Administrator Goble suggested that Recreation re-group, talk to the schools work out the costs and then come back to the Council.

President Andes asked that they come back on March 6th for the Council's Budget Workshop. Mrs. Goble noted that they will make some calls this week and she should be able to bring some costs to the Council at the February 23rd meeting.

President Andes brought up the subject of Cook's Pond. He said that he hopes it will be finished this year. Mr. Bogardus replied that is the intent.

Mr. Andes noted that it has been a work in progress for three years and it is time for it to be completed. He said that Boy Scouts will do the horseshoe pit and the bocce ball area. He added that we need to put a playground in there and to get rid of the guard rail in the parking lot. Administrator Goble noted that there are still some Cook's Pond funds available for those items.

Councilman Fitzpatrick asked that the environmental pros and cons be researched as well as the costs for turf versus grass fields. Councilman Kuser noted that, with artificial turf, there is no concern about fertilizer, but he expressed concern about the turf being plastic. Mr. Bogardus replied that the dye that would be a concern is no longer used in the manufacture of artificial turf.

DEPARTMENT OF PUBLIC WORKS:

Superintendent John Egbert distributed a copy of the Denville DPW Mission Statement to the Council. Mr. Egbert noted that it emphasizes the goal of the supervisors and employees of DPW. He said that it will be posted in the DPW office and also at the Recycling Center.

Mr. Egbert stated that his philosophy is that a good work ethic starts at the top and, hopefully will set an example for the other employees to follow.

Mr. Egbert noted that the newspaper stated that the DPW is down four men; he said that the correct information is that the Road Department is physically down four men. He commented that if the four men were from four different departments the impact would not be as severe. Mr. Egbert explained that two members of the Road Dept. left and two others were moved into Utilities when two of their people retired. He noted that his letter of February 6th included a breakdown of the manpower and the duties that they need to perform. (A copy of that memo, as well as the Mission Statement, is attached to these minutes.)

Mr. Egbert advised that what he is asking for is a truck driver and an apprentice for the Road Department.

Mrs. Goble stated that what to do for this department has been a dilemma for some time. She explained that we spend a lot of money for seasonal help and that these people really don't own their jobs. Mr. Goble said that our permanent people want to train someone to learn their trade. She commented that the seasonal people work for a short period of time and do not invest any real interest in the job.

The Administrator noted that she and Mr. Egbert sat down and tried to determine a more economical way to run this department.

Mrs. Goble explained that they looked at the salaries of the seasonal and summer employees and then took into consideration that the Township must then bear the cost of unemployment for these workers. She advised that last year the cost of unemployment for these individuals was \$14,400.

Administrator Goble noted that the solution they arrived at was to reduce the seasonal hires from six to four and reduce the summer hires from ten to eight. She said that this would allow for the hiring of a truck driver and an apprentice who could begin to learn the duties of the Road Dept.

Mrs. Goble provided a hand-out to the Council showing the details of her proposal. (A copy is attached to these minutes.) She noted that the mowing all around Town Hall will now be done in-house at a saving of \$15,000 on our mowing contract. Mrs. Goble said that realistically, with that saving, the first nine months would only cost us \$23,000 for two full-time employees on staff as opposed to what we now have. Mrs. Goble advised that three of Mr. Egbert's experienced people will be leaving within a year and we need to start training new people. She noted that she feels DPW does a great job and added that they have been able to keep up with the snow because they have been using other employees to plow. Mrs. Goble stated that we need to build our Road Department up or decide what services we do not want to provide to the Denville residents.

President Andes noted that several years ago Mr. Lowell came to the Council and proposed the apprentice program. He said that it was used as a feeder program into permanent positions. Mr. Andes asked if there would be any union issues with bringing in an apprentice and one less seasonal employee. Mrs. Goble said there would be no

problem with it. Mr. Andes asked if the Mayor supports the proposal since it is his budget, until the Council approves it.

The Mayor replied that he was skeptical at first and tried to beat it up. He said that, at this point, he would challenge the Council to find fault with the plan. Mayor Husa stated that he supports the proposal.

President Andes noted that the safety and liability factors must also be addressed. He said that there are catch basins that are collapsing because the work must be put off due to lack of manpower. He added that, on the south side of town, there are cones around catch basins that are sinking. Mr. Andes noted that, if we are aware of a dangerous condition and someone is hurt before it is repaired, we are liable.

Mr. Egbert advised that, when he was offered the position of Superintendent of DPW, his main concern was manpower. He said that he stressed the need for a truck driver with experience to the Mayor and Administration. Mr. Egbert commented that the individual who is hired will know that he will be building basins. Mr. Andes stated that Mr. Egbert is not talking about experience driving a truck, but experience working for another DPW.

