

Borough Council Minutes  
New Providence, New Jersey  
April 23, 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, April 23, 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.

**PUBLIC HEARING OF BUDGET AND ORDINANCES:**

1. Budget Presentation            2018 Municipal Budget PowerPoint

Councilman Gennaro and Councilwoman Geoffroy gave the following budget presentation:

**Overview**

- Owners of real property in New Providence pay real estate taxes based upon the assessed valuation of their property.

- Municipal governments collect the property tax for the benefit of three taxing entities;
  - **The Municipality** - *The Mayor and Council control only this portion of your taxes.*
  - **Local Schools** - *The school tax is determined by the Board of Education .*
  - **Union County** - *The County budget is established by the County Freeholders.*

- The estimated 2018 breakdown of the total tax bill between the Municipal, County and Board of Education, based on the property tax on the average home is as follows:

- Municipal	19.79%	\$2,726
- Municipal Open Space	.14%	\$ 19
- Library	1.34%	\$ 184
- Union County	21.91%	\$3,018
- Union County Open Space	.60%	\$ 83
- Board of Education	<u>56.22%</u>	<u>\$7,742</u>
	100.00%	\$13,772

## Objectives

- ✓ Maintain essential municipal services.
- ✓ Continue to seek out efficiencies to contain operating costs and overhead.
- ✓ Keep municipal tax increases within predictable and affordable limits.

- ✓ Seek grants wherever possible to fund operations and capital improvements.
- ✓ Assure 2018 budget provides foundation for future budgets.
- ✓ Assure adequate funding levels of reserve accounts for Tax Appeals, Snow Removal & Insurance.

## 2017 -2018 Savings & Revenue Enhancements

- ✓ Continuing revenues from Shared Services agreement with Summit for Wastewater services -  
\$150,000 +/-
- ✓ New Item of Revenue for Police Escort Fees - \$45,000.
- ✓ Continuing the savings from the Reverse Electricity Auction and Natural gas with recent auctions to assure continued savings for next two years.
- ✓ Shared Service with Summit for Municipal Court Operations  
\$205,000.
- ✓ New Grant for Safe Routes to Schools - \$462,000.

## Shared Services

- ✓ Shared Dispatch Center operational providing high levels of efficiency and professionalism.
- ✓ Continuing agreement with Berkeley Heights to provide all services related to their Municipal Court. \$92,000.
- ✓ New \$310,000 Department of Transportation paving grant for Livingston Avenue.

# Municipal Tax Comparison

including Library & Open Space Tax

## 19 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$2,929
1999 Tax	\$1,692
19 Year Tax Increase	\$1,237
19 Yr. Avg. Annual Increase	\$ 65

## 1 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$2,929
2017 Tax	\$2,874
1 Year Tax Increase	\$55

# County Tax Comparison

including Open Space Tax

## 19 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$3,018
1999 Tax	\$1,297
19 Year Tax Increase	\$1,721
19 Yr. Avg. Annual Increase	\$ 90

## 1 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$3,018
2017 Tax	\$2,966
1 Year Tax Increase	\$ 52

# School Tax Comparison

## 19 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$7,742
1999 Tax	\$5,132
19 Year Tax Increase	\$2,512
19 Yr. Avg. Annual Increase	\$ 137

## 1 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$7,742
2017 Tax	\$7,599
1 Year Tax Increase	\$ 143

# Total Tax Comparison

## 19 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$ 13,689
1999 Tax	\$ 6,712
19 Year Tax Increase	\$ 6,908
19 Yr. Avg. Annual Increase	\$ 367

## 1 Year Impact On Average Assessed Value Home

Avg. Assessed Value	\$282,000
2018 Tax	\$ 13,689
2017 Tax	\$ 13,440
1 Year Tax Increase	\$ 249

