

Borough Council Minutes
New Providence, New Jersey
February 26, 2018

The regular meeting of the Borough Council of the Borough of New Providence, County of Union and State of New Jersey was held on Monday, February 26, 2018 at 7:00 pm at the Municipal Center. Mayor Morgan called the meeting to order.

Present on Roll Call: Mayor Morgan, Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, Councilman Robinson

Entered After Roll Call: None

Absent: None

Also Present: Administrator Marvin, Borough Clerk Barry, Attorney Rizzo

PLEDGE OF ALLEGIANCE.

Mayor Morgan led the Pledge of Allegiance.

PUBLIC NOTICE:

Mayor Morgan stated this is a public meeting of the Borough Council of the Borough of New Providence, County of Union and State of New Jersey. Adequate notice of this meeting has been given in accordance with P.L. 1975, Chapter 231, in that an annual notice or revision was made in conformance with Section 13 of the Act.

Mayor Morgan discussed an incident that occurred in the Township of Berkeley Heights with regard to school safety. He stated the New Providence police and the Board of Education continue to work together with regard to this subject. He also expressed his concerns with regard to respect and the conduct of business at the previous Council meeting. He stated as the presiding officer all questions should be directed to him in the future.

CORRESPONDENCE:

1. Jersey Central Power & Light, February 7, 2018. Re: Notice of Public Hearing for Proposed Increase in the Company's Rider RAC – Remediation Adjustment Clause. No action required.
2. Union County Board of Chosen Freeholders, February 8, 2018. Re: Ordinance 792-2018 Salary of County Manager, Final Adoption. No action required.
3. Amy Stuart, Sage Eldercare, February 9, 2018. Re: March for Meals on Wheels 2018 Invitation.
4. Senator Cory A. Booker, January 15, 2018. Re: Constituent Services.

5. Peggy McHugh Hagen, February 12, 2018. Re: Taxes as Charitable Contribution. No action required.
6. Dolores Mansfield, February 12, 2018. Re: New Providence Emergency Services Response. Thanked the Police and Fire Department for responding to Ms. Mansfield's call.
7. Tanuja Yalamanchili, February 13, 2018. Re: Borough Council meeting of February 12, 2018. No action required.
8. Anthony Metzner, February 13, 2018. Re: No Soliciting, Canvassing and Trespassing List. Mayor Morgan stated they discussed a "No knock list" which would only apply to solicitors not canvassers. Councilman Madden asked if communication could be given to the canvassers asking them to stay away from a house if the lights are not on. Attorney Rizzo stated they could be asked to do so but not required due to freedom of speech amendment rights.
9. Mark Elek, February 14, 2018. Re: Borough Council's Bi-Laws Revisions. No action required.
10. Amy Mascarina, February 14, 2018. Re: February 12, 2018, Borough Council. No action required.
11. Pam Venturella, February 14, 2018. Re: February 12, 2018, Borough Council. No action required.
12. Louise Wheeler, February 16, 2018. Re: February 12, 2018, Borough Council. No action required.
13. City of Summit Planning Board, February 14, 2018. Re: Planning Board Hearing Fair Share Housing Plan. No action required.
14. New Providence Fire Department, February 14, 2018. Re: membership Resignations. Mayor Morgan thanked the members for their service.
15. Suzanne Russell, February 15, 2018. Re: Borough's Position on Recreational Marijuana. Mayor Morgan commented on the correspondence saying it is too premature to discuss the matter since there has been no legislation on the state level.
16. Peggy McHugh Hagen, February 16, 2018. Re: February 12, 2018, Borough Council. No action required.
17. 33 Countryside LLC, February 21, 2018. Re: Planning Board Public Hearing, 33 Countryside Drive. No action required.
18. City of Summit, February 22, 2018. Re: Introduction of Development Regulation Ordinance 18-3157. No action required.