Mr. Egbert replied that is correct; he said that the criteria would be experience with masonry, building basins and storm drains and things of that nature. He advised that, of all the seasonal employees that we have had, there are only two or three that he would even look at, but they don't have the credentials for the work we need now. Mr. Egbert noted that the Asst. Supervisor is rumored to be leaving in January and, if the Supervisor decides to leave some time this year, there will be a wealth of experience lost. He said that, if we don't start to train someone for this position, we will be in trouble in the Road Department. Mr. Egbert advised that, according to the Storm Water Act, we must keep up with the basins and, right now, we are behind.

Mr. Egbert stated that he tried to get proposal from contractors to repair the basins but, of the three that he contacted, two did not respond and the third said that he would send a proposal. Mr. Egbert said that was three weeks ago and he has received nothing. He advised that he received a verbal quote, over the phone, from another contractor on Thursday. Mr. Egbert noted that the quote was a range of \$1,500 to \$2,500 per basin, depending on the amount of work and the size of the basin, and that the Township would be required to supply the materials. He added that his proposal of a truck driver who could do this work and train an apprentice to do it, would be a good start on catching up on the basin repairs. Mrs. Goble interjected that the truck driver would start at a step, he wouldn't only drive a truck.

Councilman Golinski asked when the last hire was made in DPW. Mrs. Goble replied that it was in 2007 and the person has since left. She added that, since then, the Department has lost five people.

The Administrator stated that she is not saying that we don't need summer people, but that we need to re-build our permanent work force.

Councilman Kuser commented that he toured that town with Mr. Egbert and he suggested at that time that outside contractors be hired for taking care of the basins.

He noted Stearns Terrace in particular and said that it is collapsing into the ground. Mr. Kuser noted that, while on that tour, he told Mr. Egbert that we are not going to set him up to fail. He said that he doesn't believe in micro-managing and Mr. Egbert has taken over this job and if he says he needs the manpower, listen to him and give him what he needs to do the job.

The Mayor reiterated that he supports this proposed plan. Mr. Kuser added that it is a great plan. Administrator Goble advised that the plan was devised through a lot of collaboration.

Administrator Goble stated that, if approval is given by the Council today, she would like to start the process of advertising, interviewing, etc. and get it going.

Councilwoman Smith noted that, a number of years ago, in order to enable to allow DPW to work with a restricted number of people, we went the part-time route. She added that, in the meantime, we have had major attrition which was not taken into account over the years and she does support the hiring plan. Mrs. Smith commended Mr. Egbert, noting that he is working on a succession plan, for keeping the knowledge in the DPW by getting the people who have the skills and getting them trained to replace a key person who may leave.

Mr. Egbert thanked Mrs. Smith but replied that it isn't just him, it's the men and women who are doing the job over there. He said that he is trying to improve the perception that the public has of DPW workers to one that recognizes them as hard-working dedicated people. Mr. Egbert advised that he has the backing of the Administrator and the Mayor but he can't fulfill his Mission Statement without the tools to do the job.

The Administrator also commended Mr. Egbert, stating that she has met with the entire DPW department more in the last two months than she did in the last two years. She said that a great effort has been made to bring DPW to a new level.

Councilman Shaw commented that he had seen a Supervisor and Asst. Supervisor doing menial work and when he asked about it he was told that there are not enough people to keep up with all of the work. He said that he agrees with the plan and thinks the hiring freeze should be removed, at least from DPW. Mr. Shaw noted that all departments are short-staffed but the Township needs a full complement in DPW.

President Andes advised that the Council never imposed a hiring freeze, it was proposed by Administration. He said that the Council can allocate the money and if Administration wants to spend it they can do that. Mr. Andes stated that the beauty of the plan is that it is a constant turnover of manpower and, if there is a flaw in the plan, we will have an opportunity to assess it.

Councilman Stecky commented that he likes the Mission Statement and the effort to elevate the DPW image. He said that he was shocked to learn that there was no back-up for Joe Lowell when he retired. Mr. Stecky noted that this plan is a good one in that it plans for the future. He said he dislikes adding people but, as he understands this proposal, we are not adding but making an exchange.

Mayor Husa stated that the freeze was never meant to be a permanent thing.

President Andes advised Mr. Egbert that he has the support of the Council on the plan,

but everything hinges on the approval of the budget.

President Andes asked for a consensus on hiring a truck driver and an apprentice for DPW:

Golinski	Yes	Stecky	Yes	Shaw	Yes
Smith	Yes	Kuser	Yes	Fitzpatrick	Yes
Andes	Yes				

President Andes called for a short break at 10:35 a.m.
The meeting resumed at 10:46 a.m.