## APPROPRIATIONS SUMMARY

Description	2017 Adopted Budget	2018 Proposed Budget	Increase or (Decrease) From 2017	Percentage
Public Safety	4,247,990	4,447,990	200,000	4.71%
Pension, Health Ins. & Employee Benefits	2,794,790	2,956,695	161,905	5.79%
Infrastructure	2,408,490	2,690,425	281,935	11.7%
Tax Reserves	2,000,000	2,053,380	53,380	2.67%
Public Works	2,366,850	2,387,850	21,000	0.89%
General Government	1,925,500	2,015,500	90,000	5.58%
Garbage Collection & Recycling	960,000	1,010,000	50,000	5.20%
Sewer Treatment & Disposal	790,000	815,000	25,000	3.23%
Street Lights & Utilities	590,000	600,000	10,000	1.69%
Land Use & Regulatory	491,350	498,600	7,250	1.47%
Community Activities & Events	355,450	370,450	15,000	4.22%
Insurance	515,000	535,000	20,000	3.88%
Municipal Court	187,900	351,175	163,275	86.89%
Public Health	139,475	141,475	2,000	1.43%
Grants & Donations	57,431	549,729	492,298	857.20%
Total Budget Appropriations	19,830,222	21,423,269	1,593,047	8.03%
Municipal Library	853,727	898,786	45,059	5.28%
Municipal Open Space	81,170	94,832	13,662	16.38%
Total Municipal Appropriations	20,683,953	22,416,887	1,651,764	7.95%

## New Providence 2017 Taxes Among the Lowest When Compared to Union County Peer Communities

	Av Municipal Taxes	Garbage	Sewer	Municipal
1 Scotch Plains	1,841.00	520	250	2,611.00
2 Berkeley Heights	2,187.00	500	0	2,687.00
3 New Providence	2,766.00	0	0	2,766.00
4 Westfield	2,696.00	360	0	3,056.00
5 Cranford	2,510.00	275	250	3,035.00
6 Mountainside	3,006.00	180	0	3,186.00
7 Springfield	3,397.00	0	0	3,397.00
8 Summit	3,467.00	0	177	3,644.00

### Future Investment

The Mayor and Council will continue to invest in the Borough's future through initiatives such as:

- ▶ **Recreation Improvements: Resurface Tennis Courts.**
- ▶ **DPW & Emergency Service Vehicles.**
- ▶ **Road Paving -Elkwood, Livingston.**
- ▶ **Sidewalk Repairs and installation of missing links of sidewalks.**
- ▶ **Funding for a School Resource Officer.**
- ▶ **Energy Efficiency Upgrades.**
- ▶ **Emergency Services - Upgrade Radio Equipment.**
- ▶ **Additional Video Surveillance equipment.**
- ▶ **Municipal Center/Library HVAC Upgrades.**

# Capital Projects – 2018

**Borough of New Providence**  
2018 Capital Budget & 5 Year Forecast

	2018	2019	2020	2021	2022	Total
<b>DEPARTMENT SUMMARY:</b>						
Public Works	845,000	485,000	360,000	380,000	950,000	3,020,000
Wastewater Treatment	450,000	400,000	200,000	200,000	200,000	1,450,000
Computers & Networking Equipment	38,000	28,000	28,000	28,000	43,000	165,000
Community Activities/Recreation	125,000	15,000	25,000	75,000	75,000	315,000
Borough Clerk		5,000		15,000	0	20,000
Rescue Squad	0					0
Fire	190,000	20,000	45,000	820,000	145,000	1,220,000
Rescue Squad	0	0	0	50,000	0	50,000
Emergency Management	595,000	10,000	75,000	10,000	15,000	705,000
Police	33,000	88,000	0	75,000	70,000	266,000
<b>Total</b>	<b>2,276,000</b>	<b>1,051,000</b>	<b>733,000</b>	<b>1,653,000</b>	<b>1,498,000</b>	<b>7,211,000</b>

Council members also discussed the effects of Lantern Hill and pending Affordable Housing settlement agreement.

**Resolution 2018-109      “Resolution To Read Budget By Title”**

Councilman Gennaro stated he had a resolution regarding the reading of the Budget.

Mayor Morgan requested the Clerk read Resolution 2018-109 “Resolution To Read Budget By Title”.

Resolution 2018-109 “Resolution to Read Budget by Title was read in full by the Borough Clerk.

Councilman Gennaro offered the foregoing resolution and moved its adoption. Seconded by Councilwoman Geoffroy and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted “Aye”. Mayor Morgan announced the resolution was adopted.

