

TOWNSHIP OF DENVILLE  
MUNICIPAL COUNCIL  
REGULAR MEETING

SEPTEMBER 21, 2010

The Meeting was called to order at 7:30 p.m. by President Andes. The Salute to the Flag was recited, followed by an Invocation given by Councilman Golinski. The Open Public Meetings Act Statement was read by Township Clerk Donna Costello. Mrs. Costello then noted that this is a non-smoking facility and anyone who feels the need to smoke must leave the premises; she requested that all cell phones be muted or turned off.

ROLL CALL: FITZPATRICK, GOLINSKI, KUSER, SHAW, SMITH, STECKY, ANDES  
ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR WARD, TOWNSHIP ATTORNEY DI YANNI AND PLANNER DENZLER.

President Andes advised that the first order of business will be a presentation by Boy Scout Christian Bloomquist. He said that it is Scout Bloomquist's Eagle Scout Community Service Project and consists of a Gazebo/Bus Shelter to be located at Muriel Hepner Park.

Scout Christian Bloomquist, 40 Cambridge Avenue, gave a power point presentation, a copy of which is attached to these minutes. Following the presentation the Council expressed their concerns and asked questions.

Councilwoman Smith noted that one of her concerns with Site A is, as Scout Bloomquist mentioned in his presentation, that it is not closest to the crosswalk and provides low visibility from the main road. She said that her concern would be the safety issue if there is a single student there and the parent is late for pick-up and the site isn't visible from the road. Mrs. Smith stated that her preference would be closer to the crosswalk and closer to the road. She asked if he had thought of that. Scout Bloomquist replied that he had and that is why Site B is an alternative.

Councilman Shaw suggested that Scout Bloomquist let the public know where the funding is going, once he gets started with that phase of the project. He said that organizations like to know where and how their contributions are being used.

Councilman Golinski thanked Scout Bloomquist for proposing this project and said that it will be a great benefit to the Valley View School. He said that he is an Eagle Scout himself and can appreciate what he is facing regarding accomplishing this and is impressed by the work that has been done so far. Mr. Golinski noted that Mr. Bloomquist has listed Denville first on his list of possible funding sources; he recommended that he make Denville last on the list. He said that he thinks that Mr. Bloomquist should see how much he can achieve through his own fund-raising efforts, and then the Township may be able to help him get over the last hurdle. Mr. Golinski stated that, doing it that way, will give Mr. Bloomquist the opportunity and experience to understand budgeting and the financial aspects of raising money. Mr. Bloomquist replied that he will follow that path.

Councilman Kuser noted that the power point presentation indicates that cars can pull into the park at all three proposed locations. He said that it appears that any of the

sites would work as far as pick-up access is concerned. He congratulated Mr. Bloomquist and told him he has done a great job so far.

Councilman Fitzpatrick thanked Scout Bloomquist and said that it is amazing what Eagle Scouts do for our town. Mr. Fitzpatrick said that he agrees with Mr. Golinski that attempting to obtain private funding should be the first step.

President Andes asked the Mayor if he has been out to the site with Scout Bloomquist. Mayor Husa replied that he had been out there with Christian and his mother and examined all three sites. He added that Kenny Bloomquist is in attendance tonight and that he is the one who did the railing on the bridge. The Mayor noted that, although Troop 206 is not located in Denville, it has done a significant number of projects in Denville. Mayor Husa stated that he had advised Scout Bloomquist that he would have to meet with the Planner and come before the Council. He said that he thinks the site that is closer to the pick-up area might be better, but has no particular preference. The Mayor noted that Sites B & C might be closer to what he is trying to achieve.

Mr. Andes asked if there is any location closer to the cross walk. The Mayor explained that there is not. Mr. Andes asked if they had spoken with Wesley Sharples, the Crossing Guard at that location. Mayor Husa replied that they have not, but it is a good idea to get some input from him.

President Andes thanked Scout Bloomquist for his fine presentation. He said that his concern with Site A is that there are future plans to put a walking path around the pond and he would not like to see the gazebo be built right in the middle of that path. Mr. Andes asked that Mr. Bloomquist keep in mind that the gazebo should be twelve or more feet from the pond.

Councilwoman Smith noted that the location is ultimately the Mayor's decision, with the approval of the Township but, the Mayor and Administrator may want to check with the Police Department regarding her comments on safety and visibility. She said that her concern is, especially going into the time of year when the clocks are changed and it gets dark earlier, with the safety of the students.

The Mayor replied that he had recommended that Christian give a few options to the Council so that the best location could be chosen.

Councilman Stecky suggested that the Township Engineer take a look at the plan to be sure that there are no unforeseen glitches that might arise. He asked if there should be lighting included in the project.

The Mayor replied that was not a part of the original plan.

Mr. Stecky said that he knows it wasn't, but it might be considered as a safety issue and be on a timer or a photo-eye.

Councilman Kuser advised that children would only be using the gazebo during daylight hours. He said that, for any after-hours activity, the parents would pick up at the school. President Andes wished Mr. Bloomquist luck with his project and said that the Council will be happy to help in any way they can.

President Andes advised that, due to the presence of members of the Real Estate

community, the agenda will be altered slightly. Mr. Andes noted that he is moving the matters of interest to the Real Estate people to the front of the agenda. President Andes re-capped what has transpired so far and also advised what the plan is for this evening.

Mr. Andes noted that sign pollution became a big topic during the campaign for the last election. He said that all types of signs were on the list of complaints from gutter cleaning to campaign signs.

