

Borough Council Minutes
New Providence, New Jersey
May 21, 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 21, 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,
Councilwoman Geoffroy, Councilman Kapner,
Councilman Gennaro, Councilman Robinson

Entered After Roll Call: Councilman Madden

Absent: None

Also Present: Borough Clerk Barry, Deputy Borough Clerk
Brinkofski, 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.

HEARING ON ORDINANCES:

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

Title read in full by Borough Clerk Barry.

Mayor Morgan opened the public hearing on
Ordinance 2018-04. There being no one wishing to
speak the hearing was closed.

Councilman Gennaro moved the adoption of
Ordinance 2018-04, seconded by Council President
Muñoz and on Roll Call: Council President Muñoz,
Councilwoman Geoffroy, Councilman Kapner,
Councilman Gennaro, and Councilman Robinson
voted "aye". Carried on Roll Call.

Ordinance 2018-05

An Ordinance Amending And Supplementing Chapter 257 Of The Code Of The Borough Of New Providence Entitled ‘Vehicles And Traffic’”

Title read in full by Borough Clerk Barry.

Mayor Morgan opened the public hearing on Ordinance 2018-05. There being no one wishing to speak the hearing was closed.

Councilwoman Geoffroy moved the adoption of Ordinance 2018-05, seconded by Council President Muñoz and on Roll Call: Council President Muñoz, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, and Councilman Robinson voted “aye”. Carried on Roll Call.

APPOINTMENT:

1. Resolution 2018-134 Resolution Appointing Jeffrey A. Bruder, Jr. As Probationary Patrolman The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-126 appointing Jeffrey A. Bruder, Jr. as probationary patrolman of the Police Department of the Borough of New Providence. Councilman Kapner made a motion to appoint Jeffrey A. Bruder, 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.

Mayor Morgan administered the Oath of Office to Jeffrey A. Bruder.

2. Board of Health 2nd Alternate Member – Michele Matsikoudis

Mayor Morgan announced the appointment of Michele Matsikoudis to the Board of Health. Councilman Kapner made a motion to concur in the Mayor’s appointment, seconded by Councilman Madden and unanimously approved.

PROCLAMATIONS:

Public Works Appreciation Week

Mayor Morgan presented proclamation to Public Works Manager, Jim Johnston, proclaiming May 21-26th as Public Works Appreciation Week. Mayor Morgan thanked the Public Works Department for all their hard work especially with the recent snow storm cleanup efforts.

EMS Week

Mayor Morgan presented proclamation to Susan DeLuise, proclaiming May 20-27th as EMS Week. Mayor Morgan thanked the Rescue Squad for all of their efforts and volunteerism.

JCP&L UPDATE:

Rob Walton updated Council on power outage events that occurred over the last couple of months. He stated the worst were the snow/wind storms on March 2nd and March 7th that took out power to 529,000 customers. He stated there were 761 broken poles and 5,600 downed trees. He stated they also had large outages March 22nd, April 4th, and May 15th so they have been very busy. He stated they learned from Hurricane Sandy that getting the roads open for public safety personnel is first priority and after they can work on power restoration. Mayor Morgan thanked Mr. Walton for always keeping him informed and giving him accurate information that he could pass on to the residents. Mr. Walton also discussed tree trimming and the JCP&L app. He encouraged residents to download the app on their phone for reporting outages. Councilman Muñoz asked about underground utilities. Mr. Walton stated it is very costly, approximately \$2.2 million per mile, but stated maybe they will need to look into a replacement plan and finance over a number of years.

APPROVAL OF MINUTES:

April 9, 2018

Councilwoman Geoffroy stated there was a typo under Councilman Muñoz's report stating "heat" should say "heart". Councilwoman Geoffroy moved the minutes of the April 9, 2018 council meeting be approved as amended, seconded by Council President Muñoz and unanimously approved.

