

TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

SEPTEMBER 20, 2011

The Meeting was called to order by President Kuser at 7:30 p.m. The Salute to the Flag was recited, followed by an Invocation given by Councilman Stecky. The Notice of Public Meetings Act Statement was read by Township Clerk Donna Costello.

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

ABSENT: SHAW

ALSO IN ATTENDANCE: ADMINISTRATOR WARD, TOWNSHIP ATTORNEY DI YANNI.

Mayor Hussa arrived after Roll Call.

LIAISON REPORTS:

Councilman Golinski reported that the Municipal Alliance Committee will have its first meeting of the season on Thursday. He noted that there is a great flurry of activity, due to the hurricane, which is keeping the new Social Services Director super busy. Mr. Golinski commented that there are many signs around town thanking the Police, DPW and Fire Dept. for their help during the flood. He noted that the firemen are all volunteers and many of them took time off from their regular jobs to help pump out basements and do whatever they could to help. Mr. Golinski said that they deserve a special thanks for all that they do, above and beyond what they are trained to do for the town.

Councilman Stecky reported that the Sustainable Green Committee had their first meeting since the Spring. He said that they discussed the flood and also spoke about some things that they might encourage the town to do in the coming year.

Mr. Stecky advised that Knuth Farm held their annual Festival last Saturday. He said that it was well attended and was an excellent day.

Councilwoman Smith had nothing to report.

Councilman Fitzpatrick said that he has no Liaison Report. He noted, however, that there is a lot of hurricane relief fund-raising going on, many things coming up this week, and he encouraged everyone to check out "hurricanerelieffordenville.org" where there is a list of these activities.

Councilman Andes stated that he would like to follow up on the fund-raising for the affected citizens and businesses. He reported that there will be a 5K race on October 16th, followed by "Band Aid on Broadway" which will be an all-day concert. Mr. Andes added that, between gift cards and cash, as of yesterday, \$110,000 has been donated to aid victims of the hurricane.

President Kuser reported that Dan Morasco resigned from his position on the School Board. He said that he does not know the outcome, but the Board did vote and appoint a replacement.

MAYOR'S REPORT:

Mayor Husa said that, on behalf of all of the victims, he would like to thank everyone who helped with the flood relief. He thanked Sue Filauro for coming by his home today

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with some hot dogs from the Knuth Farm Festival; he said that it was very much appreciated.

Mayor Husa asked the Council for their Advice and Consent for Mike Guarino as new JIF Commissioner and Carlos Perez as the new Health Officer. He explained that, in approving Mr. Perez, the Council will be starting a trend towards Shared Services with Morris County. He noted that this has been the case in Sussex County for some time and thanked Mr. Ward for pursuing it for Denville.

MOTION TO GIVE ADVICE AND CONSENT TO THE MAYOR'S APPOINTMENTS:
MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK
AYES: SMITH, FITZPATRICK, GOLINSKI, STECKY, ANDES, KUSER
ABSENT: SHAW.

Township Clerk Costello then administered the Oath of Office to Carlos Perez, the new Health Officer.

ADMINISTRATOR'S REPORT:

Mr. Ward noted that he had given a rather comprehensive report at the last meeting but he would like to follow up on Mr. Fitzpatrick's report. He advised that there are several links on our web site that will lead to some of the fund-raising efforts. Mr. Ward said that a link was put on the web site today for individuals who would like to donate appliances, water heaters or other items of that nature. He explained that there is a confidential form where an item to be donated, that is in new or lightly used condition, can be checked off. Mr. Ward added that, as people come in, we can match them up with the donated items. He again mentioned the web site, "hurricanerelieffordenville.org" and Mr. Fitzpatrick explained that, that site has a link to an additional page that can be accessed right from there.

President Kuser noted that he took the time to check out the web site and it is an excellent source.

OPEN PUBLIC PORTION:

Sue Schmidt, 12 Birch Run Ave., President of the Ayres/Knuth Farm President, stated that she would like to thank the Township for their generous support, the DPW, which she considers to be the best in Morris County and the Police Department for their assistance with parking. Ms. Schmidt noted that the Foundation wanted to assist the flood victims so they set up a food collection table and 14 bags of food, 1 bag of toiletries and 1 bag of pet food were placed outside the Social Services Office this evening. Ms. Schmidt added that there is also a bag of clothing and a bag of curtains. Ms. Schmidt advised that Sue Filauro had food left from the Festival that was more of a

perishable nature, which she distributed.