COUNCIL BUSINESS:

Community Activities: Councilman Madden, Councilwoman Geoffroy, Councilman Robinson

1. Resolution 2018-066 Resolution Awarding Contract To Broadway Elite Tours, Dba Passaic Valley Coach, 71 River Road, Chatham, N.J. 07928 For Bus Transportation Services For Community Activities And Senior Programs

Councilman Madden presented Resolution 2018-066 awarding contract to Broadway Elite Tours, Dba Passaic Valley Coach, for bus transportation services for community activities and senior programs. He stated after seeking proposals, the community activities director recommends a contract to Passaic Valley Coach for bus services.

Finance: Councilman Gennaro, Councilwoman Geoffroy

1. Resolution 2018-067 CR Bard, Inc. v. Borough of New Providence, Block 210, Lot 32 111 Spring Street Docket Nos. 005208-2013; 005574-2014; 003718-2015; 005283-2016 and 002896-2017

Councilman Gennaro presented Resolution 2018-067 "CR Bard, Inc. v. Borough of New Providence". He stated this authorizes a tax appeal settlement for 2013 through 2017 for CR Bard, 111 Spring Street. He stated the settlement includes the withdrawal of appeals for 2013, 2014 and 2015, with the assessment being reduced for 2016 and 2017. He stated the total refund amount of \$66,477.76 is available in the reserve for tax appeals. Councilman Gennaro and Councilman Robinson also discussed residential and commercial appeals and a possible revaluation in the next couple of years.

2. Resolution 2018-068 Transfer Resolution

Councilman Gennaro presented Resolution 2018-068 "Transfer Resolution". He stated this transfers funds from the 2017 operating budget to reserve accounts.

3. Resolution 2018-069 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 4,275,749.88

Councilman Gennaro presented Resolution 2108-069 authorizing payment of the bills payable list in the amount of \$4,275,749.88. He stated the largest items are payment for Union County taxes and open space for over \$3 million, purchase of a new police vehicle, and payment to Maser for Engineering work at the Ping Wang site.

Municipal Alliance: Councilman Madden, Councilwoman Geoffroy, Councilman Robinson

1. Resolution 2018-070 Resolution Accepting Written Employment Resignation From Diane Rispoli As A Part-Time Municipal Alliance Coordinator For The Borough Of New Providence

Councilman Madden presented Resolution 2018-070 accepting written employment resignation from Diane Rispoli as a part-time Municipal Alliance Coordinator for the Borough of New Providence. He stated she will be resigning as Municipal Alliance Coordinator effective March 30th. He thanked Diane for serving 3 years on the Municipal Alliance.

2. Resolution 2018-071 Resolution Appointing Katherine Paterson As Part-Time Municipal Alliance Coordinator For The Borough Of New Providence (Document)

Councilman Madden presented Resolution 2018-071 appointing Katherine Paterson as part-time Municipal Alliance Coordinator for the Borough of New Providence. He stated Katherine is a current member of the Municipal Alliance and is being recommended for the position of Municipal Alliance Coordinator.

Public Safety: Mayor Morgan, Councilman Kapner, Council President Muñoz

1. Limousine License Request: Augie's Limo

Mayor Morgan presented limousine license request from Augie's Limo.

Public Works: Councilman Kapner, Councilwoman Geoffroy, Councilman Robinson

1. Resolution 2018-072 Resolution Accepting Bids And Awarding Contract To American Asphalt And Milling Services For The Elkwood Avenue Improvements Project, In The Amount Of \$148,246.65

Councilman Kapner presented Resolution 2018-072 accepting bids and awarding contract to American Asphalt and Milling Services for the Elkwood Avenue Improvements Project.

Sustainability: Councilman Kapner, Council President Muñoz, Councilman Gennaro

1. Resolution 2018-073 Resolution Of Support From Local Governing Body Authorizing The Sustainable Jersey Grant Application

Councilman Kapner presented Resolution 2018-073 "Resolution Of Support From Local Governing Body Authorizing The Sustainable Jersey Grant Application". He stated the grant application is for a STEM program at NPHS.

COUNCIL COMMITTEE REPORTS.