DPW - CAPITAL

Administrator Goble advised that DPW is not asking for much on the Capital budget. She noted that the Council has received a copy of the DPW Capital sheet and Operating Budget sheet, as well as the Water and Sewer sheets. Mrs. Goble stated that she and Mr. Egbert met and went over the Capital equipment plan from prior years and Mr. Egbert removed some things that were requested for future years because he felt they were not necessary.

Mrs. Goble said that there are three items being requested on the Streets and Roads budget: a dump truck, a used truck for sanding and new system for pre-treating of the roads.

Mr. Egbert explained that the goal of pre-treating roads before a snow storm is to cut back on the use of salt. He said that by pre-treating we would not have to go out and re-salt after the storm because the pre-treating puts down a base. Mr. Egbert noted that Randolph and Rockaway Borough are using it and Boonton is looking into it. He said that what he would like to do is buy a 8980 gal tank and put it on a used truck to spread the M-1000 pre-treatment liquid. Mrs. Goble interjected that the lines you see on Route 80 are the result of the pre-treatment. She said that she gave Mr. Egbert an article which indicated that the process will pay for itself within two years.

Councilwoman Smith asked about the cost of salt versus the pre-treatment.

Mr. Egbert replied that the Township uses M-1000, which is an environmentally safe product, at \$1.39 per gallon as opposed to \$65.00 per ton of salt. He said that he was told that 300 roadway miles can be covered with eight (8) gallons. Mrs. Smith noted that the positive is that it protects the roads, but the negative would be if the storm doesn't come after the roads have been treated. Mrs. Smith said that she thinks it is a great idea because it is the ice on the roads that causes the biggest problems. She asked how long it stays on the road if the storm doesn't come.

Mr. Egbert replied that he does not know, it all new to him. He said that, from speaking to other towns, they vary between 24 and 48 hours.

Mr. Kuser commented that the time frame could eliminate overtime hours and added that there is heavy maintenance required on salt spreaders, as well as a huge amount of storage needed for the salt. He asked how the M-1000 is stored. Mr. Egbert replied

that there are three large tanks next to the salt shed for storage of the material and it would be pumped into our trucks from those tanks. He emphasized that the salt would still be needed but this would help cut back on the use and cost of the salt.

Mr. Egbert noted that only one truck would be used and a decision would have to be made as to what roads would be treated. He said that the main roads would be treated first. Mr. Egbert noted that his goal is to eventually have four trucks to do this throughout the Township.

Mr. Egbert noted that the used trucks, cabin chassis, would be used to carry the tank for the pre-treatment and the other would replace a 1974 vehicle.

Mr. Shaw asked for clarification on the truck purchases.

Mrs. Goble explained that there is an acquisition of a 2-3 yd. dump truck w/plow to replace #266 at \$60,000. She said there is the replacement of the 1989 truck for \$65,000 and the \$22,000 for the ice pre-treat.

President Andes asked if the Mayor endorses these purchases.

The Mayor replied that Mr. Egbert is not asking for a lot. He said that he has not seen the 1989 vehicle so he will just have to trust Mr. Egbert's judgement and he does endorse the purchases. Mr. Egbert advised that he met with each department at DPW and asked for their input in order to be able to request only what is necessary. He said that they were surprised to be asked but Mr. Egbert said that he likes to utilize his team.

PARKS & PLAYGROUNDS

President Andes asked for information regarding the laser lawn mower for \$10,000.

Mr. Egbert replied that the DPW will be assuming responsibility for some of the mowing around Town Hall and also Firemen's Field. He said that they will need a new ride-on mower to replace the old one since there will be a much larger volume of work.

Mr. Kuser asked what the saving will be. Mrs. Goble replied that it will be \$15,000. Mr. Kuser asked if that was for Town Hall and Firemen's Field. Mr. Egbert noted that there are additional sites that will be done as well. Mrs. Goble said that the initial saving of \$15,000 can be put into buying the new equipment that they need. Mr. Kuser asked what the total contract was. Mrs. Goble said that it is \$32,000. Mr. Egbert noted that they will be taking over about 14 locations. Mr. Kuser asked if DPW has the equipment to get this mower to all of the locations. Mr. Egbert advised that a trailer is being purchased out of the operating budget.

Mr. Egbert noted that the Water and Sewer Departments backhoe was scheduled for replacement in 2011 or 2012, but it broke down last year. He said that he is asking to replace it and split the cost between the two departments. Mr. Egbert advised that, to repair it would cost about \$15,000 just for the parts - if the parts are available - and the trade-in is \$6,500. Mr. Egbert added that there was a water main break yesterday and they had to use the Road Department's backhoe. He said that what they want to purchase is a mini-excavator and he explained the benefits of that type of machine. Mr. Egbert advised that the cost would be split between Water and Sewer, \$65,000

charged to each utility, which would include the trailer to get the machine to the job site. Councilwoman Smith noted that both utilities are self-funding so she assumes that the funding is available. Mrs. Goble replied that it will be discussed later.