Mr. Andes stated that the Council held a workshop meeting on the subject, conferred with our professionals and came up with an ordinance which was introduced two weeks ago. He noted that, at that time, he questioned the lack of provisions for real estate Open House signs and, the following day, Councilman Golinski sent him wording that he obtained from a Realtor. Mr. Andes said that he asked the Planner to review the wording and, at last week's workshop meeting, the public commented on the ordinance. Mr. Andes noted that he stated at that meeting, that he planned to propose language to allow the signs. He advised that, after the Public Portion of the meeting when the Council was discussing the additional ordinance, a Realtor was invited to provide input on behalf of the Real Estate community.

President Andes noted that the following changes to the ordinance were proposed:

Eliminate the ten (10) foot requirement from the property line for signs in front of a home.

Allow four (4) Open House signs between the hours of 9:00 a.m. and 6:00 p.m. on the day that the Open House is held.

President Andes advised that the final reading of the ordinance for Adoption is scheduled for tonight as well as the Introduction of an ordinance that will allow the Open House signs. He said that he has asked that the effective dates of these ordinances be coordinated in order for them to take effect at the same time; the result will be that the signs will never be banned.

Mr. Andes stated that, in a few moments, the final hearing will be held and there will be a public hearing, at that time only, for questions regarding this ordinance.

Attorney DiYanni commented, for clarification purposes, that the ordinance that is on for final adoption regarding temporary signs will be amended tonight, as to Section 7 of that ordinance. He said that the section will read, "this ordinance shall take effect on November 16, 2010". Mr. DiYanni stated that it is a minor, not substantive, change and the Council may proceed. Mr. Andes noted that a poll of the Council last week resulted in a vote of 5 to 1 in favor of the changes.

#23-10 AMEND SIGN REGULATIONS

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND SECTION 19-5.909 "TEMPORARY SIGNS" OF CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY

BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:

MOTION TO READ BY TITLE: MOVED BY MEMBER KUSER, SECONDED BY

MEMBER STECKY

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

NAYS: SHAW

OPEN PUBLIC HEARING ON #23-10:

Doug Thompson, 17 Harvest Drive, Hillsborough, N.J. , advised that he is here to represent the Realtors that are present and is the Director of Government Affairs for the State Association of Realtors. He thanked the Council for working with the Realtors and recognizing the needs of their clients, who desperately need to sell their homes at this time. Mr. Thompson added that his Association and all Associations across the State are always pleased to work with local Councils and help in any way they can.

Gerald Idec, 1 East Longview Trail, asked if he is permitted to put any sign he cares to on his own property, such as a garage sale. He was told that he can.

Mr. Idec asked if the ordinance is for real estate signs on private property rather than public property.

Planner Denzler replied that the ordinance, as proposed, will address real estate signs for all properties. Mr. Andes asked Mr. Denzler to speak of the other types of signs as well.

Mr. Denzler stated that garage sales and signs of that type are permitted.

Mr. Idec asked if he could put up a political sign. Mr. Denzler noted that there is a section that deals with political signs and when they may be displayed. Mr. Andes added that there are restrictions, such as removing them within five days after the election.

Mr. Idec said that he can understand banning signs that pop up on highways and all over the town, but if someone is having work done at their home, he thinks that the contractor should be able to put his sign on the lawn. Mr. Denzler advised Mr. Idec that the ordinance allows for that until the work is done.

Mr. Idec asked how the ordinance will be enforced.

Mr. Denzler replied that it will be like any other zoning ordinance; a letter will be sent to the property owner to remove the signs and if the owner does not comply, a summons will be issued.

Mr. Idec said that he is referring to signs that are posted on poles and other public property and are never taken down

Mr. Denzler replied that if there is a phone number, they will be called and told to remove the signs. He said that if they are not removed, a fine will be levied at the Municipal Court level.

Stephen Toth, 11 Chestnut Hill Drive East, questioned the amendment of the ten-foot regulation.

Mr. Denzler replied that, originally, there was a ten-foot setback from the curb line required and that has been eliminated.

Mr. Toth noted that temporary signs painted on, or attached to a window are prohibited except for signs announcing the opening of a new business establishment. He said that he does not know of any business in Denville that does not have signs in its

window advertising various things such as school plays, Rotary events, etc. Mr. Toth added that it seems to be a pretty serious restriction.

Mr. Denzler cited supermarkets that fill their entire front window with advertising and stated that would now be prohibited.

Mr. Toth replied that he understands the intent of the ordinance and is in favor of most of it, but feels that section is excessive.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:  
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CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP  
OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY  
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE  
PUBLISHED IN THE 9-29-10 ISSUE OF THE CITIZEN.

MOTION TO ADOPT: MOVED BY MEMBER KUSER, SECONDED BY MEMBER  
FITZPATRICK

DISCUSSION: Councilman Fitzpatrick noted that the amended ordinance will allow for four signs for an Open House. He said that he drove around in the Lake communities and his concern is that the four signs are not enough. Mr. Fitzpatrick stated that, before we pass the amended ordinance, he thinks the Council needs to consider raising the number of signs allowed in the small lake areas.

Mr. Golinski replied that he lives in Indian Lake and he feels that most people can find their way in with just four signs. He added that the language was endorsed by the Realtors Association and he thinks that four signs works.

Councilman Fitzpatrick said that he thinks they need five signs.

Councilwoman Smith commented that, at the last meeting, the Council voted for four signs, with the exception of Mr. Shaw who wanted three. She said that if the Council now approves five then every area will have five signs. Mrs. Smith suggested that this ordinance be passed and, if re-working it is necessary, they may consider a maximum number per street. She said that, right now, she is only comfortable with working with four signs. Mrs. Smith asked Mr. Denzler for clarification regarding no signs in business establishment windows. She asked if they would only be allowed to post signs for non-profit organizations or for a brand-new business. Mr. Denzler replied that they would need a temporary sign permit and the sign would not be in the window based on this new ordinance. Mrs. Smith asked where they would be. Mr. Denzler said that they advertise through newspapers or, in some instances, with balloons.

