

Borough Council Minutes  
New Providence, New Jersey  
October 9, 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, October 9, 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

Entered After Roll Call: Councilman Robinson

Absent: None

Also Present: Administrator Marvin, Borough Clerk Barry, Deputy Clerk Brinkofski, Attorney Kunzman

**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.

**PROCLAMATION:**

1. Red Ribbon Week

Mayor Morgan presented proclamation for Red Ribbon week proclaiming the week of October 23<sup>rd</sup> – 31<sup>st</sup> as Red Ribbon Week in New Providence. Councilwoman Geoffroy accepted on behalf of the Municipal Alliance. She stated the ribbons would go up on October 17<sup>th</sup> throughout the Borough.

**APPROVAL OF MINUTES:**

August 13, 2018

Councilman Madden moved the minutes of the August 13, 2018 Council Meeting be approved as submitted, seconded by Councilwoman Geoffroy and unanimously approved.

September 11, 2018

Councilwoman Geoffroy moved the minutes of the September 11, 2018 Council Meeting be approved as submitted, seconded by Councilman Madden and unanimously approved.

## **CORRESPONDENCE:**

1. Holiday Festival Committee, September 26, 2018. Re: Street Closure Request. Mayor Morgan stated the committee is applying to Union County to close Springfield Avenue for the Holiday Festival instead of South Street like previous years.
2. Union County Freeholders, September 27, 2018. Re: Ordinance 798-2018, Union County Administrative Code. No action required.
3. Union County Freeholders, September 27, 2018. Re: Ordinance 799-2018, Land Development Standards. No action required.
4. Jersey Central Power & Light, September 27, 2018. RE: Notice of the Establishment of a Zero Emission Certificate Program for Eligible Nuclear Power Plants. No action required.
5. Township of Chatham, September 28, 2018. Re: Land Development Ordinance. No action required.
6. Lawrence Demilio, MD., September 29, 2018. Re: Oakwood Park Traffic. Administrator Marvin stated he responded to Mr. Demilio's letter and spoke with Jim Johnston about adding speed limit signs.
7. New Jersey State League of Municipalities, October 1, 2018. Re: Notice of Proposed Membership Dues. No action required.
8. Public Service Electric and Gas, October 1, 2018. Re: Notice of Petition for Clean Energy Future – Energy Efficiency Program and Recovery of Associated Costs. No action required.
9. Union County Department of Economic Development, October 3, 2018. Re: Community Development Block Grant workshop. Mayor Morgan stated they would be sending a Borough official to attend.

During above discussion Councilman Robinson entered and took his seat.

## **COUNCIL BUSINESS:**

**Finance:** Councilman Gennaro, Councilwoman Geoffroy

1. Resolution 2018-260                      Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 1,683,013.00

Councilman Gennaro presented Resolution 2018-260 authorizing payment of the bills payable list. He stated the largest items are payment to the Board of Education for \$1.2 million, shared dispatch payment of \$149,777 and library payment of \$74,899.

2. Resolution 2018-261      1259 Springfield Avenue, LLC v. Borough of New Providence, Block 50, Lot 16.09; 1275 Springfield Avenue – UN9, Docket Nos. 009852-2016 and 010302-2017

Councilman Gennaro presented Resolution 2018-261 approving refund for tax appeal, 1259 Springfield Avenue, LLC v. Borough of New Providence, Block 50, Lot 16.09; 1275 Springfield Avenue – UN9, Docket Nos. 009852-2016 and 010302-2017. He stated the refund for this tax appeal settlement will be \$1,983.69.

**New Providence Alliance:** Councilman Madden, Councilwoman Geoffroy

1. Resolution 2018-262      Resolution Approving Request Of The New Providence Alliance To Prevent Alcohol And Drug Abuse To Present A Red Ribbon Program

Councilman Madden presented Resolution 2018-262 approving request of the New Providence Alliance to prevent alcohol and drug abuse to present a red ribbon activities.

**Personnel:** Councilman Robinson, Councilman Gennaro

1. Resolution 2018-263      Resolution Accepting Written Retirement Resignation From Janice Gironda, Public Health Nurse For The Borough Of New Providence

Councilman Robinson presented Resolution 2018-263 accepting written retirement resignation from Janice Gironda, Public Health Nurse for the Borough of New Providence. He thanked Janice for her 23 years of service to the Borough and stated she would be sorely missed.