Mr. Egbert noted that, for the Water utility, he is asking to purchase a pick-up truck with utility body to replace the 1993 vehicle that is falling apart.

Mr. Egbert's next item was replacement of Scott Packs to be split between both utilities. He said that the packs that are used now have reached the end of their life expectancy, and re-furbished Scott packs would be compatible with the Fire Department cylinders if they needed to borrow them. He advised that new ones would cost about \$8,000 each. He said that this purchase would cover all thirty men who need to be fit-tested.

Mrs. Goble spoke about the refuse collection and said that if every account paid 100% of their bill at our current charges, we would collect \$1,398,800. She said that when she adds up all of the costs related to refuse collection, the total was \$1,610,000. Mrs. Goble advised that, since our revenue is short of our appropriations, she did some research and found that we have not raised our garbage rate for quite a few years. She noted that, at one point, we actually lowered the rate from \$90 to \$65 a quarter. Mrs. Goble advised that, during her meeting with our auditor, the issue of raising the garbage fees was discussed. She said that they were in agreement that the rates need to be increased and that we must act in an expeditious manner in order to show it in our 2010 budget. The Administrator proposed that the fees be increased \$15 per quarter, bringing it up to \$80 per quarter, \$320 per year, as opposed to \$240 per year. She said that, with that increase, we will be able to anticipate an additional \$200,000 in revenue from our garbage fees. Mrs. Goble stated that, without this increase, the shortage will have to be raised from general taxation.

Councilman Shaw suggested that a cover letter be sent to explain what Mrs. Goble has given as the reasons for the increase. Mrs. Goble replied that there will be plenty of publicity on it and there also has to be an ordinance and a public hearing.

Councilman Golinski suggested that an analysis be done to determine what could be saved by going to a one day a week collection. Mrs. Goble replied that we have a contract that does not end until next year and we need to come up with the \$200,000 in this year's budget. She said that they have checked other towns and we are well below what their garbage fees are. Mr. Golinski asked if there are any other cost-cutting options.

Mayor Husa interjected that there is a formula, that has been widely publicized and discussed, for reducing garbage costs. He said that if people will increase their recycling efforts the amount of garbage will be reduced. The Mayor stated that, in the letter that Mr. Shaw suggested, there will be a statement in bold letters - **"INCREASE RECYCLING - REDUCE GARBAGE FEES!"**.

Councilwoman Smith asked if the recycling has gone up or down. She was informed that it has gone down about 10%. Administrator Goble advised that the market went down and we only received \$11,000, whereas last year we received \$55,000.

Mrs. Smith asked for clarification of Mrs. Goble's statement that the \$200,000 could be made up in general taxation, since the garbage fees are not merged into the tax bill. Mrs. Goble explained that if the garbage fees were not shown as revenue in the budget, the taxes would automatically go up and people would be assessed on their tax bill. Mrs. Goble again noted that we must act quickly in order to have this in effect before the 2nd quarter bills go out. She said that she must be able to demonstrate to Trenton that we can collect enough to cover the appropriations.

There was a brief discussion regarding the restrictions on putting construction debris in the garbage and its enforcement. Increased advertising to stress the importance of recycling was also discussed. It was noted that the last increase in fees was ten to twelve years ago.

Mrs. Goble stated that, if the Council is in agreement, she would like to have an ordinance prepared for introduction to increase the garbage fees.

President Andes asked for a consensus from the Council and the consensus was unanimous in favor of such an ordinance.

President Andes asked if the reduction in recycling has been in curbside collection or at the recycling center. Mr. Egbert replied that it is probably both. He said that the center is less busy during the week than it used to be.

Mr. Andes said that he, personally, has never used the curbside service. He commented that he takes his recycling to the center and he commended the workers for the fine job they are doing. Mr. Andes noted that the workers come to car to help unload the recycling and it is very helpful, especially to the elderly residents.

President Andes thanked Mr. Egbert for his presentation.

Mrs. Goble asked Mr. Egbert to stay for the discussion on roads.

ROAD PAVING

Administrator Goble noted that she has provided the Council members, particularly for the benefit of the new members, with a sheet detailing the 2009 proposed road projects and the actual 2009 road paving figures.

