

Borough Council Minutes  
New Providence, New Jersey  
November 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, November 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, Deputy 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.

**PUBLIC HEARINGS:**

1. Ordinance 2018-10 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 Deputy Borough Clerk Brinkofski.

Mayor Morgan stated this Ordinance reduces the speed limit on Mountain Avenue, between Diamond Hill Road and South Street, from 45 to 40 MPH.

Mayor Morgan opened the public hearing on Ordinance 2018-10. There being no one wishing to speak the hearing was closed.

Councilman Madden moved the adoption of Ordinance 2018-10, 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.

## 2. Community Development Block Grants Year 45 Applications

- 1) Senior Health Programs
- 2) Senior Social Service Programs
- 3) DeCorso Center Kitchen Renovation

Mayor Morgan presented the Community Development Block Grant Year 45 applications and recommended the above order for submission. He stated the DeCorso Center Kitchen renovation relates to a new refrigerator and a transfer switch for the generator.

Mayor Morgan opened the public hearing on the CDBG applications. There being no one wishing to speak the hearing was closed.

Council President Muñoz made a motion to approve the order of submission as noted above for CDBG Year 45 applications, seconded by Councilman Madden and unanimously approved.

### **APPOINTMENTS:**

1. Resolution 2018-290 Resolution Appointing Stephen Drown As Lieutenant In The New Providence Police Department, Borough Of New Providence, State Of New Jersey, County Of Union

Title read in full by Deputy Borough Clerk. Council President Muñoz moved passage of Resolution 2018-290, 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.

Mayor Morgan presented oath of office to Lieutenant Stephen Drown.

### **APPROVAL OF MINUTES:**

October 22, 2018

Councilwoman Geoffroy moved the minutes of the October 22, 2018 council meeting be approved as submitted, seconded by Councilman Kapner and unanimously approved.

### **CORRESPONDENCE:**

1. NJ Transit. Re: Public Meeting Notice. No action required.
2. State of New Jersey, Department of Environmental Protection, November 3, 2018. Re: Suspected Hazardous Substance Discharge Notification. No action required.

3. Township of Chatham, November 9, 2018. Re: Ordinance 2018-22, Redevelopment Plan for the Development of Low and Moderate Income Housing. No action required.
4. Township of Chatham, November 9, 2018. Re: Ordinance 2018-23, Amending Land Development Ordinance. No action required.
5. Township of Chatham, November 9, 2018. Re: Ordinance 2018-24, Amending Ordinances Prohibiting Smoking and Vaping Shops. Councilman Gennaro discussed correspondence and asked if the Borough should consider adopting a similar ordinance. Council President Muñoz stated he attended a seminar on this topic and learned they would need to amend any ordinance approved before legislation was in place. Attorney Rizzo recommended waiting and stated he would stay on top of the pending legislation.
6. First Energy / JCP & L, November 13, 2018. Re: Notification of Planned Transmission Line Work. No action required.
7. State of New Jersey, Department of Environmental Protection, November 20, 2018. Re: Suspected hazardous Substance Discharge Notification, 69 Passaic St. No action required.
8. New Providence Fire Department, November 21, 2018. Re: Annual Election of Officers and Santa. Mayor Morgan stated Santa would be at the firehouse on December 8<sup>th</sup> at 1:00pm.
9. New Providence Fire Department, November 21, 2018. Re: Membership – Christopher J. Smith. No action required.
10. New Providence Fire Department, November 21, 2018. Re: Junior Membership – Mitch P. Ping. No action required.
11. New Providence Fire Department, November 21, 2018. Re: Membership – Edward J. Kweselait. No action required.

## **COUNCIL BUSINESS:**

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

1. Resolution 2018-291            Salary Resolution

Councilman Madden presented Resolution 2018-291 approving salaries for basketball staff in the Community Activities Department.

**Finance:** Councilman Gennaro, Councilwoman Geoffroy

1. Report on BAN Sale

Councilman Gennaro reported on the Bond Anticipation Note Sale that took place on October 23<sup>rd</sup>. He stated the total amount of the Note was \$5.4 million. He stated generally when the Borough does capital improvements they borrow money through this process.

2. Authorization to Bid Merchant Services

Councilman Gennaro presented the authorization to bid merchant services. He stated they are seeking authorization to issue an RFP for merchant services for the acceptance of credit card payments in various Borough departments.

