

Borough Council Minutes
New Providence, New Jersey
May 07, 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, May 07, 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, Deputy Borough Clerk Brinkofski, Attorney Robertson

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 HEARINGS:

1. Ordinance 2018-02 An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, Amending Chapter 70 Of The Code Of The Borough Of New Providence Entitled "Open Space Trust Fund" To Increase Levy To .0070 Cent Per One Hundred Dollars Of Assessed Value

Title read in full by Borough Clerk Barry.

Mayor Morgan opened the public hearing on Ordinance 2018-02. There being no one wishing to speak the hearing was closed.

Councilman Gennaro moved the adoption of Ordinance 2018-02, 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". Carried on Roll Call.

2. Ordinance 2018-03 Calendar Year 2018 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a: 4-45.14)

Title read in full by Borough Clerk Barry.

Mayor Morgan opened the public hearing on Ordinance 2018-03. There being no one wishing to speak the hearing was closed.

Councilman Kapner moved the adoption of Ordinance 2018-03, 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”. Carried on Roll Call.

2018 MUNICIPAL BUDGET:

Adoption of 2018 Municipal Budget

The 2018 Municipal Budget hearing was held on April 23, 2018.

Councilman Gennaro requested the Clerk be instructed to read Section 2, the adoption resolution for the Budget.

Mayor Morgan requested the Clerk read the resolution.

Borough Clerk Barry read section 2 of the Budget Resolution.

Councilman Gennaro moved the adoption of the Budget Resolution, seconded by Councilman Madden and on Roll Call: Councilman Madden, Councilman Galluccio, Council President Kapner, Councilman Gennaro, Councilman Muñoz, and Councilman Robinson voted “aye”. Carried on Roll Call.

PROCLAMATIONS:

1. Police Memorial Week

Mayor Morgan presented proclamation to Captain Gazaway. He stated May 15th is designated as Police Memorial Day.

2. Mental Health Month

Mayor Morgan presented proclamation to Donna Buoscio.

APPOINTMENTS:

1. Municipal Alliance – Don Burkitt

Mayor Morgan announced the appointment of Don Burkitt to the Municipal

Alliance. Councilman Madden moved to concur in the appointment, seconded by Councilwoman Geoffroy and unanimously approved.

APPROVAL OF MINUTES:

March 3, 2018

Councilman Madden moved the minutes of the March 3, 2018 Council Meeting be approved as submitted, seconded by Council President Muñoz and unanimously approved.

March 26, 2018

Councilwoman Geoffroy moved the minutes of the March 26, 2018 Council Meeting be approved as submitted, seconded by Council President Muñoz and unanimously approved.

CORRESPONDENCE:

1. Keith Doll, May 1, 2018. Re: New Providence Board of Health Resignation. Mayor Morgan stated Mr. Doll is moving out of the Borough.
2. Lawrence Demilio, May 2, 2018. Re: Oakwood Park Traffic. No action required.
3. State of New Jersey, Department of Environmental Protection, May 3, 2018. Re: Suspected Hazardous Substance Discharge Notification, 14 Vista Lane. No action required.
4. Allen Robinson, May 4, 2018. Re: Solid Waste Collection Issues. Mayor Morgan stated this was forward to public works.

COUNCIL BUSINESS:

Administration: Councilman Robinson, Councilman Kapner, Councilman Gennaro

1. Request for Authorization to Advertise for RFQ's - Architects

Councilman Robinson presented the request for authorization to advertise for RFQ's for architectural services to construct a garage by the police department. He stated the Police Chief has requested a garage to house the mobile generator, a large rescue truck, and other police equipment. Councilman Gennaro added the funds are available in the capital budget.

Affordable Housing: Councilman Gennaro, Councilman Kapner

1. Resolution 2018-126 Resolution Of The Borough Of New Providence,
County Of Union And State Of New Jersey,
Authorizing Subordination Of Mortgage For Gallo-
Perez/Belandria Refinance Of Affordable Housing
Unit

Councilman Gennaro presented Resolution 2018-126 Resolution Of The Borough Of New Providence, County Of Union And State Of New Jersey, Authorizing Subordination Of Mortgage For Gallo-Perez/Belandria Refinance Of Affordable Housing Unit. He stated the owner of the affordable unit is refinancing their mortgage.

Finance: Councilman Gennaro, Councilwoman Geoffroy

1. Introduction of Ordinance 2018-04 Bond Ordinance Providing For Various Capital Improvements In And By The Borough Of New Providence, In The County Of Union, New Jersey, Appropriating \$ 2,485,000 Therefor And Authorizing The Issuance Of \$ 2,365,000 Bonds Or Notes Of The Borough To Finance Part Of The Cost Thereof.