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

1. Resolution 2018-264      Resolution Accepting The Proposal Of Maser Consulting, P.A. For Professional Engineering And Professional Environmental Consulting Services Regarding Above Ground Storage Tanks At Park Place

Councilman Madden presented Resolution 2018-264 accepting the proposal of Maser Consulting, P.A. for professional engineering and professional environmental consulting services regarding above ground storage tanks at Park Place. He stated this is for the removal of gasoline/diesel tanks at the Department of Public Works yard.

**Public Safety:** Mayor Morgan, Councilman Kapner

1. Resolution 2018-265      Resolution Approving Request Of New Providence Lions Club And The New Providence PBA To Host A Halloween Pumpkin Carving Contest On October 27, 2018

Mayor Morgan presented Resolution 2018-265 approving request of New Providence Lions Club and the New Providence PBA to host a Halloween pumpkin carving contest on October 27, 2018.

2. Resolution 2018-266      “Resolution Approving Requisition Number R1802019 For 1075 Emergency Lighting LLC, In An Amount Not To Exceed \$26,000.00, State Contract A81334 & A83147 For Fire Command Vehicle Fitout”

Mayor Morgan presented Resolution 2018-266 approving requisition number R1802019 for 1075 Emergency Lighting LLC, in an amount not to exceed \$26,000.00, State Contract A81334 & A83147 for fire command vehicle fitout. He stated the funds are available in the 2018 Capital Budget.

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

1. Resolution 2018-267      Resolution Approving Requisition Number R1802006 For Tilcon New York, Inc., In An Amount Not To Exceed \$80,000.00, Morris County Coop Contract MCCO-6 For Oakwood Park Paving

Councilman Madden presented Resolution 2018-267 approving requisition number R1802006 for Tilcon New York, Inc. in an amount not to exceed \$80,000, Morris County Coop Contract MCCO-6 for Oakwood Park paving. He stated this is for the paving of the parking lot off Roesner Place, overflow parking area, and the basketball courts at Oakwood Park.

## **DISCUSSION ITEMS:**

1. 2019 Meeting & Holiday Schedule

Council members agreed to move the Re-Organization meeting to January 3<sup>rd</sup> at 7:30pm. All other dates remained the same per the draft that was distributed.

2. Zoning Changes

Keith Lynch, Director of Planning and Development, addressed Mayor and Council. Mr. Lynch explained the Municipal Land Use Law requires the Board of Adjustment to file an annual report based on cases that are heard over the past couple of years. Councilman Gennaro expressed his concerns regarding the elimination of the floor area ratio and how it affects ranch houses. He stated he was not comfortable reviewing the requested zoning changes until his previous request was followed up on. Councilman Kapner stated they would have the Planning Board revisit the issue with regard to ranch houses.

3. Recycling Contract

Administrator Marvin stated the Borough went out to bid twice for the collection and marketing of recyclables and both times only received 1 bid from Giordano. He stated the first bid came back at \$396,000 per year and the second bid came

back at \$290,000 per year . He stated Jim Johnston, Public Works Manager, spoke with Giordano and they agreed to come down to \$285,000 per year, and also use that rate for the rest of 2018, which is less than the current month to month agreement. Giordano also stated they would reduce the amount by \$45,000 per year in 2020 if the Borough agreed to the use of a “one-arm bandit” machine in which the Borough would need to provide special recycling bins for every household. Council expressed concerns about switching to the “one-arm bandit” since residents would only be allowed to put out one recycling bin and also felt the bin might be too large and heavy for older residents or those with steep driveways. Council members agreed to move forward with the negotiated recycling contract for 2018-2019 and would have further discussions on the one arm bandit since it would not need to occur until 2020.

## **COUNCIL COMMITTEE REPORTS.**

**Councilman Robinson – operations normal; nothing to report**

**Council President Munoz – operations normal; nothing to report**

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

- 1) Finance Committee – meeting with the new CFO who stated the collections are on tract and there will be an increase in ratable for 2019.
- 2) Union negotiations begin October 15th

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

- 1) Scarecrow contest begins October 13<sup>th</sup>.
- 2) Downtown Trick-or-Treat October 27<sup>th</sup>.
- 3) Annual Holiday Festival November 23<sup>rd</sup>.