CORRESPONDENCE:

1. Bryan Ayars, April 20, 2018. Re: Request for use of Borough Right-of-Way. Attorney Rizzo and Borough Clerk Barry discussed preparing a right-of-way agreement for Mr. Ayars to sign. Council members concurred they would grant access to the right-of-way per his request for underground utility installation.
2. County of Union, Department of Engineering, Public Works & Facilities Management, April 24, 2018. Re: Notification of Union County Mosquito Control Program. No action required.
3. Env-Logic, May 4, 2018. Re: NJDEP Remedial Action Protectiveness / Biennial Certification Form – Soil, Fablok Mills, Inc. No action required.
4. County of Union, Board of Chosen Freeholders. May 7, 2018. Re: Resolution 2018-381, Supporting the "Sandy Hook Promise". No action required.
5. Anthony Metzner, May 8, 2018. Re: Solicitors. Council members discussed Mr. Metzner's correspondence with Attorney Rizzo. They suggested a no soliciting sign be placed on the residence since having a "Do not knock list/registry" would not apply to all canvassers.

6. Robert and Teresa Muñoz, May 9, 2018. Re: Board of Adjustment Public Hearing, 3 Alison Court. No action required.
7. New Jersey American Water, May 10, 2018. Re: Provisional Rates. No action required.
8. State of New Jersey, Department of Environmental Protection, May 11, 2018. Re: Suspected Hazardous Substance Discharge Notification, 100 Mountain Avenue. No action required.
9. NJ Transit, May 11, 2018. Re: FFY2017 S5310 Application Public Notice. No action required.
10. State of New Jersey, Department of Transportation, May 15, 2018. Re: 2018 Safe Routes to School Program. No action required.
11. State of New Jersey, Department of Transportation, May 15, 2018. Re: 2018 Transportation Alternatives Set-Aside Program. No action required.
12. Union County Board of Chosen Freeholders, May 16, 2018. Re: Resolution 2018-439, First Annual Union County Freeholders' Mayor's Challenge. No action required.
13. New Jersey Transit, May 17, 2018. Re: Public Notice of Intent to Apply for Federal Fiscal Year 2018 Federal Financial Assistance. No action required.

COUNCIL BUSINESS:

Administration: Councilman Robinson, Councilman Kapner

1. Resolution 2018-135 Resolution Approving Request New Providence Resident Jeanne Lawton To Conduct A Community Project In Honor Of Her Niece, Courtney On June 2, 2018

Councilman Robinson presented Resolution 2018-135 approving request from New Providence resident, Jeanne Lawton, to conduct a community project in honor of her niece, Courtney, on June 2, 2018. He stated last year they did a clean-up effort around the downtown, whereas this year, the Public Works Manager suggested they work at Oakwood Park doing some planting and spreading mulch. He stated the Borough would supply the equipment, plants, and mulch and a member of Department of Public Works would assist. He also stated they would all need to sign a waiver before working for insurance purposes.

Community Activities: Councilman Madden, Councilwoman Geoffroy

1. Resolution 2018-136 Salary Resolution

Councilman Madden presented Resolution 2018-136 approving salaries for part-time summer program staff in the Community Activities Department.

Finance: Councilman Gennaro, Councilwoman Geoffroy

1. Resolution 2018-137 Resolution Providing For The Insertion Of Any Special Item Of Revenue In The 2018 Budget Pursuant Of N.J.S. 40a:4-87 Chapter 159, P.L. 1948, Street Smart Pedestrian Safety Grant

Councilman Gennaro presented Resolution 2018-137 providing for the insertion of any special item of revenue in the 2018 budget pursuant of N.J.S. 40a:4-87 Chapter 159, P.L. 1948, Street Smart Pedestrian Safety Grant.

2. Resolution 2018-138 Resolution Providing For The Insertion Of Any Special Item Of Revenue In The 2018 Budget Pursuant Of N.J.S. 40a:4-87 Chapter 159, P.L. 1948 - Level The Playing Field Grant

Councilman Gennaro presented Resolution 2018-138 providing for the insertion of any special item of revenue in the 2018 budget pursuant of N.J.S. 40a:4-87 Chapter 159, P.L. 1948, Level the Playing Field Grant.

3. Resolution 2018-139 Resolution Providing For The Insertion Of Any Special Item Of Revenue In The 2018 Budget Pursuant Of N.J.S. 40a:4-87 Chapter 159, P.L. 1948 – Union County Infrastructure Grant 2018

Councilman Gennaro presented Resolution 2018-131 providing for the insertion of any special item of revenue in the 2018 budget pursuant of N.J.S. 40a:4-87 Chapter 159, P.L. 1948, Union County Infrastructure Grant 2018.