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2. Resolution 2018-127 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 6,463,729.60

Councilman Gennaro presented Resolution 2018-127 authorizing payment of the bills payable list. He stated the largest items are payment to Fine Construction for the Council Chambers Renovation and tax payment to the Board of Education.

3. Resolution 20178-128 Resolution Refunding Or Applying Overpayment Of Taxes To Certain Property Owners

Councilman Gennaro presented Resolution 2018-128 refunding or applying overpayment of taxes to certain property owners. He stated this refunds tax overpayments for 2 properties.

Planning & Development: Councilman Madden, Council President Muñoz

1. Authorization to Bid Livingston Avenue Improvement Project

Councilman Madden presented the authorization to bid Livingston Avenue Improvement Project. He stated the project will be scheduled after the water main project is completed by the water company.

2. Resolution 2018-129 Resolution Approving Partial Payment # 3 For Fine Construction, Inc., In The Amount Of \$134,894.16 For The Project Commonly Known As "Municipal Court Renovations"

Councilman Madden presented Resolution 2018-129 approving partial payment #3 for Fine Construction, Inc. in the amount of \$134,894.16 for the project commonly known as "Municipal Court Renovations"

3. Resolution 2018-130 Resolution Authorizing Return Of Performance Bond, Maintenance Bond, Escrow Fees And Inspection Fees To McDonald's Corporation

Councilman Madden presented Resolution 2018-130 authorizing return of performance bond, maintenance bond, escrow fees and inspection fees to McDonald's Corporation.

4. Resolution 2018-131 "Resolution Authorizing Return Of Escrow Funds To Enterprise Home Builders, LLC"

Councilman Madden presented Resolution 2018-131 authorizing return of escrow funds to Enterprise Home Builders, LLC.

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

1. Introduction of Ordinance 2018-05 An Ordinance Amending And Supplementing Chapter 257 Of The Code Of The Borough Of New Providence Entitled 'Vehicles And Traffic'

Mayor Morgan presented the introduction of Ordinance 2018-05 amending and supplementing Chapter 257 of the Code of The Borough of New Providence entitled "Vehicles and Traffic". He stated this reduces the speed limit on Mountain Avenue from 40 to 35 from South Street to Division Avenue.

Public Works: Councilman Kapner, Councilwoman Geoffroy, Councilman Robinson

1. Resolution 2018-132 Resolution Employing Summer Help In The Borough Of New Providence

Councilman Kapner presented Resolution 2018-132 employing summer help in the Borough of New Providence. He stated the hourly rate has been increased from \$10 to \$12 which has not be changed since 2007.

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

1. Resolution 2018-133 Resolution Approving Requisition R1800863 For Johnston Communications Voice And Data, In A Total Amount Not To Exceed \$15,541.90, For Additional Security Cameras At Oakwood Park, Union County Coop 8-Uccp Bid #42-2017

Councilman Madden presented Resolution 2018-133 approving requisition R1800863 for Johnston Communications Voice and Data, in a total amount not to exceed \$15,541.90 for additional security cameras at Oakwood Park, Union County Coop 8-Uccp Bid #42-2017. He stated this is for the installation of 4 more security cameras at Oakwood Park and the funds are available in the 2017 capital budget.

DISCUSSION ITEMS:

1. Ping Wang Site

Administrator Marvin gave an update on the Ping Wang site with regard to Maser Consulting's site investigation report. He stated Maser found 5 areas of concern which included 2 underground storage tanks. He stated according to the report there are some areas of pollutants that need additional delineation and testing, and Maser also reported there may be available state funding. Council members discussed the possible removal of the tanks and taking over the property. Council members suggested doing the additional testing as long as state funding is available. Administrator Marvin stated he would speak with Maser and report back.

2. Installation of New Fire Hydrant

Mayor Morgan stated the Fire Department has recommended installing a new fire hydrant on Sixth Street since a couple new houses are being constructed. He stated the water company will already be installing a new water main on Livingston Avenue.

COUNCIL COMMITTEE REPORTS.