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

- 1) Freecycle event at American Legion – great event but needs some fine tuning for next year.
- 2) Municipal Alliance – Every 15 Minutes program, puppet program, High School Consortium, DARE program for 5<sup>th</sup> graders.
- 3) Diversity Committee – thanked everyone who donated to the Columbus Day event. She also stated the Diwali celebration would be coming up soon as well as the Night of 1,000 Stars.

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

- 1) New Providence Soccer Day October 20<sup>th</sup> - NP Soccer Club and the high school will be running soccer clinics and collecting sporting goods for refugees.
- 2) Road paving – taking place over next few days.
- 3) Oakwood Park shack has been painted and new windows and doors are being installed soon.

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

- 1) PBA Car show.
- 2) CSA Craft Fair.
- 3) Trunk or Treat – October 21<sup>st</sup> at the Sharing Network.
- 4) Pumpkin Carving - October 27<sup>th</sup>.
- 5) Library Craft Fair – October 13<sup>th</sup>.
- 6) Warren Perillo received “Veteran of the Year” award from Union County.

- 7) Public Safety – have received great feedback about Class II and Class III officers at the schools.
- 8) Mountain Avenue speed limit – Police have recommended reducing speed limit from Diamond Hill to South Street from 45mph to 40mph. They need to ask Union County's permission and introduce an Ordinance.
- 9) Traffic light at Gales Drive & South Street – spoke to Union County who were in agreeance, now they just need to perform a warrant study.
- 10) Police performed a child safety seat inspection the other day.
- 11) Pioneer football team remains undefeated.
- 12) Marching Band won competition the other night.
- 13) Historical Society – "Four Centuries" October 20<sup>th</sup> & 21<sup>st</sup>.

## **BOROUGH ADMINISTRATOR REPORT.**

### **Administrator Marvin reported on the following:**

- 1) DeCorso Kitchen Renovation underway.
- 2) Borough Holiday Party scheduled for December 13<sup>th</sup>.
- 3) Sidewalk installation to begin end of October – Central Avenue and Floral Avenue, and other missing areas of sidewalk throughout the Borough.
- 4) 890 Central Avenue – about 50% now occupied by Summit Medical Group.
- 5) Streetscape Project - letter received from DOT stating funding now available.

## **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.**

#### **Mary Housel – 354 South Street**

Mrs. Housel stated she is a 13 year resident of New Providence and has lived at her current address for 8 years. She stated she has been in 2 car accidents while pulling out of her driveway. She stated there are a ton of accidents on the stretch of South Street between Woodland Avenue and Oakwood Drive and asked council to help with the speeding problem in that area. She stated she reached out to traffic officer Drown from the Police Department and would be meeting with several other neighbors to discuss different speed control measures at St. Andrew's. She stated they are also working with Cecile Seth who handles the safe routes to school program.

Councilwoman Geoffroy stated she would like to attend the meeting as well and would be happy to help. Council members stated they would look into other traffic measures and also discussed adding a left turn only lane to the intersection of South Street and Central Avenue.

#### **Ira Krauss – 183 Grant Avenue**

Encouraged council to review the new legislation mandated by the state regarding mandatory sick pay.

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 1-8 of the consent agenda, seconded by Councilman 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.

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5. Resolution 2018-264 Resolution Accepting The Proposal Of Maser Consulting, P.A. For Professional Engineering And Professional Environmental Consulting Services Regarding Above Ground Storage Tanks At Park Place
6. Resolution 2018-265 Resolution Approving Request Of New Providence Lions Club And The New Providence PBA To Host A Halloween Pumpkin Carving Contest On October 27, 2018
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**EXECUTIVE SESSION.**

Resolution 2018-9a

Resolution Establishing October 9, 2018 As The Date, And 8:45 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 Negotiation Matters Involving Affordable Housing At Which Time The Public Will Be Excluded

Title was read in full by the Borough Clerk.

Council President Muñoz moved adoption of Resolution 2018-9a, 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 Councilman Madden, seconded by Council President Muñoz 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 November 5, 2018 meeting of the Borough Council, as submitted.*