Councilwoman Smith commented that she is concerned about the downtown businesses who will not be able to advertise specials. She noted particularly supermarkets, hairdressers and clothing stores. Mrs. Smith added that a permit fee would add another burden to our, already struggling, businesses.

Councilman Kuser asked Attorney DiYanni if Section D could be removed. Mr. DiYanni replied that it would be a substantive change and could not be just removed.

Mr. Andes asked if it can be put in the ordinance that is being introduced.

Mr. DiYanni responded that it could be, by amending the ordinance before it is

introduced. Mr. Andes said that we will do it at that point.

Councilman Shaw noted that there could be three Open Houses on one street. He suggested that the names be put on the signs.

Mr. Fitzpatrick encouraged the public to communicate with the Council if they see things in the ordinance that they think need to be changed.

Councilman Stecky asked Mr. Andes where the wording stands now with regard to signs in windows. He said that he had questioned that section as well. Mr. Stecky noted that he feels that signs in the windows should be allowed when it is appropriate. He said that we need to define that and asked if we should pass it tonight or take it back to be re-worked.

Attorney DiYanni advised that the suggestion is to pass the ordinance as is and, when the amended ordinance is introduced, repeal Sub-section D in its entirety.

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

NAY: SHAW

**ORDINANCE(S) FOR INTRODUCTION:**

**#27-10 AMENDMENT TO TEMPORARY SIGN REGULATIONS**

For the record, Attorney DiYanni, although the ordinance is being read by title only, the ordinance now will include a provision that Section 19-5.909e1d will be removed, if the ordinance is adopted.

**BE IT RESOLVED THAT AN ORDINANCE ENTITLED:**

**AN ORDINANCE TO AMEND SECTION 19-5.909 "TEMPORARY SIGNS" OF CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE INTRODUCED AND READ BY TITLE ON FIRST READING:**

**MOTION TO INTRODUCE: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER KUSER**

**DISCUSSION: No one wished to be heard.**

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

**BE IT RESOLVED THAT AN ORDINANCE ENTITLED:**

**AN ORDINANCE TO AMEND SECTION 19-5.909 "TEMPORARY SIGNS" OF CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE PASSED ON FIRST READING**

**AND BE IT FURTHER RESOLVED THAT SAID ORDINANCE SHALL BE CONSIDERED FOR FINAL PASSAGE AT THE MEETING OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE ON 10-19-10 AT 7:30 P.M. IN THE EVENING PREVAILING TIME, AT THE MUNICIPAL BUILDING IN SAID TOWNSHIP OF DENVILLE AT WHICH TIME AND PLACE ALL PERSONS INTERESTED SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING SAID ORDINANCE. BE IT FURTHER RESOLVED THAT THE MUNICIPAL CLERK BE AUTHORIZED AND**

DIRECTED TO ADVERTISE THIS ORDINANCE IN THE CITIZEN ACCORDING TO LAW.

MOTION TO PASS ON FIRST READING: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER KUSER

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

President Andes then addressed Ordinance #22-10, Property Maintenance Regulations. He noted that this subject also came up during the last campaign with many resident complaints about abandoned houses and houses that are dilapidated and boarded up. Mr. Andes advised that the topic was discussed at a workshop in the Spring with our Township professionals taking part in the discussion. He said that the professionals described the "tools" that they would need to address this issue.

President Andes noted that it was never the intent to micro-manage the properties. He said that the Council was trying to arrive at an ordinance that was worded in such a way as to address abandoned and vacant homes that affect the property values of the neighborhood.

Mr. Andes commented that, at last week's workshop meeting, residents spoke both for and against the ordinance. He stated that Health Officer Norgalis requested that the Council maintain language that will protect renters from landlords that do not provide proper heat and water.

Mr. Andes advised that there was some language in the ordinance that made some people uncomfortable. He asked the Council to send him their concerns if they were now inclined to vote no or table the ordinance. Mr. Andes stated that a majority of the Council did that and he feels that the ordinance will be defeated tonight.

President Andes noted that he had asked Administration last week, in the event that the ordinance was defeated tonight, if a subcommittee could be formed, consisting of the Administrator, the Mayor, legal staff, all pertinent department heads and himself, to review all the comments and re-write an appropriate ordinance for the Council to review at a future workshop.

President Andes asked for a show of hands from the Council of all those who will be voting no on this ordinance tonight. All Council members indicated that they will vote no. Mr. Andes stated that the intent was proper, the need was there, but the language was perhaps a bit too strong. He said that the ordinance will be defeated tonight, re-worked and brought back for a future workshop.

#22-10 PROPERTY MAINTENANCE REGULATIONS

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:

AN ORDINANCE TO ADD A NEW SECTION "PROPERTY MAINTENANCE" OF CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY

BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:

MOTION TO READ BY TITLE: MOVED BY MEMBER SMITH,

Township Council

Attorney DiYanni explained that a motion will be made to read the ordinance by title and a public hearing would be held. He said that it would then be offered for adoption and be defeated with no votes at that time.

SECONDED BY MEMBER KUSER

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

OPEN PUBLIC HEARING:

Phyllis Carey, 19 Savage Road, stated that she has been before the Council previously to request that an ordinance be passed to ban smoking in multi-family dwellings, such as condominiums. She said that she was told that it couldn't be done because the condos are private property. Ms. Carey asked why the town can go forward with this ordinance and not address what she requested.

