

Borough Council Minutes
New Providence, New Jersey
December 17, 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, December 17, 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: 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.

APPROVAL OF MINUTES:

November 5, 2018

Councilwoman Geoffroy moved the minutes of the November 5, 2018 council meeting be approved as submitted, seconded by Council President Muñoz and unanimously approved.

November 26, 2018

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

MAYOR DISCUSSION ITEM:

Mayor Morgan discussed the issue of idling trucks at Wrist Trucking Company on Central Avenue. He stated he spoke with the Police Chief and the Zoning Officer regarding complaints he had received from nearby residents. He stated he was the company advised there was a new driver who was not aware of the rules. However

residents have reported the idling is still occurring. Mayor Morgan encouraged residents to document the day/time of the idling and if necessary the Borough would need to follow up with legal action.

CORRESPONDENCE:

1. Nokia of America Corporation, October 31, 2018. Re: NJDEP Freshwater Wetlands General Permit No. 1 – 600 Mountain Avenue, Murray Hill, N.J. No action required.
2. County of Union, Department of Human Services, November 15, 2018. Re: FY 2020 Alliance Funding. No action required.
3. Doreen Peritore, November 24, 2018. Re: Holiday Festival. No action required.
4. Anna Pickton, November 24, 2018. Re: Holiday Festival. No action required.
5. Kathleen Erlen, November 26, 2018. Re: Union Avenue Crossing Guard. Mayor Morgan stated this was referred to Police Department.
6. Janine Halldorson, November 26, 2018. Re: Union Avenue Crossing Guard. Mayor Morgan stated this was referred to Police Department.
7. Michael Landsittel, November 26, 2018. Re: Holiday Festival. No action required.
8. State of New Jersey, Department of Environmental Protection, November 27, 2018. Re: Suspected Hazardous Substance Discharge Notification – 705 Central Avenue. No action required.
9. Gary Whyte, November 28, 2018. Re: Proclamation Supporting Fibrodysplasia Ossificans Progresiva. No action required.
10. Union County Freeholders, November 29, 2018. Re: Ordinance 800-2018, Amending Solid Waste Management Plan to include A Class “B” Recycling Facility. No action required.
11. Union County Freeholders, November 29, 2018. Re: Ordinance 801-2018, Salary Ordinance for the County Freeholders, County Manager and Department Heads. No action required.
12. Union County Freeholders, November 29, 2018. Re: Ordinance 802-2018, Amending Administrative Code Chapter 1 Government Structure. No action required.
13. State of New Jersey, Department of Environmental Protection, December 4, 2018. Re: No Further Action Letter, 11 Clinton Avenue. No action required.
14. City of Summit, December 5, 2018. Re: Development Regulations Ordinance. No action required.

15. Steven Miller, December 12, 2018. Re: NJDEP Flood Hazard Area Verification – 33 Countryside Drive. No action required.
16. New Providence Fire Department, December 13, 2018. Re: Membership Resignation – Emanuel Johnson. No action required.

COUNCIL BUSINESS:

Board of Health: Councilman Robinson, Councilman Kapner

1. Resolution 2018-296 Resolution Appointing Jennifer Aranda As A Part-Time Public Health Nurse For The Borough Of New Providence

Councilman Robinson presented Resolution 2018-296 appointing Jennifer Aranda as part-time public health nurse for the Borough of New Providence. He stated Jennifer would be filling the vacancy created by Janice Gironda's retirement.

2. Resolution 2018-297 Resolution Authorizing Agreement Between The Borough Of New Providence And The Town Of Westfield For Professional Health Services For The Years 2019-

Councilman Robinson presented Resolution 2018-297 authorizing the agreement with the Westfield Board of health to provide health related services to New Providence. He stated the increase for the agreement is 2% over last year.

3. Resolution 2018-298 Resolution Authorizing Agreement Between The Borough Of New Providence And Animal Control Solutions For The Years 2019 And 2020, In The Amount Of \$16,800.00 Per Year

Councilman Robinson presented Resolution 2018-298 authorizing agreement between the Borough of New Providence and animal control solutions for the years 2019 and 2020, in the amount of \$16,800.00 per year. He stated this has been reviewed and approved by the Board of Health.

Community Activities: Councilman Madden, Councilwoman Geoffroy

1. Resolution 2018-299 Salary Resolution

Councilman Madden presented Resolution 2018-299 approving salaries for part-time staff for winter and spring programs as well as summer camp programs.