Engineer Rosania commented that there have been several memos regarding paving that have been sent to Council. He said that everyone should have a map that shows the proposed streets to be paved this year. Mr. Rosania displayed color-coded diagrams depicting streets that have been paved and ones that are being proposed for paving. He said that the color coding is an aid to keeping track of how well the roads stand up to wear after being paved. Mr. Rosania gave the technical details of the paving materials used and the method used in putting down these materials. He spoke about how potholes occur and how they can be repaired. Mr. Rosania commented on drainage issues, milling and the need for keeping a uniform thickness in the paving. Mr. Rosania stated that we have used this formula in Denville for many years and it has worked very well.

Mr. Rosania addressed the street list. He said that it consists of carry-over streets that were taken off previous lists, sewer project streets to be funded out of the sewer utility

and, fortunately for Denville, there are DOT-funded streets. He said that this year we will receive funding for two streets - Cooper Road and Riverside Drive.

Mr. Rosania noted that, when doing a priority list for street-paving, there are very few streets to which he would give a "D" grade. He said that Manchester Drive is one of them and it probably should have been done last year.

Mr. Rosania advised that he has put together a paving list that reflects his opinion, and that of Mr. Egbert, as to which streets should be a priority for this year. He said that it is a long list but he feels it is manageable. Mr. Rosania noted that the cost of prep work must also be taken into account when finalizing the list. He said that it is up to the Council where to draw the line financially and that this is a wish list.

Mr. Egbert reminded the Council that, due to his Road Department being short-staffed last year, some things had to be delayed while the road prepping was done. He noted that the same issue exists this year.

President Andes asked Mrs. Goble how much is in the budget for road paving.

Mrs. Goble explained that she left the same funding mechanism in place as the last two years. She said that she allowed for \$346,000 of which \$17,300 represents a 5% down payment and we would authorize \$328,700 worth of debt. Mrs. Goble noted that we have worked at that level for the past few years and the Council can work up or down from that.

Mrs. Goble explained the funding that is detailed on the 2010 Capital Budget Requests sheet that she provided to the Council. She said that the Hillcrest repair is not included in the \$346,000, but we know we have to do that.

President Andes asked Mr. Rosania to explain what he plans to repair Hillcrest at a cost of \$20,000. Mr. Rosania replied that he had priced this out with contractors last year.

He said that the very narrow stretch has nothing on the sides of the road and the residents are quite nervous about that. Mr. Rosania explained that the plan is to fill in at the sides of about 100 ft. at either end of the 300 ft. stretch and place some rocks along the center stretch of about 100 ft. He said that this will give the impression of a little security for people traveling the road so that they don't feel they will drive over the edge of a cliff. Mr. Andes asked if a new top surface would be put down. Mr. Rosania replied that the top surface will remain the same, there will just be quarry processed stone in that area. There was a brief additional discussion regarding the Hillcrest repair.

President Andes asked Mr. Rosania to go down the list of roads and assign the grade that he gave them to each one.

Mr. Rosania noted that the first streets are the DOT-funded streets, which will be done no matter what; those streets are Riverside Drive and Cooper Road.

Mr. Rosania stated that the second priority would be the sewer project streets, which will be funded out of the sewer utility.

Mr. Andes commented that all of those streets are outside of the \$346,000 allocated for paving. Mrs. Goble said that is correct.

Mr. Rosania said that the third category covers streets that have been carried over from

prior years or are new to the list but are in a serious state of deterioration. He said that, using grade school grading, they would be in the D to C- category. Mr. Rosania identified those streets as follows:

- Manchester Drive
- Lackawanna Avenue
- Diamond Spring Road from #464 to the Boonton line
- Station Road
- Cedar Lake Road from Cedar Lake West to #39

The streets in the C- category are:

- 2nd Avenue
- Franklin Road from #349 to #351
- Entrance Way
- East Glen Road
- Cedar Lake Road from Morris Ave to Cedar Lake West
- Semrau Road
- Cramsey Pl.
- Clearmont Road

Streets graded C to C-, but basically still solid.

- Sunderland Road
- Black Birch Drive
- Elder Place
- Claude Avenue
- Manor Road
- Third Avenue
- Redwood Road

Mr. Rosania noted that he found West Glen Road to be in the D/C condition.

President Andes said that he will open the meeting to Council members comments.

Councilwoman Smith suggested that perhaps the most efficient way to do this would be to go through Mr. Rosania's list and have the Council vote on each street.

Mr. Andes said that he will go through the list and see if the Council comes up with the same grading.

President Andes asked Superintendent Egbert if he has any input on any of the roads.

Mr. Egbert replied that he spoke to Mr. Rosania on Thursday and told him that the Road Supervisor and his assistant went around to the various roads and had some issues on roads that they have needed frequent repair.