Mr. Andes explained that smoking is a behavior that is pursued in a private home; the maintenance ordinance was designed to specifically handle abandoned and vacant house issues. He said that it also contained clarification of some language that is already covered, such as the height of the grass, which is already in the Health Code to avoid harborage for vermin. Mr. Andes noted that specific numbers were included to allow the Health Officer to enforce the ordinance.

Councilman Stecky commented that he is against the ordinance because it was supposed to be for vacant and abandoned houses and evolved into a stringent maintenance ordinance.

Ron Roberts, 23 Edgewood Road, said that he is glad that common sense prevailed. He noted that he has read the ordinance and that the Council was concerned about a few abandoned buildings and was punishing the rest of the residents because of those few. Mr. Roberts cited a few sections in the ordinance, one of which indicates that his tax dollars will pay for errors made by the enforcement officials. Mr. Roberts stated that the section concerning temporary structures is harmful to classic car collectors who do not have a garage but want to shelter their expensive car. He said that the ordinance calls for that individual to obtain a permit that is only valid for eight months and then they must go through the process again.

Joe Huebner, 100 Florence Avenue, suggested that, if this ordinance is meant to be a tool to address abandoned buildings, it should be much more narrowly crafted. He said that the way it is now, it could be used to drive people out of town. Mr. Huebner commented that the public's comfort level was mentioned. He said that he would be much more comfortable if a complaint could only be lodged by a person who is directly affected by the issue at hand. Mr. Huebner stated that one's property value going down should not rise to the level of a legitimate complaint for someone to have to maintain their home according to someone else's arbitrary standards.

Robert Belz, 7 Memory Lane, said that he read the ordinance and sees the need for it. He commented that maybe the Council went a little bit overboard with it but he asked them not to give it up because we need to do something about the habitual offenders.

Lori Toth, 11 Chestnut Hill Drive East, posed a hypothetical situation where the Zoning Township Council

Zoning Officer knocks on your door and says, “your water heater is set at 95 degrees, you have a refrigerator in the basement and you have mouse traps”. She asked how he would know that. Mr. Andes replied that is correct, why would he knock on your door. Mr. Denzler replied that the issue would be brought to light through a complaint. He said that the intent was never to go door to door throughout the municipality checking those things; it would be complaint-driven.

Mrs. Toth said that it would be a citizen complaining and then the officer would come out to the house. Mr. Denzler replied that is correct and the Zoning Officer is obligated to answer all complaints.

Mrs. Toth asked if the person against whom the complaint was lodged would know who made the complaint.

Mr. Denzler replied that there is case law that gives the complainant the right to remain anonymous.

Mrs. Toth stated that, that makes it rampant for vindictive neighbors who don't like the people next door to lodge complaints.

The Mayor said that is one of the reasons that it is being defeated.

Councilman Kuser added that it was put in there to protect renters from not having heat or hot water.

Mr. Andes noted that there is no language to protect renters living in a single or two-family house. He said that the Council recognized that the language was not viable and that is why they are defeating the ordinance. Mr. Andes noted that it will be re-written in terms that people will feel comfortable with and it will protect the people that need to be protected. He said that is the goal.

Mrs. Toth stated that she thinks in the re-writing the person who is accused should know who made the complaint.

Ed Banagan, 38 Old Mill Drive, said that he is glad that the ordinance is being defeated. He noted that there is a need for an ordinance for abandoned houses and one for renters. Mr. Banagan asked if there will be another public hearing when a new ordinance is drafted. Mr. Andes advised that it is a fine line and the Council is trying to get it right.

Gerald Idec, 1 Longview Trail East, asked how hardship cases of dilapidated homes would be handled.

Councilman Kuser advised that he spoke with Freeholder Chegwidden, who is also the Mayor of Wharton, and they have a Property Maintenance Ordinance in Wharton. He said that it is a really tough ordinance but, they also have volunteers who go and help people to fix up their homes. Mr. Kuser commented that he thinks that would be a good thing for Denville to have.

Mr. Idec suggested that, after proving their need, perhaps there could be a reduction in their taxes to help repair their homes.

Councilwoman Smith noted that she is the liaison to the Local Assistance Board and Gracie Predmore is the Director. Mrs. Smith advised that there are many instances Township Council

where Gracie gets involved and the town reaches out to people in need. She said that, on occasion, DPW workers may be sent out to do minor work at someone's home. Mrs. Smith noted that we can't help if we don't know about it and asked that people call if they are aware of someone in great need.

Mr. Idec reiterated that there should be something in the ordinance to help those who are truly in need.

Mr. Andes replied that the town, on a generous whim, can't just reduce someone's taxes. He said that there are legal precedents that would prevent that. Mr. Andes commented that when we have the subcommittee meeting, we will try and come up with something that works. He assured Mr. Idec that his comments and suggestions will be looked at by the committee and something will be brought back to the Council for its consideration at a workshop meeting to be discussed in detail.

Joe Blanchard, 121 Ford Road, asked if the Citizen is the only way that ordinances are advertised by the town. Clerk Costello advised that, by law, we must advertise in the Citizen because it is our legal newspaper. She noted that ordinances are posted on the bulletin board and she makes copies available in her office. Councilman Fitzpatrick added that they are posted on the web site.

Mr. Blanchard commented on the section concerning weeds and also asked what the Council's vision is for Denville. He asked if they want it to be a "Leave It To Beaver" town where everything is in perfect order. Mr. Andes replied that some neighborhoods are like that and others are not. He said that there is a balance that must be achieved. Mr. Blanchard stated that he is glad that the ordinance is being defeated and noted that he likes the small-town aura of Denville. He said that he does not want to see the government intruding excessively in the residents lives.