Mayor Morgan - offered a moment of silence for the families of the victims in the Florida shooting. He also reported on the following items:

- 1) Library Board – working to make the library more accessible to the community. He stated they are also seeking a new Library Director.
- 2) Community Service Association – attended the award dinner and thanked everyone involved.
- 3) Chat with the Mayor scheduled for March 2nd at 6:30pm

Councilman Robinson – reported on the following:

- 1) Congratulated the Mayor on being awarded Executive of the Year
- 2) Florida Shooting – Offered condolences
- 3) Downtown Improvement District – discussed budget, signage, and parking options for downtown business employees

Council President Munoz – reported on the following:

- 1) Diversity committee meeting March 1st
- 2) Suburban Chamber of Commerce Awards to commended Skin Deep business of the year and Brook Healey Foundation organization of the year
- 3) Blood Drive last week - encouraged everyone to donate blood

Councilman Gennaro – reported on the following:

- 1) Finance Committee meeting March 12th prior to the Council meeting to discuss the municipal budget

Councilman Kapner – operations normal; nothing to report.

Councilwoman Geoffroy – reported on the following:

- 1) Board of Education meeting – discussed curriculum, had presentations from students, and discussed safety features at the schools
- 2) CSA Pasta Dinner great success

Councilman Madden – reported on the following:

- 1) Municipal Alliance –
 - Thanked Jama for coordinating feedback from the vaping session
 - March 5th substance abuse seminar
 - March 26th 7pm Scotch Plains High School – Darryl Strawberry guest speaker
 - March 22nd 7pm Governor Livingston High School – Digital Distraction seminar

BOROUGH ADMINISTRATOR REPORT.

Administrator Marvin reported on the following:

- 1) Council chambers renovation on target and moving along smoothly.
- 2) Met with 5th grade girl scout troop – April 28th cleanup will make artwork out of recycled items and display possibly in Centennial Park

MAYOR'S COMMENTS.

Mayor Morgan stated he met with Council President Munoz and Administrator Marvin with regard to revisiting the Council By-Laws. He also read a statement that he wrote with regard to unwarranted accusations that were made about him and his wife at the last meeting. He stated he would like to move forward and put the matter behind them, and stated he will continue to serve the community and will strive to work together and support one another.

PUBLIC COMMENTS.

This is an opportunity for any member of the public to be heard about issues that are not separate topics, scheduled for public hearings tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to three (3) minutes, and may only speak once on any one topic.

Mayor Morgan opened the meeting for public comment.

Armand Galluccio – 126 Pleasantview Ave

Mr. Galluccio discussed solicitation and canvassing and reminded residents to ask them to see a badge.

Dan Smith – 281 Union Avenue

Mr. Smith stated there is a lot of truck traffic on Union Avenue and asked Council to have the water company fix a pot hole in front of his house. Council discussed tonnage limits with Administrator Marvin and he stated he would speak with the Police Department with regard to this matter.

Bryon Linnehan – 5 Surrey Lane

Mr. Linnehan discussed school safety and police presence at the schools. He thanked Mayor Morgan and the Police Captain for contacting him and stated he would like to be involved in future school safety planning if possible. He also discussed soliciting and stated he used to be involved in door to door sales. He suggested a “Do Not Knock List”.

Kurt Thraen – 225 Mountain Avenue

Mr. Thraen asked about the status of reduced speed and new signage on Mountain Avenue. Administrator Marvin stated he spoke with the Police Chief about the speed study, who had spoken to the county a couple weeks prior.

Angela Lazzari – 185 Central Ave

Ms. Lazzari stated she attended a Council meeting a few weeks prior to discuss a section of sidewalk on Maple Street that was not being maintained and wanted to know the status. Administrator Marvin stated Crestview Swim Club would maintain their portion and the rest would be maintained by DPW.

Sunil Abrol – 1532 Springfield Ave

Mr. Abrol read a “Prayer for America” and discussed previous heated discussions between Mayor and Council and asked for more clarification with regard to volunteer committees and standard operating procedures. Mayor Morgan stated they would work things out amongst Council so the volunteer committees can go about their business. Councilman Robinson also spoke to Mr. Abrol and members of the public apologizing for any hurt feelings and all parties agreed they wish to move forward.