Mayor Morgan – reported on the following:

- 1) Suburban Chamber of Commerce Dinner at Sharing Network
- 2) Girl Scout clean up event
- 3) Sustainability Committee gave out 1200 free trees
- 4) PBA annual fishing derby
- 5) Meeting with Union County Officials – discussed shared services, Mountain Avenue, and traffic lights. He stated they specifically discussed installing a traffic light at Gales Drive and South Street.
- 6) Barth's grand opening
- 7) Mayor's meeting cancelled due to lack of attendance
- 8) National Day of Prayer at the Presbyterian Church
- 9) Historical Society Dinner
- 10) Diversity Committee - Cinco De Mayo
- 11) Small Business Week – encouraged everyone to support local businesses

Councilman Robinson – reported on the following:

- 1) Senior Citizen Health Fair – May 16th at DeCorso Center
- 2) Sustainability Committee – working to obtain Silver level status
- 3) Union County meeting – asked for sponsorships for the street fair and summer concerts, and possible grants for the salt box museum. Also discussed county tax increase and 2% cap, as well as traffic lights and pedestrian crosswalks.

Council President Muñoz – reported on the following:

- 1) Diversity Committee – Cinco De Mayo

Councilman Gennaro – reported on the following:

- 1) Discussed adding a pedestrian bridge over the Salt Brook by tennis courts with Administrator Marvin. Mr. Marvin stated the Borough Engineer is looking into.

Councilman Kapner – reported on the following:

- 1) Suburban Chamber of Commerce Dinner – congratulated Skin Deep and the Brooke Healey Foundation
- 2) Barth's grand opening – thanked Jimmy Barth for investing in New Providence
- 3) Chopt – opening soon
- 4) Encouraged everyone to support local businesses stating they sponsor events such as the summer concerts, fireworks, street fair, and holiday festival.
- 5) Planning Board – 33 Countryside application carried to May 12th

Councilwoman Geoffroy – reported on the following:

- 1) Union County meeting very informative
- 2) Board of Education meeting – discussed the school budget and gave out Golden Apple Awards to teachers.
- 3) OLP Fair

Councilman Madden – reported on the following:

- 1) Union County Freeholder meeting – awarded \$55,000 Infrastructure grant for sidewalks, and \$24,750 grant for Harmony Park project in Veteran's Park.
- 2) Municipal Alliance – Nora Murphy receiving Volunteer of the Year Award from Union County.
- 3) Livingston Avenue water main to be replaced – information on Borough website
- 4) Bridge over Salt Brook – spoke with someone regarding pre-fabricated products
- 5) Day for Courtney

BOROUGH ADMINISTRATOR REPORT.**Administrator Marvin reported on the following:**

- 1) Jeanie Laughton wants to do a project for her niece Courtney as they did the year prior. Mr. Marvin stated he discussed with Jim Johnston and they decided to have them do some cleaning and planting at Oakwood Park. He stated they are looking to do the project on June 2nd and they will have them sign a waiver.
- 2) Memorial Day parade May 28th 10am – details on Borough website

BOARD OF EDUCATION**Ira Krauss – Board of Education**

Mr. Krauss stated the Board of Education passed their budget which will amount to 1.88% tax increase over last year.

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. There being no one wishing to speak the public hearing 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 1-12 of the consent agenda, 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.

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2. Authorization to Bid Livingston Avenue Improvement Project
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5. Resolution 2018-126 Resolution Of The Borough Of New Providence, County Of Union And State Of New Jersey, Authorizing Subordination Of Mortgage For Gallo-Perez/Belandria Refinance Of Affordable Housing Unit
6. Resolution 2018-127 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 6,463,729.60
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8. Resolution 2018-129 Resolution Approving Partial Payment # 3 For Fine Construction, Inc., In The Amount Of \$134,894.16 For The Project Commonly Known As “Municipal Court Renovations”
9. Resolution 2018-130 Resolution Authorizing Return Of Performance Bond, Maintenance Bond, Escrow Fees And Inspection Fees To McDonald's Corporation
10. Resolution 2018-131 “Resolution Authorizing Return Of Escrow Funds To Enterprise Home Builders, LLC”
11. Resolution 2018-132 Resolution Employing Summer Help In The Borough Of New Providence

12. Resolution 2018-133 Resolution Approving Requisition R1800863 For Johnston Communications Voice And Data, In A Total Amount Not To Exceed \$15,541.90, For Additional Security Cameras At Oakwood Park, Union County Coop 8-Uccp Bid #42-2017

EXECUTIVE SESSION

Resolution 2018-2a Resolution Establishing May 7, 2018 As The Date, And 7:55 PM As The Time, And The Municipal Center As The Place, For The Holding Of A Special Meeting Of The Mayor And Council Of The Borough Of New Providence, To Discuss Personnel Matters Involving Salary Issues At Which Time The Public Will Be Excluded.

Title read in full by Borough Clerk Barry.

Councilman Kapner moved the adoption of Resolution 2018-02, 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.

On motion by Council President Muñoz, seconded by Councilman Kapner the meeting was re-opened.

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.