Sue Filauro, 2 King Hill Ct., commented that they had a lot of food left over and, rather than returning it, it was distributed to some neighbors that were down there. Ms. Filauro noted that they were re-directed to Social Services so that they could best re-distribute it and keep it cold.

Richard Sepe, 71 Riverside Drive, thanked everyone involved for their help during the storm. He noted that he just moved to Denville in October and his house suffered severe damage. Mr. Sepe said that they were rescued from their porch, by a boat, and have been to this building several times for food. He stated that he just needed to publicly thank this town - "you rock". Councilman Andes told Mr. Sepe that he should tell everyone what happened when he got to the shelter. Mr. Sepe related that, on the way to the shelter, he realized how devastating this was and he proposed to his girl friend. Mr. Kuser asked what she said and Mr. Sepe said that she said yes, she had no choice.

CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS:

President Kuser advised that Resolution R-11-201 was tabled on 9-6-11 to tonight's meeting. He commented that he understands that the questions regarding this resolution have not been resolved.

Mr. Ward replied that E. I. has been contacted and asked to revise their proposal for the re-design. He asked if the resolution could again be tabled to the October 18th meeting.

MOTION TO TABLE R-11-201 TO THE MEETING OF 10-18-11: MOVED BY MEMBER SMITH, SECONDED BY MEMBER FITZPATRICK

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

ABSENT: SHAW

Councilman Golinski requested that a resolution be added to an up-coming agenda to re-name the recreation field on Ford Road to VFW Field. Mr. Golinski said that he makes this recommendation in recognition of the veterans' exemplary service to our Country. He said that these veterans have not only served our Country but serve our community as well. Mr. Golinski added that it makes sense since the field is right around the corner from the VFW Post Home.

MOTION TO CHANGE THE NAME OF THE FORD ROAD FIELD TO VFW FIELD:

MOVED BY MEMBER STECKY, SECONDED BY MEMBER FITZPATRICK

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

ABSENT: SHAW

Councilman Fitzpatrick commented that we now have the ability to stream our Council meetings. He said that John Ciardi has recorded a few meetings and posted them, after the fact. Mr. Fitzpatrick stated that these are public meetings and he doesn't think Township Council

that the Council needs to approve this, but he would encourage the Administration, wherever possible, to try and stream these meetings live. He suggested that Administration reach out to Denville TV as a matter of volunteering to do this. Mr. Fitzpatrick said that he thinks it is great for the public to access our meetings. President Kuser replied that we have cameras in the Council Chambers but he has noticed that we have some audio issues that he has spoken about with Mr. Ciardi. Mr. Ward replied that it was during the first couple of meetings after the flooding, but it should be cleared up, for the most part.

Mr. Fitzpatrick commented that he knows that the Council spoke about the damage to the pump house but he wondered if there is any update on any other flood damage. He said that there were some questions about the Valley View Firehouse.

Mr. Ward responded that the pump house will definitely be covered by insurance. He noted that there was substantial flooding in the basement of the Valley View Firehouse. He said that the entire basement was filled with water. Mr. Ward advised that the engineer was not able to go and take a look at it because the mold had to be remediated first. He noted that the sheet rock is being taken down this week. Mr. Ward stated that, once the basement is cleared to the bare walls, they will be able to determine the extent of the damage. He said that if it is found that there is foundational damage, the Engineer will review it and a recommendation will be given to the Township. The Administrator commented that, the hope is, it will just be a matter of putting up new dry wall, carpeting, etc. but, the Firehouse is in the one hundred year flood zone and is not covered by our Joint Insurance Fund insurance. He noted that they are attempting to get the damage estimate quickly in order to submit it to FEMA as part of the municipality's request for reimbursement.

Mr. Fitzpatrick asked if that was the only damage.

Mr. Ward replied that those are the only two major items: the pump house and the Firehouse. He added that there are some roadway grants available for the minor road damage that we suffered, so we are aggressively pursuing those.