Mr. Egbert stated that there are four roads that the Road Supervisor feels need to be moved to the high priority list:

- Franklin Road
- Ford Road, up to where it becomes a sewer project road.
- Hibernia/Vanderhoof
- Smith Road from Robin Drive to Casterline Rd.

Mr. Rosania stated that, from a planning perspective, that's a big chunk of road. He

said that they would do the sewer part this year and, after doing water work at the bridge, they would do that and the industrial part next year.

The Mayor noted that a very robust patching of our side of the road was done.

President Andes said that we will put the rest of Ford Road on next year's list.

Mr. Rosania noted that there is a section of Smith Road on this year's list and he suggests that the remainder be put on for next year.

President Andes stated that he would like to start on Mr. Rosania's list at the "D" roads and work up to the "B's" and see where that takes us.

He asked for Council input on each road:

Manchester Road

Councilwoman Smith commented that she thinks only a portion needs to be done.

Mr. Rosania advised that the residents are very irate that it wasn't done last year and it consists of only a couple of hundred feet. He said that is a road that really needs it and it's such a short stretch that he does not think it should be done piecemeal. Mr. Egbert agreed, stating that, if we are going to do a road, do the whole road.

The Council agreed that Manchester should be paved.

Mayor Husa suggested that Cambridge is in need of paving between Copeland and Canterbury. He said that it is broken up at least as much as Manchester. The Mayor commented that maybe we can do half of Manchester and half of this section of Cambridge. Mr. Rosania replied that, as the Road Department manpower increases, they will be able to take care of these things before they deteriorate. He said that he would not favor chopping the job up; do the smaller streets in their entirety.

Mr. Andes suggested that Mr. Egbert check on it for repair and we will put it on next year's list.

Diamond Spring Road

Councilman Golinski asked if there were plans for sewer testing on Diamond Spring Road. Mr. Rosania replied that it will not be in the paving area.

Cedar Lake East - \$31,000

Councilman Stecky commented that he and Mrs. Smith had looked at that road and only the section from #39 to #25 needs paving and the rest could be patched.

Mrs. Smith said that we might as well do the whole section.

The Council all agreed this road should be done.

Station Road from Lackawanna to the end.

It was proposed that this road be deferred to next year. Councilman Kuser said that he thinks it is in bad shape. Councilman Fitzpatrick commented that the other section is fine, but this section is in bad shape. Mr. Rosania noted that, if you do one small section, the neighbors in the other sections will certainly complain that their section is

left undone.

There was a brief discussion regarding the railroad crossing at Lackawanna and Station Rd. and the uproar that was caused when there was talk of closing the crossing. The Council was assured that there are no plans to close that crossing.

Five members wished to defer Station Road and two members wanted to keep it on the list. President Andes said that a final decision will be made on Station Road after the rest of the list is discussed.

Lackawanna Avenue

The Council favored deferring Lackawanna Ave. Mr. Rosania made a case for paving the road this year since it is a heavily traveled road with a lot of truck traffic.

Councilwoman Smith commented that she thinks Lackawanna and Station should be done together and we should either defer both or do both. She voted to defer both.

President Andes stated that Mrs. Smith's comments make sense and we will hold both Lackawanna and Station and continue with the list.

President Andes noted that the "C" list is next.

Franklin Road from #349 to #351

The Council agreed that this road should be paved.

Entrance Way

All agreed to pave this road.

East Glen Road

Mrs. Smith recommended patching. Mr. Golinski said it should be done with Entrance Way. Mr. Stecky said it should be patched. Mr. Shaw voted to do it. Mr. Kuser voted to patch it. Mr. Fitzpatrick voted to patch it. Mr. Andes stated that East Glen will be deferred for the moment.

Cedar Lake Road from Morris to Cedar Lake West

It was decided to hold this one.

Semrau Road

Mrs. Smith noted that half of this road was done. Mr. Rosania explained that only a small portion, where the sewer tied in, but 90% of it is not done. He said that by "all", he means all that is left to do. Mr. Rosania noted that, although it is a dead end street, it is a high volume traffic street and is deteriorating. Mrs. Smith said that it is one of the worst streets and needs to be done. Everyone agreed it should be paved.

Cramsey Place

It was agreed that this street will be deferred.

Clearmont Avenue

Councilman Kuser noted that the curbs are bad and, at least one sewer is badly sunken. Mayor Husa advised that \$10,000 is put in the budget every year for curb repair and that street can be one that we don't wait for grant money to do. Clearmont was put on the list to be paved.