President Andes asked if Mr. Blanchard has any suggestions to improve the ordinance. Mr. Blanchard replied that there should be very specific wording when it comes to vacant and foreclosed houses.

Mr. Stecky noted that agendas, minutes and ordinances are all posted on the Township web site.

Mark Allen, 15 Orange Trail, commented that the ordinance must be specific about addressing abandoned houses, in order that residents are not fined for items that are meant for vacant homes.

Mr. Andes replied that the Council will make sure the wording is correct.

CLOSE PUBLIC PORTION.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:  
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CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP  
OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY  
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE  
PUBLISHED IN THE 9-29-10 ISSUE OF THE CITIZEN.  
MOTION TO ADOPT: MOVED BY MEMBER SMITH, SECONDED BY MEMBER  
KUSER

Township Council

NAYS: SMITH, KUSER, FITZPATRICK, SHAW, STECKY, GOLINSKI, ANDES  
LIAISON REPORTS:

Councilwoman Smith had no report.

Councilman Kuser had no report.

Councilman Fitzpatrick reported that school is back in session and the Board of Education is trying to conduct a community survey. He noted that, while the Council has no control over it, the school budget makes up a large part of our property tax bill. Mr. Fitzpatrick commented that he thinks that the Board is trying to do as much as it can to communicate to the residents as much as possible about what is going on in the schools. He encouraged everyone to go on the school's web site and complete the community survey.

Administrator Ward interjected that he was contacted by Dr. Clark last week and we have surveys in the Administrative offices and also have a link to the Board of Education survey on our web site.

Councilman Shaw noted that approximately 70 Seniors made a trip to New Hampshire. It was noted that the Senior Social will be held this coming Sunday.

Councilman Stecky reported that the Beautification Committee is having a planning meeting on Thursday at 7:30 p.m. in the Town Hall and the Council is welcome to attend as well as any potential volunteers.

Councilman Golinski advised that the Municipal Alliance Committee is back in action and resumed their meetings last week. He noted that a Java Jam is scheduled for October 1<sup>st</sup>. Mr. Golinski commented that he visited all three firehouses last night and everyone is preparing for the Inspection and the Inspection Dinner on Saturday.

President Andes stated that the Senior Social was scheduled for last Sunday, according to the Recreation bulletin, and he had planned to attend, however he was not notified that it was changed. He noted also, that it was not on the web site.

Mr. Andes advised that St. Francis Health Resort is holding a Fall Festival on October 3<sup>rd</sup>. He said that it is a tradition re-born and is a reincarnation of the St. Francis Harvest Festival and will, hopefully, be a great event for them. Mr. Andes stated that all proceeds will go to St. Francis Residential Community. He said that the main part of the building is 115 years old and in need of some sprucing up.

MAYOR'S REPORT:

The Mayor advised that there will be a celebration of the acquisition of Tulip Lane A & B at noon on Saturday. He said that the park is not as clean as they would like it to be because some of the volunteers can't make it until after the ceremony. Mayor Husa noted that there seems to be a lot of enthusiasm in the neighborhood. He explained that it is a simple concept but is contiguous to existing property and has a couple of access points and a right-of-way running through it. The Mayor added that there will be a 40 member girls volleyball team from Morris Knolls there to help with the clean-up and he invited any Council members who would like to help to come out at noon on Saturday.

Township Council

Mayor Husa advised that there will also be an Open Space Tour on Saturday, leaving from Town Hall at 2:20 p.m.

Mayor Husa said that he is glad that the Council defeated the Property Maintenance Ordinance. He noted that Mr. Ward had called a State Code item to his attention which deals with unsafe structures. Mr. Husa commented that our professionals tell us that our ordinances dealing with abandoned homes don't have teeth; he said that the State code specifically addresses it and maybe we can use it. The Mayor said that he will copy the State code section and give it to the Clerk for distribution to the Council.

Mayor Husa stated, with regard to the sign ordinance, that it is not so much a matter of what's on the books as it is the enforcement aspect. He said that Sal Poli and Bill Denzler go around and pull down illegal signs all the time and will continue to do so.

Mayor Husa added that he read the ordinance and found that some sections are slightly more liberal than the previous ordinance was.

Mayor Husa asked the Council for Advice and Consent on his appointment of Matt Giacobbe as Special Labor Counsel. He said that Attorney Knapp will still be handling some matters for the Township, but it was felt that a new set of eyes for the contract negotiations might be helpful.

President Andes asked how much more this appointment will cost the Township.

Administrator Ward replied that he spoke with Mr. Giacobbe regarding that issue this afternoon, anticipating that the Council would pose that question. He advised that Mr. Giacobbe told him that there will be no charge for him to review the contracts and all negotiation files to get up to speed on where the issue stands at this time. Mr. Ward said that the only thing that would be billed would be foregoing items.

Councilman Golinski stated that he does not feel that the issue is additional legal fees but rather successful contract negotiations. He asked if we are looking for a new set of eyes, are we dissatisfied with the performance of the previous attorney, or is it better to have that history and continuity of the past. Mr. Golinski noted that he wouldn't want saving a few bucks on legal fees to be our motivation; he said that he would like a successful outcome on the contracts to be the motivation.

Mayor Husa replied that is exactly why he wants to go with Mr. Giacobbe, noting that he has a very excellent reputation. He said that he interviewed Mr. Giacobbe when he first became Denville's Mayor but deferred to Fred Knapp because of his long-standing reputation. The Mayor advised that Mr. Giacobbe had worked for the Township when Freeholder Feyl was Denville's Mayor and, upon speaking with Freeholder Feyl, Mayor Husa determined that the reason that Mr. Giacobbe was let go was a matter of style. Mayor Husa said that he feels very good about having Mr. Giacobbe work with this negotiation and he asks for the Council's support.