Marco Scarabaggio - 106 Woodbine Circle

Mr. Scarabaggio also discussed school safety and asked for police presence in the schools. Mayor Morgan stated they are working closely with the Board of Education and the Police Department with regard to this subject.

Jama Vitale - 11 Kendrick Road

Ms. Vitale discussed school safety and suggested holding a public forum specifically on this topic.

Keith Doll – 38 Ethan Drive

Mr. Doll asked about the grounds behind an abstention of voting on a certain agenda item. Mayor Morgan stated if a member is torn between voting one way or another they will abstain, which he said is a common occurrence. Mr. Doll also stated some members of the public feel intimidated to address Council if there is a difference of opinion and expressed concerns with regard to name calling. Mayor Morgan stated he will not let that happen anymore and hopes to move forward with both Council and members of the public being respectful towards one another.

John Leister – 38 Midvale Drive

Mr. Leister discussed school safety stating he is a former principal and hopes during the public forum they include the school principals, the school superintendent, as well as members of the Police Department. Mr. Leister also discussed pedestrian safety near Starbucks in the Village Shopping Center.

Tara Murphy – 1076 Springfield Ave

Ms. Murphy expressed her concerns with the arguments made between Council members and the public after watching previous meetings. She also asked about school safety measures and the funding behind it. Mayor Morgan stated there used to be a grant for a school safety officer that was pulled by the federal government.

Jeanie Pate – 21 Ashwood Rd

Asked Council if they could hold meetings in a larger room since there were people standing in the hallway.

Councilman Gennaro addressed the public and commended them for attending the meeting. He encouraged them to attend more meetings and ask questions to hold them accountable.

Peggy Hagen – 21 Division Ave

Ms. Hagen asked Councilman Gennaro about statements that were made regarding the purchase of banners by the Mayor's wife. She asked for clarification since she heard the request was made by a former staffer. Councilman Gennaro asked Administrator Marvin for clarification. Mr. Marvin explained the Borough's purchasing process and stated he did not see the proper process being followed at the time the banners were purchased.

Tzu-Lin Toner - 31 Sagamore Drive (former Recreation Director)

Ms. Toner stated she was working with Christine Morgan at the time when the banners were purchased for the Night of 1,000 Stars. She stated she gave Mrs. Morgan authorization to purchase the banners and assumed they would be purchased using the Diversity Committee budget. She stated it was an internal communication error and stated she did not fully explain the purchasing process to Mrs. Morgan.

Peggy Hagen – 21 Division Ave

Ms. Hagen stated she hopes members of Council can move forward with regard to respecting members of the public and not calling them names. She specifically discussed conversations that occurred on facebook between Council members and herself.

Revathy Padmanabhan - 25 Stanley Road

Ms. Padmanabhan stated most residents cannot attend meetings due to their work schedules and other conflicts, and rely on watching the videos as well as communicating on public forums such as facebook. She encouraged Council to do a live stream of the Council meetings. Councilman Gennaro also suggested the public call with questions.

There being no one else wishing to speak, this portion of the meeting was closed.

FORMAL ACTION.

CONSENT AGENDA (routine items that may be passed by a single roll call vote; any Council member may call for a separate discussion or vote on any item)

Council President Muñoz moved items 1-9, seconded by Councilman Madden and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted “aye”. Carried on Roll Call.

1. Resolution 2018-066 Resolution Awarding Contract To Broadway Elite Tours, Dba Passaic Valley Coach, 71 River Road, Chatham, N.J. 07928 For Bus Transportation Services For Community Activities And Senior Programs
2. Resolution 2018-067 CR Bard, Inc. v. Borough of New Providence, Block 210, Lot 32 111 Spring Street Docket Nos. 005208-2013; 005574-2014; 003718-2015; 005283-2016 and 002896-2017
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9. Limousine License Request: Augie's Limo

ADJOURNMENT.

There being no further business, on motion by Council President Muñoz seconded by Councilman Madden, the meeting was adjourned.

Respectfully submitted,

Wendi B. Barry
Borough Clerk

These minutes have not yet been officially approved.

Minutes approved at the April 26, 2018 meeting of the Borough Council, as submitted.