3. Resolution 2018-292                   “Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 4,263,280.12”

Councilman Gennaro presented Resolution 2018-292 authorizing payment of the attached bills payable list. He stated the largest items are payment to Union County and Union County Open Space for \$3.7 million, and bond interest payment for approximately \$56,000.

4. Resolution 2018-293                   Resolution Refunding Or Applying Overpayment Of Taxes To Certain Property Owners

Councilman Gennaro presented Resolution 2018-293 refunding or applying overpayment of taxes to certain property owners. He stated this is for one duplicate tax payment.

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

1. Raffle Request:                   RA-1106 NJ Intergenerational Orchestra

Mayor Morgan presented raffle request RA1106 from the NJ Intergenerational Orchestra.

2. Raffle Request:                   RA-1107 Community Service Association

3. Raffle Request:                   RA-1108 Community Service Association

Mayor Morgan presented raffle requests RA1107 & RA1108 from the Community Service Association.

4. Resolution 2018-294                   Resolution Authorizing Agreement For Installation And Maintenance Of Solar Powered Pedestrian Crossing Signal Between The Borough Of New Providence And The County Of Union At Mountain Avenue And Maple Street

Mayor Morgan presented Resolution 2018-294 authorizing agreement for installation and maintenance of solar powered pedestrian crossing signal between the Borough of New Providence and the County of Union at Mountain Avenue and Maple Street. He stated the sign will be installed by Union County but maintained by the Borough.

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

1. Resolution 2018-295 Resolution Awarding Contract To Giordano Company, Inc. For Recycling Services For The Borough Of New Providence For A 27 Month Period

Council Kapner presented Resolution 2018-295 awarding contract to Giordano Company Inc. for recycling services for the Borough of New Providence for a 27 month period. Councilman Kapner stated there was a typo in the body of the resolution which read "1 year" rather than 27 months. Administrator Marvin stated he would make this change.

**COUNCIL COMMITTEE REPORTS.**

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

- 1) Veteran's Day Celebration at American Legion
- 2) Diversity Committee - Diwali Festival
- 3) Boy Scout food collection – thanked residents for their donations
- 4) Interfaith Church Service at St. Andrew's – attended with Mayor Woodruff
- 5) Lodge Linne gift sale
- 6) Attended ribbon cutting at Linda's Creative Gifts (formerly TMC Boutique)
- 7) Thanksgiving football game – congratulated Pioneers for a great season.
- 8) Holiday Festival – thanked all volunteers and businesses for their efforts in putting together the event. He also discussed the negative comments and banter that were seen on social media with regard to items such as the santa arrival, location change, event name change, and the addition of the international tent. He apologized to the volunteers that were on the receiving end of negative comments. He stated the Communications Committee encouraged residents to direct their comments/suggestions to the "contact us" portion of the Borough website or attend a council meeting. Administrator Marvin also explained that changes to street location were requested by the police and business community for pedestrian safety reasons.
- 9) Borough seal – asked why the seal was changed on the Borough letterhead. Administrator Marvin and Councilman Kapner stated the Economic Development Committee worked to create a new logo. Mayor Morgan asked to change it back to the original seal and explained the historical meaning of the turkey, church, and salt brook.

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

- 1) CAAB meeting - discussed additional improvements to Harmony Park project
- 2) Renovation of DeCorso Center kitchen complete
- 3) Commended Pioneer football team and girl's and boys' soccer teams for a great season.

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

- 1) Municipal Alliance – current grant coordinator stepping down and they are looking to fill the position.

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

- 1) NPBPA – Thanked the business community for hosting Borough events throughout the year such as the Independence Day Celebration, Summer Concerts, Halloween Trick or Treat, Street Fair, and the Holiday Festival.

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

- 1) Finance Committee met prior the council meeting with a local business who is proposing certain tax arrangements.
- 2) PBA & Teamsters negotiations continue

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

- 1) Thanked the NPBPA for sponsoring the Holiday Festival and Don Murphy from NP Fuel for paying for the fireworks.
- 2) Thanked Hilary McCarron for organizing the Scouting for Food Drive.
- 3) Sustainability Committee meeting November 28<sup>th</sup> at 8pm
- 4) Attended marijuana seminar and ethics seminar at League of Municipalities Conference. He discussed specifically asking for donations for certain charities and stated they might need to look into events such as the tree lighting and donations for the CSA.
- 5) Winter Sports Pep Rally at the high school - December 1<sup>st</sup> at 7pm
- 6) Asked Administrator Marvin to add a clock to council chambers

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

- 1) Board of Health meeting – held meeting prior to the council meeting with regard to communication between the Board of Health and the Planning & Development Office. They also discussed the public health nurse position and stated they would be meeting again to review the employment applications they received and also to discuss the option of a shared service agreement with Westfield.