Mayor Morgan stated he would entertain a motion to open the hearing on the Budget.

Councilman Gennaro moved that the budget hearing be opened. Councilwoman Geoffroy seconded the motion and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted "Aye". Motion Carried on Roll Call.

Borough Clerk Barry stated "This is the time fixed for the public hearing on the Municipal Budget and Tax Resolution for 2018. The Budget was approved by the Governing Body on March 26, 2018, was advertised as required by law on April 12, 2018, together with notice of hearing for this time. Printed copies have been made available to the public during the past week and a supply is available here for anyone desiring a copy."

Mayor Morgan announced "Anyone who has not secured a copy of the Budget may now do so."

Mayor Morgan outlined the budget hearing procedures, stating "Each person desiring to be heard should rise and give his or her name and address before speaking. One speaker at a time, in order of rising, as nearly as I can determine. All questions are to be addressed to the Chair; where necessary they will be referred to individual members of the Governing Body or Municipal Officials. Questions must be confined solely to the Municipal Budget before us; School or County matters are not proper subjects of this hearing and cannot be discussed or answered here tonight."

Mayor Morgan declared the public hearing on the Municipal Budget and Tax Resolution for 2018 open.

Mayor Morgan observed no applicants from the floor and asked for a motion to close the hearing.

Councilman Madden made a motion that the hearing be closed, seconded by Council President Muñoz and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted "Aye". Motion Carried on Roll Call.

Councilwoman Geoffroy requested the adoption of the Municipal Budget and Tax Resolutions for 2018 be deferred to the May 7, 2018 Council Meeting, seconded by Council President Muñoz and on Roll Call Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted "Aye". Motion Carried on Roll Call. Councilman Gennaro stated the reason for this deferment was due to a timing issue with regard to publication of the CAP ordinance.

2. SID Budget Hearing:

Resolution 2018-110      “Resolution Adopting The 2018 Authority Budget Resolution - New Providence Special Improvement District - Fiscal Year: From January 1, 2018 To December 31, 2018”

Councilman Gennaro presented Resolution 2018-110 “Resolution Adopting The 2018 Authority Budget Resolution - New Providence Special Improvement District - Fiscal Year: From January 1, 2018 To December 31, 2018”. Councilman Gennaro moved passage of Resolution 2018-110, seconded by Councilman Madden and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted “aye”.

**PROCLAMATION:**

Public Safety Telecommunicators Week

Mayor Morgan presented proclamation to Scott Ruf, Director of the Shared Dispatch Center, proclaiming the week of April 8th-15<sup>th</sup> as Public Safety Telecommunicators week.

**APPROVAL OF MINUTES:**

February 26, 2018

Councilman Madden moved the minutes of the February 26, 2018 Council Meeting be approved as submitted, seconded by Councilwoman Geoffroy and unanimously approved.

March 12, 2018

Council President Muñoz moved the minutes of the March 12, 2018 Council Meeting be approved as submitted, seconded by Councilwoman Geoffroy and unanimously approved. Councilman Madden abstained since he was absent from the March 12<sup>th</sup> meeting.

**CORRESPONDENCE:**

1. Environmental Alliance, Inc., March 19, 2018. Re: New Providence Tire & Auto, Public Participation Response Form. No action required.
2. Public Service Electric & Gas, April 2, 2018. Re: Company Update. No action required.

3. Sundra Parker, April 4, 2018. Re: Thank You. No action required.
4. Primrose Schools, April 5, 2018. Re: Interest in Properties 124 South Street and 80 South Street. No action required.
5. Neel Tilak, April 6, 2018. Re: Affordable Housing Map. No action required.
6. Jeffrey Hankinson, April 6, 2018. Re: Central Avenue path brush clean-up. No action required.
7. Judy Saunders, April 9, 2018. Re: Proposed Division Avenue sidewalks. Councilman Madden stated he responded to Mrs. Saunders.
8. John Phillips, April 10, 2018. Re: Storm clean up, thank you. No action required.
9. Patti Broccoli, Relay For Life 2018 Chairperson, April 10, 2018. Re: Relay For Life Kick-Off Event. No action required.
10. New Providence Fire Department, April 11, 2018. Re: Membership, Aliaksandr Savin. No action required.
11. Kevin Nixon, April 11, 2018. Re: Downed utility equipment. No action required.
12. Union County, Open Space, Recreation & Historic Preservation Trust Fund, April 13, 2018. Re: Level the Playing Field Grant Program Presentation. No action required.
13. Township Chatham, April 13, 2018. Re: Adoption of Ordinance 2018-05, Zoning Regulations. No action required.
14. Township Chatham, April 13, 2018. Re: Adoption of Ordinance 2018-07, Zoning Regulations. No action required.
15. Township Chatham, April 13, 2018. Re: Introduction of Ordinance 2018-12, Tree Protection Committee. No action required.