4. Resolution 2018-140 Resolution Authorizing Tax Assessment Services Of Jonathon Flynn

Councilman Gennaro presented Resolution 2018-140 authorizing tax assessment services of Jonathon Flynn.

5. Resolution 2018-141 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 4,659,918.31

Councilman Gennaro presented Resolution 2018-141 authorizing payment of the bills payable list in the amount of \$4,659,918.31.

Personnel: Councilman Robinson, Councilman Gennaro

1. Resolution 2018-142 Resolution Adjusting The Salary Of Kathy Herrigel As Finance Office Manager And Assistant Treasurer Of The Borough Of New Providence, County Of Union And State Of New Jersey

Councilman Robinson presented Resolution 2018-142 adjusting the salary of Kathy Herrigel as Finance Office Manager and Assistant Treasurer of the Borough of New Providence. He stated Ms. Herrigel is taking on additional duties that were being previously being performed by the comptroller.

2. Resolution 2018-143 Resolution Establishing Salary For Margaret Dilley As A Part-Time Violations Clerk For The Shared Court Of Berkeley Heights, New Providence And Summit

Councilman Robinson presented Resolution 2018-143 establishing salary for Margaret Dilley as part-time violations clerk for the Shared Court of Berkeley Heights, New Providence and Summit. He stated the salary will be retroactive to January 1st.

3. Resolution 2018-144 Resolution Appointing New Providence High School Student Interns

Councilman Robinson presented Resolution 2018-144 appointing New Providence High School student interns. He stated there will be 2 interns in the Police Department and 1 Intern in Administration.

4. Resolution 2018-145 Resolution Authorizing Agreement Between The Borough Of New Providence And Brown And Brown Benefit Advisors For Public Employee Trust Services

Councilman Robinson presented Resolution 2018-145 authorizing agreement between the Borough of New Providence and Brown and Brown Benefit Advisors for Public Employee Trust Services.

Planning & Development: Councilman Madden, Council President Muñoz

1. Authorization to Bid – DeCorso Center Kitchen Update

Councilman Madden presented the authorization to bid the DeCorso Center Kitchen Update project.

Public Safety: Mayor Morgan, Councilman Kapner, Council President

1. Introduction of Ordinance 2018-06 **DEFERRED** “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 2018-06 amending and supplementing Chapter 257 of the Code of the Borough of New Providence entitled “Vehicles and Traffic”. He stated this would reduce the speed on Mountain Avenue between Diamond Hill Road and South Street from 45mph to 40mph. Councilman Gennaro and Councilman Robinson discussed the ordinance and felt a police study should be done before they made a decision. They both felt that Maser’s report did not justify the reduction in the speed limit. Council concurred no action be taken on this Ordinance until they had more information from the Police Department with regard to accidents and traffic flow in that area of Mountain Ave.

2. Resolution 2018-146 Resolution Approving Contract With Document Solutions For Copier Lease, NJ State Cooperative Contract AEP/ESC/NJ 17-B

Mayor Morgan presented Resolution 2018-146 approving contract with Document Solutions for copier lease, NJ State Cooperative Contract AEPA/ESCNJ 17-B.

Sustainability: Councilman Kapner, Council President Muñoz

1. Resolution 2018-147 Resolution Approving Request New Providence Sustainability Committee To Host A Free Cycle Event On September 29, 2018

Councilman Kapner presented Resolution 2018-147 approving request of the New Providence Sustainability Committee to host a free cycle event on September 29, 2018.

COUNCIL COMMITTEE REPORTS.

Mayor Morgan – reported on the following:

- 1) School Safety – he stated there will be a full-time police officer assigned to the high school/middle school beginning June 1st and two class III officers working at the elementary schools starting in September.
- 2) Attended National Day of Prayer at Presbyterian Church
- 3) Union County Municipal Alliance Dinner – Nora Murphy honored as New Providence Volunteer of the Year.
- 2) Attended Middle School/High School Art's Show
- 3) Attended Library Reception for the new Library Director, Lisa Florio
- 4) Passaic Street Bridge – Union County to begin work in the fall

Councilman Robinson – reported on the following:

- 1) Monthly Department Reports & Agenda – asked to receive monthly reports again from Keith Lynch since he felt they were very informative. Council members agreed they would like to receive monthly reports from Planning & Development and the Police Department. Borough Clerk Barry stated she would advise the department heads. Councilman Robinson also stated he would like to receive the agenda earlier than Friday. Borough Clerk Barry stated she would send to council on Thursday and advise the department heads of the strict agenda deadline.
- 2) Board of Health – welcomed Michele Matsikoudis to the Board of Health and thanked her for joining.
- 3) Garbage at Dunkin Donuts – discussed missing garbage receptacle in front of Dunkin Donuts. Council members felt the receptacles were owned by the shopping center. Borough Clerk Barry stated she would follow-up with Administrator Marvin regarding this.
- 4) Senior Health Fair – 21st year very well attended
- 5) NP Public Art Committee – unveiling sculpture in memory of Marjan Saniee on June 1st at 3pm.

Council President Muñoz – reported on the following:

- 1) Shared Dispatch – met May 15th – Scott Ruf will give out information on the Smart 911 program at the Senior Health Fair.

Councilman Gennaro – reported on the following:

- 1) School Safety – stated they work very hard to keep costs down but felt this was a necessary investment. He stated the kid’s safety is more important than anything else.

Councilman Kapner – reported on the following:

- 1) Planning Board meets June 5th – no current agenda. Also meets June 12th for the continuation of the Countryside Drive application.
- 2) New pop-up feature added to the Borough website to get important information to residents.
- 3) Memorial Day parade

Councilwoman Geoffroy – reported on the following:

- 1) Municipal Alliance & Recreation Department – holding teen event on June 7th for 7th & 8th graders at Sky Zone in Springfield.
- 2) Sports Fair – June 10th – Rebels Lacrosse, PAL, NP Soccer Club, Recreation Dept.

Councilman Madden – reported on the following:

- 1) Sports Fair – currently the Recreation Department fields all of these calls so it will be a great way for new residents to see what’s available.
- 2) June Bulk pickup – reminded residents pickup starting soon

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.

Arped Szechenyi – 184 Mountain Ave

Mr. Szechenyi thanked Mayor & Council for reducing the speed limit on Mountain Avenue from South to Maple. He also thanked Administrator Marvin for working on getting advisory signs.

Kurt Thraen – 225 Mountain Avenue

Mr. Thraen thanked Mayor and Council for reducing speed limit on Mountain between South Street and Maple Street. He discussed the other stretch between South Street and Diamond Hill Road stating it is very dangerous and encouraged Council to reduce the speed limit. He stated he used to ride his bike on Mountain Avenue before it was widened to two lanes.

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)

Councilman Madden moved items 1-13 & 15 of the consent agenda, seconded by Council President Muñoz and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, Councilman Robinson voted “aye”. Carried on Roll Call.

1. Resolution 2018-135 Resolution Approving Request New Providence Resident Jeanne Lawton To Conduct A Community Project In Honor Of Her Niece, Courtney On June 2, 2018
2. Resolution 2018-136 Salary Resolution
3. Resolution 2018-137 Resolution Providing For The Insertion Of Any Special Item Of Revenue In The 2018 Budget Pursuant Of N.J.S. 40a:4-87 Chapter 159, P.L. 1948, Street Smart Pedestrian Safety Grant
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13. Resolution 2018-147 Resolution Approving Request New Providence Sustainability Committee To Host A Free Cycle Event On September 29, 2018

14. Introduction of Ordinance 2018-06
REMOVED An Ordinance Amending And Supplementing Chapter 257 Of The Code Of The Borough Of New Providence Entitled "Vehicles And Traffic"
15. Authorization to Bid – DeCorso Center Kitchen Update

EXECUTIVE SESSION.

1. Resolution 2018-03a Resolution Establishing May 21, 2018 As The Date, And 8:15 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 Litigation Matters Involving Borough Ordinance Regulating Solicitation At Which Time The Public Will Be Excluded

Title read in full by Borough Clerk Barry.

Councilman Madden moved passage of Resolution 2018-03a, seconded by Council President Muñoz and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, Councilman Gennaro, Councilman Robinson voted "aye". Carried on Roll Call.

On motion by Councilman Madden, seconded by Councilwoman Geoffroy 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 25, 2018 meeting of the Borough Council, as submitted.