Second Avenue

Mrs. Smith said yes to Second Ave. Mayor Husa commented that he had asked Mr. Rosania and Mr. Egbert to look into the possibility of using some crack sealer in certain places. He said that it has been used on some of our roads. The Mayor noted that he is not proposing to replace re-paving with crack sealer but, on certain roads, it may arrest the deterioration. He said that he and Mrs. Goble would like to experiment with it on Second Avenue, as opposed to paving it.

Councilman Fitzpatrick commented that the downtown area is such a focus to him and there are many things that need to be done to that area. He said that is why Second Avenue is very important to pave. Mr. Fitzpatrick stated that Broadway could also use a re-paving but, hopefully, that will be an NJDOT-funded project next year. Mr. Fitzpatrick said that Second Avenue is a focal point of the downtown area and he feels it is very important to pave it. Mayor Husa replied that roads that have had the crack sealer used on them have the look of a well-maintained road. He said that the hope is to prolong the life of some roads by using it. Mr. Fitzpatrick responded that it is a good idea but he thinks it should be done on another road. President Andes asked for Mr. Rosania's opinion.

Mr. Rosania noted that it was tried before and Mr. Lowell stopped doing it for various reasons. He said that, first of all, it prolongs the program for having to pave the roads. Secondly, he noted, it gets on shoes, is slippery for bicycles and is not a structural fix to the roadway. Mr. Rosania advised that it is very high-maintenance since there are spider cracks everywhere and we would be paying someone 50 cents per foot to seal all those cracks. He said that another very real concern is that Tilcon, who does a good deal of our paving, no longer does the crack sealing because it bleeds through the top layer of subsequent paving and causes soft spots.

The Mayor said that he is only proposing it on a road that has just a couple of cracks, in order to arrest that deterioration. He noted that it has only been two or three years since we paved Second Ave.

Mrs. Smith stated that Second Avenue was last paved in 1988. It was agreed that Second Avenue should be paved.

Third Avenue

Mrs. Smith suggested that it only needs paving by the utility trenches. Mr. Golinski noted that we will be doing Second Avenue and perhaps we should do Third Avenue while are right there. Mr. Rosania agreed with Mr. Golinski.

Third Avenue was added to the paving list.

Mrs. Goble re-capped the roads that have been selected for paving to this point and noted that there is approximately \$40,000 left out of the allotted paving funds:

- Manchester
- Franklin from #349 to #351
- Diamond Spring Road from #464 to Boonton line
- Entrance Way
- Cedar Lake East
- Semrau Road
- Second Avenue
- Third Avenue

President Andes noted that the remaining roads are Manor Road, Claude Avenue and the carry-over roads, which he does not consider to be in very bad condition.

Mr. Golinski commented that he thinks Black Birch is in horrible condition. Mrs. Smith said that part of that road is in Randolph and she thinks we need to coordinate with them on it.

Mr. Golinski apologized saying that he mentioned the wrong street; he meant Redwood Rd. Mrs. Smith agreed that Redwood needs to be done as does Elder Place.

It was agreed that Black Birch, Sunderland, will be removed from the list. Mr. Andes asked about Claude Avenue and Manor Road and Mrs. Smith replied that Claude was a yes and Manor was deferred. Mr. Golinski asked if a patch could be done at the STOP sign at Rte. 53. Mr. Rosania replied that, when DPW is up to full strength, they will be able to go around and tackle this kind of problem. It was decided that Manor could also be deferred.

Mr. Andes noted that the Council is now down to having only about \$40,000 to spend. He said that the streets that are left are Claude, Lackawanna and Station.

Mrs. Goble advised that if the Council approves Lackawanna, they will have reached \$307,000 and they are done. Mr. Kuser and Mr. Shaw agreed that it is an artery and should be paved.

Mr. Kuser asked Mr. Egbert if, with the added manpower, they could take care of Elder and Redwood this year. Mr. Egbert replied that he would have to look at what is needed. He advised that the new manpower will be doing strictly basins. Mr. Andes interjected that, while Mr. Egbert is checking those roads, maybe he could patch the potholes on East Glen. Mr. Egbert advised that the only thing being done now is cold-patch and that is a temporary fix.

It was suggested that the Mayor and Engineer confer on choosing a small side street to test the crack sealer.

Mr. Andes noted that everyone is in agreement on Hillcrest and that there are a few other capital items to consider.

Mrs. Goble asked the Council to look at the capital sheet that she provided to them. The Administrator noted that the curb and sidewalk replacement program is on for \$10,000; the Cook's Pond Dam improvement, \$10,000. Mrs. Goble asked Mr.

Rosania if the Dam money could be reduced to \$5,000 this year. Mr. Rosania replied that it is possible and he will know next week.

Mrs. Goble said that the next item on the sheet is the Clark Street Parking Lot. Mr. Andes noted that it is a topic that the Council needs to discuss.