Councilwoman Smith commented that it appears that there is only a \$5 difference in hourly rates. She said that both attorneys are well respected but that her concern is continuity. Mrs. Smith noted that, while Mr. Giacobbe is offering to get up to speed at no charge, there are often items that a new person may miss or not know as well. She added that she also feels that Mr. Knapp was not given full rein on the contract Township Council

negotiations. Mrs. Smith stated that she feels that we would be better served staying the course with someone who has intimate knowledge of what has been going on and has worked on many issues in the town. She said that she sees no need to bring in a new attorney, especially since it further delays the negotiations. Mrs. Smith noted that she is not in support of this appointment.

Mayor Husa replied that the Council has already given Advice and Consent to another Labor Attorney, Noel Crowley, so there are other options.

Mrs. Smith responded that she is questioning the need for another attorney for contract negotiations.

The Mayor said that he has explained the reason; he would like to have a new set of eyes to look at the contracts and have a fresh start.

Councilman Stecky agreed with the Mayor and said that it is time for a new set of eyes, a new mind-set to take a look at it and re-examine it from the start.

Attorney DiYanni cautioned the Council, saying that they are straddling the line with this discussion. He said that they must be careful of where the discussion leads because they cannot discuss an employee's performance.

Councilman Shaw commented that he has known Mr. Knapp for a long time and, as far as the negotiations are concerned, we are bound by decisions made in Trenton.

Mayor Husa also asked for Advice and Consent for the appointment of Kathy Clark to fill the remainder of Rick Volmer's term on the Environmental Commission.

MOTION FOR ADVICE AND CONSENT FOR THE APPOINTMENT OF KATHY CLARK TO THE ENVIRONMENTAL COMMISSION: MOVED BY MEMBER SMITH, SECONDED BY MEMBER KUSER

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

Councilman Fitzpatrick commented that he realizes the fine line that is being discussed here with regard to Mr. Giacobbe. He said that he is on the fence regarding his decision and would like to hear more. Mr. Fitzpatrick noted that he does not think it can be discussed in an open meeting and suggested that the Council discuss it in a Closed Session.

Attorney DiYanni added that a Closed Session could not be held this evening because the person would have to receive a Rice Notice, if Mr. Knapp is being discussed.

Mr. Fitzpatrick again stated that he would like to have more information regarding this issue.

The Mayor replied that there really is no more to it than he has already stated.

Councilman Kuser commented that it is the Mayor who negotiates all contracts and if he and the Administrator feel that they need someone else, it doesn't sound as though it will cost us anymore money. He noted that the Mayor said that he had conferred with Mr. Feyl and asked what Mr. Feyl gave as the reason for letting Mr. Giacobbe go.

Administrator Ward replied that he and the Mayor had spoken with Mr. Feyl and that he just wanted to be sure that the reason for the departure of Mr. Giacobbe was not performance-based. He said that Mr. Feyl assured them that it was not and that it was Township Council

just a style differential and Mr. Feyl had only positive things to say about Mr. Giacobbe.  
MOTION TO GIVE ADVICE AND CONSENT TO THE MAYOR'S APPOINTMENT OF  
MATTHEW GIACOBBE AS SPECIAL LABOR COUNSEL FOR CONTRACT  
NEGOTIATIONS: MOVED BY MEMBER STECKY, SECONDED BY MEMBER KUSER  
AYES: STECKY, KUSER, FITZPATRICK, ANDES  
NAYS: SMITH, SHAW, GOLINSKI

ADMINISTRATOR'S REPORT:

Mr. Ward advised that he received a letter yesterday from the Attorney for the Indian Lake Association. He said that the letter grants the municipality permission to go forward with the restoration of a portion of the Indian Lake wall, which requires that we access their property. Mr. Ward noted that he is working with our Attorney and Purchasing Agent and, hopefully, a purchase order will be ready shortly. He said that they have been working with a contractor, who was the lowest responsible bidder of three quotes, on the project and have been waiting for this letter of permission in order to go forward.

President Andes advised that, at this point, he will open the public portion on any topic except signs or property maintenance, since they have already been discussed. He said that there will also be no discussion on outdoor lighting or storage of commercial vehicles because those ordinances are coming up later.

OPEN PUBLIC PORTION:

Robert Belz, 7 Memory Lane, noted that the TD Bank should be recognized by the town, in some way, for the wonderful job they did in cleaning up and beautifying the intersection of Route 53 and Luger Road.

Mr. Stecky added that the building will be the first "Green Building" in Denville.

Franz Fuertges, 109 Ford Road, commented that the Council always makes the point that the Board of Education is a separate entity from the town. He said that, in spite of that, we need to save money and combining the DPW with the Board of Education's Maintenance Department is a way to do that. Mr. Fuertges noted that if the two were combined there would be need for only one set of equipment.

The Mayor replied that it is a very good idea and he will talk to Dr. Clark.

Councilwoman Smith added that the High School should be included as well.

Councilman Fitzpatrick stated that, as liaison to the Board of Education, he forwards any opportunity to the Mayor and Administration.

Gerry Idec, 1 East Longview Trail, noted that, in August, the Mayor had agreed to put the location of all Open Space owned by Denville on the Internet so that the residents would know where they are. He said that, so far, that has not been done. The Mayor replied that some of them are on the web site but not all; he said that it does not happen overnight.

The Mayor explained that there will be a page for each park, showing the entrance, the Township Council

park rules and the facilities. He advised that Mr. Ciardi has started this process. Mr. Idec asked about Hollstein Lake. The Mayor said that is on there and there are pictures of the Lake on the web site.

