

TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
RE-ORGANIZATION MEETING

JANUARY 4, 2011

The Meeting was called to order by Township Clerk Donna Costello at 7:33 p.m. The Salute to the Flag was recited, followed by an Invocation given by the Township Clerk. The Clerk explained that the term of the Council President ended on December 31st and that is why she is conducting the meeting thus far. Mrs. Costello then read the Open Public Meetings Act Statement. The Clerk requested that all cell phones be turned off or muted and advised that this is a non-smoking facility and those wishing to smoke must leave the grounds.

ROLL CALL: ANDES, FITZPATRICK, GOLINSKI, KUSER, SHAW, SMITH, STECKY
ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR WARD AND
TOWNSHIP ATTORNEY SEMRAU

Mrs. Costello noted that one of her duties at the Reorganization Meeting is introducing State, County and Local officials and there are a number of them present this evening. Clerk Costello noted the presence of the following dignitaries:
Assemblyman Bucco, Freeholder Cabana, Chamber of Commerce Scholarship Winner McKenna Schuster, Former Mayor Spencer

Township Clerk Costello advised that the next order of business is to call for the nomination and election of a Council President for the year 2011.

Councilman Fitzpatrick nominated Don Kuser for Council President.
Councilman Andes seconded the nomination.
Clerk Costello asked if there are any other nominations.
Councilman Stecky nominated Deborah Smith.
Councilman Shaw seconded the nomination.

Clerk Costello asked if there are any other nominations. No one responded and nominations were closed.

ROLL CALL FOR ELECTION OF DON KUSER AS COUNCIL PRESIDENT:
AYES: FITZPATRICK, ANDES, GOLINSKI, SMITH, KUSER
NAYS: STECKY, SHAW

Clerk Costello noted that Mr. Kuser, having garnered five (5) votes, has been elected to the seat of Council President and there is no need for a roll call on the second nomination.

President Kuser took the Council President's position on the dais.
President Kuser and outgoing President Andes each gave an address. A copy of each is attached to these minutes.

MAYOR'S APPOINTMENTS:

Mayor Husa noted the State code requiring him to give an annual report. A copy of the Mayor's report will be attached to the minutes.

The Mayor then addressed his appointments for 2011. He noted that there are a few amendments to his appointment list:

Pete Nienstadt has accepted a one-year term, as an alternate, on the Planning Board. Brian Mason, Mt. Lakes Prosecutor, may be an addition in the future.

Janice Baggott accepted a post on the Library Board - term to expire in 2015.

The Mayor advised that there are more openings on other boards, and there are two openings on the Local Assistance that may be filled in February or at the next meeting in January. He noted openings on several committees or boards and said that they will be filled in the future.

The Mayor went on to speak about various committees and some of the goals of each committee:

- Economic Development & Downtown Business Committee
- Beautification Committee
- Local Emergency Planning Committee
- Denville Community TV & Media
- Environmental Commission
- Library Board of Trustees
- Local Assistance Board
- Municipal Alliance Committee
- Planning Board
- Shade Tree Committee
- Recreation Committee

The Mayor made a presentation to Olivia Jennings, making her an honorary member of the Recreation Committee.

Mayor's Advisory Committees:

- Open Space, Recreation, Farmland & Historic Preservation Committee
- Public Health and Safety Committee
- Green Sustainability committee
- RACES
- Picatinny Environmental Board
- Recycling Coordinator
- Deer Management Advisory Board
- Bicycle Committee
- CERT Team

President Kuser noted that Attorney Semrau has requested that Mr. Kuser clear up an item regarding Pete Nienstadt. He said that Mr. Nienstadt is not an alternate but a Class 2 member of the Planning Board.

President Kuser announced that some more dignitaries have joined us. He introduced Senator Bucco and former Freeholder Director Feyl.

President Kuser asked for a motion to give advice and consent to the Mayor's appointments.

MOTION TO GIVE ADVICE AND CONSENT TO MAYOR'S APPOINTMENTS: MOVED BY MEMBER STECKY, SECONDED BY MEMBER SHAW

Councilwoman Smith asked the Mayor to explain the appointments that he has designated as "holdover".

The Mayor replied that the only two, of the volunteers, that are mentioned are on the Local Assistance Board. He said that one of them was acting as a holdover because his term was up last year. The Mayor noted that he has not had a chance to interview many people who would like to serve on the Board and will advise the Council when he wishes to replace the holdover positions.

Mrs. Smith asked about the Township Planner. The Mayor responded that is also a holdover position.

Attorney Semrau interjected that, with regard to the Local Assistance Board, the positions are designated as holdovers but are actually vacant positions.

Mr. Semrau asked, with respect to the Planner, if it is the intention of Administration that he continue to serve during the interim time or is the Mayor waiting to make a recommendation to the Council.

The Mayor replied that they have already made a recommendation and the Council would like to talk to the new person and he is waiting for that to happen, in order to make it official.

The Clerk commented that nothing has been received by the Council and Mrs. Smith added that it is news to her.

The Mayor said that there was some informal discussion regarding a possible replacement.