Councilwoman Smith stated that the amount of money required to put in a couple of parking spaces is unwarranted. She said that she is always hesitant to do anything when there is litigation going on, as there is in this case.

The Mayor replied that the recommendation from Attorney Buzak was that this will help our cause. Mrs. Smith said that she does not agree with that and to spend \$22,000 to put in two or three parking spaces is not warranted.

Councilman Shaw commented that he thinks any parking space close to the downtown area is worth its weight in gold. He said that he has tried to impress on the business owners that their employees should not park in front of their businesses.

Councilman Kuser asked if he understands correctly that if we build this lot we may lose the property forever. Mayor Husa noted that it is our property. Mr. Kuser asked how the plaintiff could take it from us if we put parking spaces there. Mrs. Smith replied that she is not an attorney but, what sometimes happens it that the Judge may say that this is the way this road has been treated for many years, as though it were private and not part of the town. The Mayor contended that Mrs. Smith is giving a legal opinion. Mrs. Smith retorted that she is just saying what she thinks could happen. The Mayor stated that 20 feet past the curb is not a right of way, it is Denville Township property and, at one time was a lot that was turned into a road. He gave a brief history of the intent of the overlay zone and the actions of the Planning Board; he also spoke in favor of putting a parking lot in that area.

President Andes agreed with Councilman Shaw that every space downtown is worth its weight in gold, but he does not see people parking in the spaces that are already on that street. Mr. Andes said that, before this budget process is completed, he would like to have a count of how many cars actually park there each day. He stated that spending \$23,000 to build a parking lot where people don't park now is imprudent.

Mr. Andes said that the Clark Street issue will be held in abeyance at this time.

Mrs. Goble advised that, although there are no known drainage problems, \$5,000 has been put in the budget in case a problem arises.

The Administrator noted that there is still \$5,000 in there for the Indian Lake wall from last year. Mr. Andes asked if an additional \$5,000 is being put in for Indian Lake and Mrs. Goble said that is correct and that is open for discussion. Mrs. Smith asked why we need more in there.

Mayor Husa commented that he is surprised that we are putting more than \$5,000 in; he said that we had committed \$5,000 to the Indian Lake Assn. for whatever they wanted to use it for.

Councilman Golinski noted that it is his understanding that the discussions varied from \$5,000 up to splitting an \$18,000 bill. He said that, although the retaining wall is on

private property, it holds up a heavily traveled Township road. He said that he thinks the right thing would be for the Township to partner with Indian Lake and come up with a fair solution to make the road safe.

The Mayor stated that Indian Lake is making an unsafe condition by not repairing their seawall with the \$5,000 the Township has offered to them. They have refused that offer and are creating the unsafe condition. Mr. Golinski urged that the Council put the additional \$5,000 in this budget and work with Indian Lake for a compromise solution. President Andes noted that delays are caused for emergency responders when that road is closed. He said that we must take care with how we go about this because, if we give funds to Indian Lake, every other lake community will be coming to the Township when they have an issue. Mr. Andes noted that he is not speaking against it because it needs to be resolved. He said, however, that we must be cautious that we don't open a Pandora's Box here. The Mayor stated that he is favor or resolving this issue, but the Township has put several proposals before them and they have not responded. There was additional discussion regarding the offers that were made, including seeking County assistance and spitting the \$18,000 cost that Indian Lake quoted. Mrs. Smith suggested that the additional \$5,000 not be put in this year, until we come up with an agreement. She said if we need to, we can always come up with \$4,000 to add to the \$5,000 already in there in order to split the \$18,000. The Mayor reiterated Mr. Andes's concern that, should we provide the funds to do the dam, the other lake communities will be right in line. Mr. Golinski stated that he thinks a fresh start should be made because the road is important to the entire Township. Mr. Kuser agreed and said that road problems in every lake community should be identified. He said that he thinks a retaining wall should be built to hold up the road.

Mr. Hussa replied that it is not our responsibility to build a wall since we only own the road. Mr. Kuser said that, liability aside, he thinks we should do whatever is necessary to help resolve the issue. Councilman Stecky noted that Mr. Golinski has volunteered to pull people together. He said that we should give them one more chance to respond. President Andes advised that it has been a long time since a member of the Indian Lake community has been on the Council. He said that at the next meeting the Council will discuss Clark Street parking, Indian Lake and turf fields.

President Andes asked for a motion to adjourn.

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

AYES: FITZPATRICK, SMITH, KUSER, SHAW, STECKY, GOLINSKI, PRESIDENT ANDES.

MEETING ADJOURNED AT 12:55 P.M.

Respectfully submitted by,

Kathleen A. Costello, Deputy Municipal Clerk