Mr. Idec suggested that signs be put up at Hollstein Lake and the Husa property, identifying it as Township property.

Bill Covert, 77 Lake Road, stated that he hears a lot about Open Space but not a word about a new cemetery.

President Andes replied that he was probably the first person to bring that up at a Council meeting, seven or eight years ago. He said that it would be necessary to find a location that we own and have not purchased with Green Acres money.

Mr. Covert asked who owns the parking lot behind the cemetery. Clerk Costello replied it is owned by the DOT. Mr. Covert asked if people are paying to park there. Mrs. Costello explained that the parking program is run through her office and permits are required to park in that lot.

Mr. Covert stated that we have turned that parking lot into a semi-junkyard but our cemetery is over-crowded. He said that the back corner is deplorable.

Councilman Shaw advised that there was a move on about six months ago to legally acquire the Cooper Road cemetery.

Mr. Covert said that he asked about the parking lot two years ago and was told that it couldn't be touched because it is the overflow lot for Gardner Field. He noted that since then, we have rented out 25 or 30 spots to commercial vehicles. Mr. Covert said that if we are giving away 25 or 30 parking spaces, the lot is not that important as an overflow lot. Clerk Costello advised that we are not giving the spaces away, they pay for commercial parking.

Mayor Husa interjected that he can give an up-date on the Hill Cemetery. He added that it is not in the Township's charter to provide cemetery space. The Mayor said that the Hill Cemetery is completely abandoned and they could find no owner anywhere. The Mayor explained that the Council is also the Board of Health and, in order for the Township to take over that cemetery, the Board of Health has to give a reason, in writing, to the State Cemetery Board. He said that is the easy part; the hard part is that there would be a payment of \$75,000 required to have the State Board recognize Hill Rd. as a viable cemetery. Mayor Husa noted that, according to a survey that was done there, there are could be 110 full size spaces provided in that cemetery. He said that the town would take it over and either, a new Board would be created, or it could be combined with the existing cemetery. Mayor Husa advised that he was in favor of it, except that we would have to raise \$75,000. He said that we could seek grant money but the will of the Governing Body has to be there to provide the letter giving a good reason to do this. Mayor Husa noted that the Council can discuss it among themselves and he would be willing to move forward with it. He noted that Mr. Semrau has already done a title search but could find no owner. Mr. Husa said that, that being the case, the Township would take ownership, turn it over to the Cemetery Association and we would have another cemetery in Denville.

Councilman Shaw advised that the people on the Cemetery Association are all Denville residents and it is a non-profit Association.

Mr. Covert said he realizes that but he just doesn't understand the issue with the parking lot. He said that if it is not in the town's charter to supply cemetery space, it certainly can't be in the charter to rent parking spaces.

CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS: None.

ORDINANCE(S) FOR ADOPTION:

#24-10 OUTDOOR LIGHTING REGULATIONS

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:

AN ORDINANCE TO ADD A NEW SECTION "OUTDOOR LIGHTING" TO CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY

BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:

MOTION TO READ BY TITLE: MOVED BY MEMBER KUSER, SECONDED BY MEMBER FITZPATRICK

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

OPEN PUBLIC HEARING:

Kevin Conod, 43 Warren Trail, commented that the ordinance being considered addresses commercial lighting and he would like to suggest that, at some point, the Council address street lighting. He said that another item that he would like to mention is that the ordinance seems to make up its own definitions, rather than follow the standards that are already available to use. Mr. Conod cited, as an example, that the shield for lighting is listed as 150 degrees and he thinks that it is an odd cut-off angle to use for a lighting fixture. He noted that there are definitions that can be used for shielding that already exist which are set by the Engineering Society. Mr. Conod suggested using full shield lighting which is very common and easily obtained. He also mentioned that there are minimum light levels set in the ordinance but no maximum levels. Mr. Conod had additional comments regarding candle power levels but did not speak into the microphone and his comments were not clear.

President Andes noted that the ordinance was crafted by the Environmental Commission and sent to the Planner before coming to the Council.

Planner Denzler replied that the standards used in the ordinance also came from the Environmental Commission as well as some standards from other towns in Morris County. Mr. Denzler said that one of the items mentioned by Mr. Conod was about the average foot-candle at 1.0 and that is in the ordinance as an average of 1.0. He said that typically, the ordinances that he is writing have a minimum but not a maximum and that is for public safety purposes. Mr. Denzler noted that with the average, that is

obviously an average of the high and the low. He advised that, based on this ordinance, there is a lighting plan required for all multi-family, residential and all non-residential properties when they come in for a site plan or need a building permit where they are making changes on the site.

Mr. Conod questioned the cutoff angle.

Mr. Denzler replied that 150 degrees is used and is typically used on the cut-sheets for lighting fixtures and when an applicant comes before the professionals. He said that it is shown on the light details of site plans.

President Andes commented that we have not had a lighting ordinance before this and we are making some headway with this one.

John Huebner, 100 Florence Avenue, suggested that the standards be used as a remedy for specific complaints rather than place an undue burden on businesses.

Mr. Denzler explained that the changes would only occur during new site development or if a business comes in for a site upgrade. He said that there is no intention to go around town and require changes to existing lighting.

Gerald Idec, 1 East Longview Trail, asked about lighting in walkways.

Mr. Denzler confirmed that there are provisions for pathway lighting which calls for pathway-type lighting to be provided along walkways.

Mr. Idec asked why the lighting outside this building is all covered with plants and bushes. He said that the Council is adopting an ordinance for residents and businesses and they have the problem going on right here outside the building.

Mayor Husa noted that the front of the building has just been cleared of all the bushes.

Mr. Idec replied that he is talking about the side door. The Mayor said that maybe there is one or two, but we will check it.