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

CONSENT AGENDA:

- R-11-206 RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE
- R-11-207 RESOLUTION AUTHORIZING A REFUND OF A BUILDING DEPARTMENT FEE IN THE AMOUNT OF \$116.00
- R-11-208 RESOLUTION AUTHORIZING ISSUANCE OF A SPECIAL ONE DAY ABC LIQUOR LICENSE
- R-11-209 RESOLUTION AUTHORIZING APPLICATION FOR FUNDS FOR IMPAIRED DRIVING ENFORCEMENT PURSUANT TO THE N.J. DIVISION OF HIGHWAY TRAFFIC SAFETY DRIVE SOBER OR GET

Township Council

PULLED OVER 2011 YEAR END STATEWIDE CRACKDOWN GRANT
12-5-11 TO 1-2-12

R-11-210 RESOLUTION TO CLOSE THE TSUNAMI RECOVERY FUND AND
REALLOCATE THE BALANCE TO THE HURRICANE IRENE RELIEF
FUND

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

NON-CONSENT RESOLUTIONS

R-11-211 RESOLUTION AUTHORIZING SETTLEMENT OF CERTAIN TAX
APPEALS - BLOCK 21202, LOT 1.01
MOTION TO APPROVE R-11-211: MOVED BY MEMBER SMITH, SECONDED BY
MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, STECKY, FITZPATRICK, ANDES, KUSER
ABSENT: SHAW

R-11-212 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE
REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF
\$4,037.10
MOTION TO APPROVE R-11-212: MOVED BY MEMBER SMITH, SECONDED BY
MEMBER FITZPATRICK
AYES: SMITH, FITZPATRICK, GOLINSKI, STECKY, ANDES, KUSER
ABSENT: SHAW

R-11-213 RESOLUTION WAIVING NEW PARKING LOT PERMIT FEES
REQUIRED BY CHAPTER 2A IN THE DENVILLE TOWNSHIP CODE
FOR MUNICIPALLY OWNED LOTS IN THE DOWNTOWN AREA FOR A
PERIOD THROUGH DECEMBER 31, 2011
MOTION TO APPROVE R-11-213: MOVED BY MEMBER ANDES, SECONDED BY
MEMBER SMITH
DISCUSSION: By way of explanation, President Kuser stated that the fees for new
parking permits for any of the parking lots downtown are being waived through the end
of the year. He said that we are trying to entice as many people as possible to come
into Denville and feel that this is an appropriate action.
AYES: ANDES, SMITH, GOLINSKI, STECKY, FITZPATRICK, KUSER
ABSENT: SHAW

R-11-214 RESOLUTION WAIVING THE ZONING REQUIREMENTS OF THE TOWNSHIP FOR BUSINESS OWNERS AFFECTED BY TROPICAL STORM IRENE AND THE SUBSEQUENT FLOODING FOR A PERIOD OF SIXTY (60) DAYS

MOTION TO APPROVE R-11-214: MOVED BY MEMBER ANDES, SECONDED BY MEMBER SMITH

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

ABSENT: SHAW

Mrs. Smith asked for an explanation of this resolution.

Mr. Ward explained that it is to relax the zoning regulations for sixty days so that stores can conduct sidewalk sales, without a permit, in front of their stores while restoring the damages inside the store. He said that the main requirement is that they allow for ADA accessibility on the sidewalks.

R-11-215 RESOLUTION WAIVING THE ZONING REQUIREMENTS FOR 30 DAYS TO ALLOW CAR DEALERSHIPS AFFECTED BY TROPICAL STORM IRENE AND SUBSEQUENT FLOODS TO PARK CARS ON GRASS AND NON-IMPERVIOUS AREAS ON THEIR PROPERTIES

MOTION TO APPROVE R-11-215: MOVED BY MEMBER ANDES, SECONDED BY MEMBER SMITH

President Kuser noted that, again, this resolution is to give the car dealerships some latitude so they can have larger sales and create more business for Denville.

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

ABSENT: SHAW

MOTION TO APPROVE MINUTES OF 9-6-11: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI

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

ABSENT: SHAW

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

AYES: UNANIMOUS

ABSENT: SHAW

MEETING ADJOURNED AT 7:56 P.M.

Respectfully submitted:

Kathleen A. Costello
Deputy Township Clerk