**BOROUGH ADMINISTRATOR REPORT.**

**Administrator Marvin – operations normal; nothing to report**

**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.

**Ira Krauss – Board of Education**

Mr. Krauss stated they have a board meeting rescheduled for November 27<sup>th</sup> at 7:30pm.

**Rupa Kale – 143 Crane Circle**

Ms. Kale thanked the business owners, Borough employees, and volunteers for their efforts with the Holiday Festival. She stated she was recruited along with other residents to volunteer at the International tent and stated it was not their idea or the Diversity Committee's idea to change the name of the Christmas Walk to the Holiday Festival and stated there were a lot of negative comments on facebook and many feelings were hurt. She stated many residents also expressed concerns on facebook about Santa not coming off the roof of the Provident Bank and felt if more information was readily available such as the reason for the location change and santa arrival on the firetruck it would have prevented some of the questions.

**Shlomit Harel –9 Cross Way**

Ms. Harel stated she ran the Israel themed tent at the Holiday Festival and made Israeli pita bread on the fire pit. She stated the children she met really enjoyed it and her children’s friends even spoke about it at school. She felt it was a great idea to have the residents learn about other traditions.

**Patricia Cronin – Pearl Street**

Ms. Cronin expressed her concerns about the name change from the Christmas Walk to the Holiday Festival. She suggested moving the International Festival to a warmer season like the spring and stated she would volunteer to help. She also asked if the police would reconsider moving the festival back to Springfield Avenue.

**John Keane – 54 Midvale Drive**

Mr. Keane suggested expanding the event planning group for the Holiday Festival aside from just the business owners and Borough employees.

**Peggy Hagen – 21 Division Avenue**

Ms. Hagen stated there is a lot of diversity in New Providence and she was disappointed in some of the negative comments on facebook directed towards the International tent at the holiday festival. She also suggested the Borough have more information available for the public in the future if things are going to be changed such as the street location and Santa not coming off the roof of the Provident Bank.

**Roberta Ferrara – Pearl Street**

Ms. Ferrara stated she was not offended by the changes to the Holiday Festival but agreed with possibly moving the international festival to a warmer month.

**Sunil Abrol – 1532 Springfield Ave**

Mr. Abrol stated he is more than happy to help with planning the Holiday Festival in the future. He stated it was not the idea of the Diversity Committee to change the name of the event. He stated he just wants to make sure everyone feels respected.

**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 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.

- 1. Resolution 2018-291            Salary Resolution
- 2. Resolution 2018-292            “Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 4,263,280.12”
- 3. Resolution 2018-293            Resolution Refunding Or Applying Overpayment Of Taxes To Certain Property Owners

4. Resolution 2018-294 Resolution Authorizing Agreement For Installation And Maintenance Of Solar Powered Pedestrian Crossing Signal Between The Borough Of New Providence And The County Of Union At Mountain Avenue And Maple Street
5. Resolution 2018-295 Resolution Awarding Contract To Giordano Company, Inc. For Recycling Services For The Borough Of New Providence For A 27 Month Period
6. Authorization to Bid Merchant Services
7. Raffle Request: RA-1106 NJ Intergenerational Orchestra
8. Raffle Request: RA-1107 Community Service Association
9. Raffle Request: RA-1108 Community Service Association

#### **EXECUTIVE SESSION.**

Resolution 2018-11a Resolution Establishing November 26, 2018 As The Date, And 8:04 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 read in full by Deputy Borough Clerk.

Councilman Madden moved passage of Resolution 2018-11a, seconded by Councilman Kapner 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 Councilwoman Geoffroy, seconded by Councilman Madden the meeting was re-opened.

#### **ADJOURNMENT.**

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

Respectfully submitted,

Denise Brinkofski  
Deputy Borough Clerk

These minutes have not yet been officially approved.