Mr. Idec stated that every one is covered with plants and they give off no light.

Mayor Husa assured Mr. Idec that he will look into his concerns.

Councilwoman Smith noted that she has sat on both the Planning Board and Board of Adjustment and is now a member of the Environmental Commission. She explained that an ordinance like this is drafted because there are issues going on. Mrs. Smith said that many ordinances are put on the books, tested out to see how they work and are re-worked, amended or even rescinded if need be. She noted that any changes or modifications that need to be made will come up during the planning process and, if they are not practical we can go back and amend the ordinance. Mrs. Smith stated that the Council sitting here, and future Councils, should do a reality check six months down the road after passing an ordinance like this to see if it is working, meeting the intended purpose, have we accomplished what we need to do or do we need to amend, rescind or revise it.

Administrator Ward commented that it would be very easy for him to remind the appropriate department to send a report regarding the deficiencies or problems they are having with a particular ordinance, on a six-month or yearly basis.

CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:

AN ORDINANCE TO ADD A NEW SECTION "OUTDOOR LIGHTING" TO CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN TH 9-29-10 ISSUE OF THE CITIZEN  
MOTION TO ADOPT: MOVED BY MEMBER KUSER, SECONDED BY MEMBER SHAW

AYES: KUSER, SHAW, FITZPATRICK, SMITH, STECKY, GOLINSKI, ANDES  
Councilman Golinski commented that we can start with lighting now and hold the town to a higher standard and, if we replace any lights in the future, we could require the most efficient lighting available at that time and minimize light pollution.

#25-10 STORAGE OF COMMERCIAL VEHICLES  
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:  
AN ORDINANCE TO AMEND SECTION 19-5.711 "STORAGE OF COMMERCIAL VEHICLES" OF CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:  
MOTION TO READ BY TITLE: MOVED BY MEMBER SHAW, SECONDED BY MEMBER FITZPATRICK

AYES: SHAW, FITZPATRICK, KUSER, SMITH, STECKY, GOLINSKI, ANDES  
OPEN PUBLIC HEARING:

Volker Fuertges, 111 Ford Road, stated that he understands the reason for the ordinance but is asking consideration from the Council to exclude historic vehicles. He spoke about the State allowances in registration fees, QQ plates and reduced insurance rates. President Andes interjected that this ordinance concerns commercial vehicles and the only change in the ordinance is the addition of construction equipment. Planner Denzler reiterated that the ordinance is strictly addressing construction equipment.

CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:  
AN ORDINANCE TO AMEND SECTION 19-5.711 "STORAGE OF COMMERCIAL VEHICLES" OF CHAPTER XIX, LAND USE, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE 9-29-10 ISSUE OF THE CITIZEN.  
MOTION TO ADOPT: MOVED BY MEMBER STECKY, SECONDED BY MEMBER FITZPATRICK

DISCUSSION: Councilman Golinski noted that there may be a situation where a resident needs more time than the twenty days between passage of this ordinance and the effective date to move their equipment. Mr. Denzler replied that it would be

addressed on a case by case basis. He said that a summons would not be issued right away; the Zoning Department works with the residents to resolve zoning issues. Mr. Golinski asked if it would make sense to make this ordinance effective on January 1<sup>st</sup>, in order to give people more time to comply. Mr. Denzler replied that they will have almost thirty days to comply and, typically, we give 10 to 15 days notice.

Administrator Ward commented that, if a resident came forward and advised that they needed additional time, the Zoning Department will work with them.

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

President Andes asked if anyone from the public or Council wished to have anything removed from the Consent Agenda. No one responded.

CONSENT AGENDA:

- R-10-199 RESOLUTION AUTHORIZING RENEWAL OF A TWO YEAR AGREEMENT FOR MUTUAL AID WITH PICATINNY ARSENAL FOR FIRE AND EMERGENCY SERVICES
- R-10-200 RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR COMPUTER SERVER ROOM AIR CONDITIONING SYSTEM
- R-10-201 RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE
- R-10-202 RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK

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

NON-CONSENT RESOLUTIONS:

- R-10-203 RESOLUTION OF THE TOWNSHIP OF DENVILLE AUTHORIZING AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT FOR THE POSITION OF SPECIAL LABOR COUNSEL REGARDING CONTRACT NEGOTIATIONS

MOTION TO APPROVE R-10-203: MOVED BY MEMBER SMITH, SECONDED BY MEMBER KUSER

DISCUSSION: Councilman Fitzpatrick asked Mr. Ward if he is confident that this will not have any impact on the budget, in terms of additional legal fees. Mr. Ward replied that he does not feel that it would.

AYES: KUSER, FITZPATRICK, STECKY, ANDES

NAYS: SMITH, SHAW, GOLINSKI

- R-10-204 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF \$28,293.66

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MOTION TO APPROVE R-10-204: MOVED BY MEMBER KUSER, SECONDED BY MEMBER STECKY

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

MOTION TO APPROVE MINUTES OF 9-7-10: MOVED BY MEMBER SMITH, SECONDED BY MEMBER SHAW

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

R-10-205 RESOLUTION AUTHORIZING CLOSED SESSION FOR OPEN SPACE NEGOTIATIONS

MOTION TO APPROVE R-10-205: MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK

AYES: SMITH, FITZPATRICK, KUSER, SHAW, STECKY, GOLINSKI, ANDES  
President Andes noted that no action will be taken following the Closed Session.

Council went into Closed Session at 9:34 p.m.

Council came out of Closed Session at 9:53 p.m.

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

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

MEETING ADJOURNED AT 9:53 P.M.

Respectfully submitted:

Kathleen A. Costello  
Deputy Clerk