## **COUNCIL BUSINESS:**

**Community Activities:** Councilman Madden, Councilwoman Geoffroy, Councilman Robinson

1. Resolution 2018-111      Salary Resolution

Councilman Madden presented Resolution 2018-11 approving salaries for summer program staff in the Community Activities Department.

**Diversity Committee** - Council President Muñoz, Councilwoman Geoffroy, Councilman Madden

1. Resolution 2018-112 Resolution Approving Request Of The New Providence Diversity Committee To Present A Cinco De Mayo Celebration To Be Held On May 5, 2018 At The New Providence Memorial Library

Councilwoman Geoffroy presented Resolution 2018-112 approving request of the New Providence Diversity Committee to present a Cinco De Mayo Celebration to be held on May 5, 2018 at the New Providence Memorial Library.

**Finance:** Councilman Gennaro, Councilwoman Geoffroy

1. Resolution 2018-113 Resolution Authorizing Emergency, Temporary Appropriation

Councilman Gennaro presented Resolution 2018-113 authorizing emergency, temporary appropriation. He stated this appropriation of \$216,700 is needed prior to budget adoption to be able to pay some expenditures.

2. Resolution 2018-114 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$482,454.59

Councilman Gennaro presented Resolution 2018-114 authorizing payment of the bills payable list. He stated the largest items are payment for the Elkwood Avenue paving project and refund to CR Bard for a tax appeal.

**Personnel:** Councilman Robinson, Councilman Gennaro, Council President Muñoz

1. Resolution 2018-115 Resolution Accepting Written Employment Resignation From Donna R. Vickery, M.D., A.B.F.P. As Borough Physician For The Borough Of New Providence

Councilman Robinson presented Resolution 2018-115 accepting written employment resignation from Donna R. Vickery as Borough Physician. He thanked her for 15 years of service to the Borough.

**Planning & Development:** Councilman Madden, Council President Muñoz

1. Resolution 2018-116 Resolution Approving Partial Payment # 1 For American Asphalt And Milling Services, In The Amount Of \$164,469.34 For The Project Commonly Known As “Elkwood Avenue Improvements”

Councilman Madden presented Resolution 2018-116 approving partial payment #1 for American Asphalt and Milling Services in the amount of \$164,469.34 for the project commonly known as “Elkwood Avenue Improvements”.

2. Resolution 2018-117 Resolution Approving Change Order #4 For Fine Construction, In The Amount Of \$8,000.00 For The Municipal Court Renovation Project

Councilman Madden presented Resolution 2018-117 approving change order #4 for Fine Construction in the amount of \$8,000.00 for the Municipal Court Renovation Project.

3. Resolution 2018-118 Resolution Authorizing The Release Of Cash Performance Guarantee To B & T Realty Dba Barth’s Market For 65 South Street, Block 171 Lots 23 & 24

Councilman Madden presented Resolution 2018-118 authorizing the release of cash performance guarantee to B & T Realty dba Barth’s Market for 65 South Street.

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

1. Raffle License Requests: RA-1098 Blue Streak Aquatic

Mayor Morgan presented raffle request RA1098 from Blue Streak Aquatic.

2. Limo License Request: Raja A. Shakoor, Summit Express

Mayor Morgan presented limousine license request from Raja A. Shakoor.

3. Resolution 2018-119 Resolution Appointing Detective Michael Scuorzo As Humane Law Enforcement Officer For The Borough Of New Providence

Mayor Morgan presented Resolution 2018-119 appointing Detective Michael Scuorzo as Human Law Enforcement Officer for the Borough of New Providence.