Attorney Semrau asked the Mayor if technically, for that position, there is a 30 day period so that there is a Planner in place during that time. The Mayor noted that the current Planner will continue to serve until a determination is made. Mr. Semrau asked if it will be discussed with the Council. The Mayor replied that the Council will be involved, as they were with the choosing of the Administrator.

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

President Kuser advised that the next order of business will be the administering of the Oath of Office to Township Attorney Semrau, Municipal Prosecutor Driscoll and Special Counsel Knapp.

Township Clerk Donna Costello called the above-mentioned gentlemen forward and administered the Oath of Office.

OPEN PUBLIC PORTION:

Howard Shaw, speaking as a private citizen, noted that he is a Trustee for Post #2519 of the VFW. He stated that, as required by law, the Post is applying for a grant, which will be submitted this Friday, for \$40,000 to pave the VFW parking lot. Mr. Shaw advised that it is a requirement of the Federal Government that a representative of the Post appear before the governing body and state their position as to why they feel this is a necessary improvement. He said that the post is asking for the Council's support during this process.

Councilwoman Smith asked Mr. Shaw if a resolution or a letter from the Council President would be helpful to accompany their application. Mr. Shaw said that it probably would be helpful. Mrs. Smith suggested to the Council President that he figure out what the best communication would be. She added that she would be happy to make a motion in support of their application, if support of the Council is needed.

MOTION TO SUPPORT THE VFW GRANT APPLICATION: MOVED BY MEMBER SMITH, SECONDED BY MEMBER ANDES
AYES: SMITH, ANDES, GOLINSKI, STECKY, FITZPATRICK, KUSER
ABSTAIN: SHAW
CLOSE PUBLIC PORTION.

President Kuser explained the nature of the Consent Agenda Resolutions and asked if anyone from the public or the Council wished to have anything removed from that agenda. No one responded.

CONSENT AGENDA:

- R-11-01 RESOLUTION AUTHORIZING TEMPORARY BUDGET FOR THE YEAR 2011
- R-11-02 RESOLUTION CONCERNING ANNUAL NOTICE
- R-11-03 RESOLUTION DESIGNATING MUNICIPAL COUNCIL MEETING DATES FOR THE YEAR 2011
- R-11-04 RESOLUTION DESIGNATING LEGAL DEPOSITORIES FOR PUBLIC MONIES FOR 2011 PER N.J.S.A. 40A:5-14
- R-11-05 RESOLUTION APPOINTING CUSTODIAN OF RECREATION PETTY CASH FUND FOR 2011
- R-11-06 RESOLUTION APPOINTING ASSESSMENT LIEN SEARCHERS FOR THE YEAR 2011
- R-11-07 RESOLUTION AUTHORIZING TAX ASSESSOR TO ENTER TAX APPEAL SETTLEMENTS ON BEHALF OF THE TOWNSHIP OF DENVILLE FOR THE YEAR 2011
- R-11-08 RESOLUTION ESTABLISHING INTEREST PENALTY CHARGES ON DELINQUENT TAXES FOR THE YEAR 2011 PER N.J.S.A. 54:4-67 AMENDED BY ASSEMBLY BILL #3170
- R-11-09 RESOLUTION APPOINTING LIAISON REPRESENTATIVE TO

R-11-10 VARIOUS COMMITTEES AND/OR BOARDS WITHIN THE TOWNSHIP
OF DENVILLE FOR THE YEAR 2011
RESOLUTION DESIGNATING PUBLIC AGENCY COMPLIANCE
OFFICER (P.A.C.O.) FOR THE TOWNSHIP OF DENVILLE FOR THE
YEAR 2011

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER SMITH,
SECONDED BY MEMBER FITZPATRICK
AYES: SMITH, FITZPATRICK, GOLINSKI, STECKY, SHAW, ANDES, KUSER

President Kuser announced that, due to the Holiday and poor weather conditions, the Citizen was unable to print Ordinance #33-10 in a timely manner. He said that, for that reason, Ordinance #33-10 will not be voted on for adoption tonight but will be on the January 18, 2011 agenda for adoption.

President Kuser then advised that the following procedural matter will take place at this time:

MUNICIPAL CLERK ADMINISTERS OATH OF OFFICE TO MEMBERS OF THE
PLANNING BOARD, BOARD OF ADJUSTMENT, STATUTORY AND STANDING
COMMITTEE APPOINTEES AND CALLS ALL MEMBERS FORWARD TO SIGN
TOWNSHIP OF DENVILLE OATH OF ALLEGIANCE AND CITIZEN LEADERSHIP
REQUEST FORM PURSUANT TO P.L. 2099, c. 141, (S-1426/A2784)

Township Clerk Costello administered the Oath of Office to all members present.

MOTION TO ADJOURN: MOVED BY MEMBER FITZPATRICK, SECONDED BY
MEMBER SMITH
AYES: FITZPATRICK, SMITH, GOLINSKI, STECKY, SHAW, ANDES, KUSER

MEETING ADJOURNED AT 8:30 P.M.

Respectfully submitted,

Kathleen A. Costello
Deputy Township Clerk