**Public Works:** Councilman Kapner, Councilwoman Geoffroy, Councilman Robinson

1. Resolution 2018-120 Resolution Approving Requisition R1800775 For S. Rotondi & Sons, Inc., In An Amount Not To Exceed \$54,000.00 For Emergency Brush Removal

Councilman Kapner presented Resolution 2018-120 approving requisition R1800775 for S. Rotondi & Sons, Inc. in an amount not to exceed \$54,000 for emergency brush removal.

2. Resolution 2018-121 Resolution Approving Requisition R1800708 For Human Backhoe, In An Amount Not To Exceed \$4,500.00 For Emergency Brush Removal

Councilman Kapner presented Resolution 2018-121 approving requisition R1800708 for Human Backhoe in an amount not to exceed \$4,500 for emergency brush removal.

3. Resolution 2018-122 Resolution Approving Requisition R1800704 For Mazzucco Masonry, LLC, In An Amount Not To Exceed \$13,500.00 For Emergency Brush Removal

Councilman Kapner presented requisition R1800704 for Mazzucco Masonry, LLC in an amount not to exceed \$13,500 for emergency brush removal.

**Recreational Capital Improvement:** Councilman Madden, Councilman Robinson, Council President Muñoz

1. Resolution 2018-123 Resolution Approving Change Order #17 For Dakota Excavating Contractors, Inc., In The Total Amount Of \$9,700.00 For The Oakwood Park Athletic Field Renovation Project

Councilman Madden presented Resolution 2018-123 approving change order #17 for Dakota Excavating Contractors, Inc. in the total amount of \$9,700 for the Oakwood Park Athletic Field Renovation Project. He stated this relates to the additional fencing that will secure the retaining wall area.

**Senior Services:** Councilman Robinson, Councilman Madden, Councilman Gennaro

1. Resolution 2018-124 Resolution Authorizing Agreement Between The Borough Of New Providence And Sage Eldercare, Inc., In The Amount Of \$18,011.00

Councilman Robinson presented Resolution 2018-124 authorizing agreement between the Borough of New Providence and Sage Eldercare, Inc., in the amount of \$18,011.

## **DISCUSSION ITEMS:**

Committee Assignments – Effective 4-23-2018

Resolution 2018-125	Resolution Of The Borough Council Of The Borough Of New Providence Adopting Rules And Order Of Business Of The Borough Council For The Year 2018.
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Councilman Muñoz presented Resolution 2018-125 adopting rules and order of business of the Borough Council for the year 2018. He stated after reviewing the by-laws it was decided to revert back to the same rules as 2017, with the exception of the Communications Committee and Capital Review Committee which would have 3 council members.

## **COUNCIL COMMITTEE REPORTS.**

### **Councilman Robinson – reported on the following:**

- 1) Community Garden – drip irrigation system being added to the garden which is part of an Eagle Scout project by Paul Seth.

### **Council President Muñoz – reported on the following:**

- 1) Eagle Scouts Troop 63 – many upcoming eagle scout projects in the pipeline
- 2) Attended the Gateway Chamber of Commerce Mayor's Dinner sponsored by the Sharing Network.

### **Councilman Gennaro – reported on the following:**

- 1) Spoke with resident who suggested a pedestrian bridge across the Salt Brook near the tennis courts. Administrator Marvin stated he would speak to the Borough Engineer regarding this.

### **Councilman Kapner – reported on the following:**

- 1) Communications Committee – 2 meetings held in April – discussed communication between Borough staff with regard to reporting emergencies and road closures on the Borough facebook page.

**Councilwoman Geoffroy – reported on the following:**

- 1) Diversity Committee – Cinco De Mayo event to be held May 5<sup>th</sup> from 12pm-4:45pm at the Memorial Library.

**Councilman Madden – reported on the following:**

- 1) Municipal Alliance – Diane Rispoli stepping down and new coordinator Kathy Paterson is working on itinerary for teen events. Event at high school April 24<sup>th</sup>, guest speaker Joel Ingersoll “Preparation for College”.
- 2) Oakwood Park – baseball fields are now open and the New Providence Reds and New Providence freshman baseball teams have held games.

**Mayor Morgan – reported on the following:**

- 1) Annual Fishing Derby at Oakwood Park – April 28th
- 2) Free saplings being distributed at library - April 28th
- 3) Girl Scouts clean-up day - April 28th
- 4) Historical Society – annual dinner April 26<sup>th</sup> guest speaker, Gene Pantalone. Annual craft fair to be held May 5<sup>th</sup>.
- 5) Meeting with Union County representatives along with Administrator Marvin and Councilman Robinson
- 6) Library Board – applying for matching grant to renovate the library. Lisa Florio is the new Director of the Library effective March 21<sup>st</sup>.

**BOROUGH ADMINISTRATOR REPORT.**

**Administrator Marvin reported on the following:**

- 1) NJ American Water will delay replacing the water main on Springfield Avenue in anticipation of the Passaic Street bridge being replaced later this year. He stated they will replace the water main on Livingston Avenue instead prior to the Borough paving Livingston Ave in the fall.
- 2) Senior Health Fair May 16<sup>th</sup>
- 3) Memorial Day Parade May 28<sup>th</sup>
- 4) Mountain Avenue – speed counts are underway and he anticipates there will be an Ordinance on the next agenda with regard to reducing the speed limit.

**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.

**Kurt Thraen – 225 Mountain Avenue**

Mr. Thraen thanked Council for their efforts with reducing the speed on Mountain Avenue. He asked if the speed would be consistent along Mountain Avenue. Administrator Marvin stated from South Street to Division Avenue it would be

reduced to 35 mph and they would most likely add advisory signs as well. Mr. Thraen also spoke with Administrator Marvin with regard to certain pedestrian crosswalks and pedestrian flashing signage.

#### **Brian Lavey - 55 Bradford Street**

Mr. Lavey discussed a letter he received regarding contamination of the NP Tire & Auto site. He stated the company who sent him the letter recently performed an analysis and found a high level of carcinogenic chemicals. He stated he is concerned about ground water running from the NP Tire & Auto site downhill to his house. He learned there are monitoring wells at the front of the gas station property but none on the south side of the property. He stated according to the DEP, NP Tire & Auto has not made any clean up efforts to date, but they had expressed interest in re-opening a gas station again. He encouraged Council to address the clean-up issue before granting any permission for a gas station. Councilman Gennaro asked Mr. Lavey to send the information he received to Administrator Marvin who would have the Borough Engineer look into the matter. Administrator Marvin stated he would also speak with Keith Lynch to see if he was aware of any application by NP Tire & Auto for a gas station. Councilman Gennaro also suggested Mr. Lavey test his own ground water if possible to make sure there were no contaminants.

#### **Brian Haas – 49 Bradford Street**

Mr. Haas addressed Council regarding NP Tire & Auto and agreed with the concerns of his neighbor Mr. Lavey. Mayor Morgan and Councilman Gennaro stated the Borough Engineer would be looking into the matter.

#### **Michael Speck – 54 Bradford**

Mr. Speck addressed Council stating he did not receive the public notice regarding NP Tire & Auto, however he is a licensed site remediation professional in NJ and after hearing from his neighbors he contacted the DEP regarding the matter. He stated the representatives from the DEP told him the site is currently out of compliance with mandatory and regulatory timeframes for remediation. He reviewed the report and found there were significant data gaps with regard to the radial flow of groundwater and found there were 7 underground storage tanks removed and 2 new tanks added back in 1999. He stated the concentration of contaminants in the tanks should go down over time and instead they have increased by 40 times. He stated he would be sending the DEP a letter with regard to the gaps in the work that was performed. Mayor Morgan asked Mr. Speck to copy Administrator Marvin on his correspondence with the DEP so council could stay informed on the status.

#### **Eligio Clapcich - 59 Bradford Street**

Mr. Clapcich addressed Council and expressed the same concerns as his neighbors with regard to NP Tire & Auto and stated he hoped the issues could be resolved. He also discussed the intersection of South Street and Central Avenue and asked for a left turn arrow to be added to the traffic light.

**Matthew Ocwieja - 39 Bradford Street**

Mr. Ocwieja addressed Council and expressed his concerns regarding NP Tire & Auto and stated he looked forward to hearing a response from the DEP and thanked council for their support.

**Andrew Buckley - 45 Bradford Street**

Mr. Buckley addressed Council and expressed his concerns regarding NP Tire & Auto. He thanked council for their support.

**Bryon Linnehan – 5 Surrey Lane**

Mr. Linnehan thanked the Council and Police Department for making the schools as safe as possible by adding police officers in the schools.

**Rupa Kale - 143 Crane Circle**

Ms. Kale addressed Council and thanked Councilman Gennaro for the budget presentation and asked if it was available to the public. Administrator Marvin replied the presentation would be posted on the Borough website. Ms. Kale also asked if any members of Council knew anything about the NJ American Water bill going up significantly. She stated she spoke with other residents and it seems the usage for everyone has gone up. She asked for Council's help to contact someone at NJ American Water about this increase.

**Peggy Hagen – 21 Division Ave**

Ms. Hagen addressed Council and asked about the council by-laws. She asked if anything had changed with regard to 2 members vs. 3 members on certain committees. Mayor Morgan stated the Capital Improvement Committee always had 3 members which remains the same, and the Communications Committee consists of 3 members, but stated it is a relatively new committee and they will keep him informed of what gets discussed.

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 item 1 of the consent agenda, seconded by Councilman Madden and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Gennaro, and Councilman Robinson voted "aye". Councilman Kapner abstained. Carried on Roll Call.

Council President Muñoz moved items 2-17, seconded by Councilwoman Geoffroy 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. Limo License Request: Raja A. Shakoor, Summit Express  
**SEPARATE VOTE**
2. Raffle License Requests: RA-1098 Blue Streak Aquatic
3. Resolution 2018-111 Salary Resolution
4. Resolution 2018-112 Resolution Approving Request Of The New Providence Diversity Committee To Present A Cinco De Mayo Celebration To Be Held On May 5, 2018 At The New Memorial Library
5. Resolution 2018-113 Resolution Authorizing Emergency, Temporary Appropriation
6. Resolution 2018-114 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 482,454.59
7. Resolution 2018-115 Resolution Accepting Written Employment Resignation From Donna R. Vickery, M.D., A.B.F.P. As Borough Physician For The Borough Of New Providence
8. Resolution 2018-116 Resolution Approving Partial Payment # 1 For American Asphalt And Milling Services, In The Amount Of \$164,469.34 For The Project Commonly Known As "Elkwood Avenue Improvements"
9. Resolution 2018-117 Resolution Approving Change Order #4 For Fine Construction, In The Amount Of \$8,000.00 For The Municipal Court Renovation Project
10. Resolution 2018-118 Resolution Authorizing The Release Of Cash Performance Guarantee To B & T Realty Dba Barth's Market For 65 South Street, Block 171 Lots 23 & 24
11. Resolution 2018-119 Resolution Appointing Detective Michael Scurzo As Humane Law Enforcement Officer For The Borough Of New Providence
12. Resolution 2018-120 Resolution Approving Requisition R1800775 For S. Rotondi & Sons, Inc., In An Amount Not To Exceed \$54,000.00 For Emergency Brush Removal

13. Resolution 2018-121 Resolution Approving Requisition R1800708 For Human Backhoe, In An Amount Not To Exceed \$4,500.00 For Emergency Brush Removal
14. Resolution 2018-122 Resolution Approving Requisition R1800704 For Mazzucco Masonry, Llc, In An Amount Not To Exceed \$13,500.00 For Emergency Brush Removal
15. Resolution 2018-123 Resolution Authorizing Agreement Between The Borough Of New Providence And Sage Eldercare, Inc., In The Amount Of \$\$18,011.00
16. Resolution 2018-124 Resolution Approving Change Order #17 For Dakota Excavating Contractors, Inc., In The Total Amount Of \$9,700.00 For The Oakwood Park Athletic Field Renovation Project
17. Resolution 2018-125 Resolution Of The Borough Council Of The Borough Of New Providence Adopting Rules And Order Of Business Of The Borough Council For The Year 2018.

## **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 June 11, 2018 meeting of the Borough Council, as submitted.*