Diversity Committee: Council President Muñoz, Councilwoman Geoffroy

1. Resolution 2018-300 Resolution Approving Request Of The New Providence Diversity Committee To Sponsor Community Events

Council President Muñoz presented Resolution 2018-300 approving request of the New

Providence Diversity Committee to sponsor community events. He stated this authorizes the Diversity Committee to hold a Spring Festival.

Finance: Councilman Gennaro, Councilwoman Geoffroy

1. Resolution 2018-301 Transfer Resolution

Councilman Gennaro presented Resolution 2018-301 "Transfer Resolution". He stated this transfers funds between accounts with excess to accounts that have shortages.

2. Resolution 2018-302 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 520,579.62

Councilman Gennaro presented Resolution 2018-302 authorizing payment of the bills payable lists in the amount of \$520,579.62. He stated the largest items were as follows:

| | | |
|----------|----------|-------------------------------|
| Library | \$74,899 | December |
| AA Berms | \$50,583 | Sidewalks-progress payment |
| Graybar | \$44,944 | WWTP-final payment |
| Tri Plex | \$42,268 | DeCorso Kitchen-final payment |

Insurance Advisory: Councilman Gennaro, Council President Muñoz

1. Resolution 2018-303 Resolution Authorizing The Joint Trust Agreement Between Garden State Municipal Joint Insurance Fund (GSMJIF) And The Borough Of New Providence

Councilman Gennaro presented Resolution 2018-303 authorizing the Joint Trust Agreement between Garden State Municipal Joint Insurance Fund and the Borough of New Providence. He stated the Borough's insurance broker recommended staying with GSMJIF since the rates are the best and most insurance agencies would not even be able to compete with them.

Legal and Regulatory: Council President Muñoz, Councilman Gennaro

1. Resolution 2018-304 Resolution Appointing Jessie Parisi As The Deputy Court Administrator For The Borough Of New Providence In The Shared Court Of Berkeley Heights, New Providence And Summit

Council President Muñoz presented Resolution 2018-304 appointing Jessie Parisi as the Deputy Court Administrator for the Borough of New Providence in the shared court of Berkeley Heights, New Providence and Summit.

Municipal Alliance: Councilman Madden, Councilwoman Geoffroy

1. Resolution 2018-305 Resolution Accepting Written Employment Resignation From Katherine Paterson As A Part-Time Municipal Alliance Coordinator For The Borough Of New Providence

Councilman Madden presented Resolution 2018-305 accepting written employment resignation from Katherine Paterson as a part-time municipal alliance coordinator. He stated she would be stepping down due to a new job opportunity.

2. Resolution 2018-306 Resolution Appointing Kim Zagorski As Part-Time Municipal Alliance Coordinator For The Borough Of New Providence

Councilman Madden presented Resolution 2018-306 appointing Kim Zagorski as part-time Municipal Alliance Coordinator for the Borough of New Providence. He stated this appointment was recommended by the Municipal Alliance and the council liaisons to the Alliance.

3. Resolution 2018-307 Resolution Approving Proposal To The Union County Division Of Planning For Grant Funds For The Municipal Alliance For The Year 2019-2020

Councilman Madden presented Resolution 2018-307 approving proposal to the Union County Division of Planning for grant funds for the Municipal Alliance for the year 2019-2020. He discussed funding for certain programs stating the grants cannot be used towards seminars.

Personnel: Councilman Robinson, Councilman Gennaro

1. 2018 Sick Time Request.

Councilman Robinson discussed the request stating the particular employee had a back injury and was out on medical leave for a few months. He stated the administrator was recommending the employee be paid for his unused vacation time. Council members discussed and all felt since the employee never abused his time and is an exemplary employee they were all in favor of granting the request.

2. Resolution 2018-308 Salary Resolution

Councilman Robinson presented Resolution 2018-308 approving salaries for non-union employees. He stated this provides for a 2% cost of living salary adjustment.

Planning & Development: Councilman Madden, Council President Muñoz

1. NP Downtown Streetscape – Authorization to Bid.

Councilman Madden presented the authorization to bid the Downtown Streetscape Phase II project. He stated they applied for a grant back in 2005 and it has finally been approved by the NJDOT.

2. Resolution 2018-309 Resolution Approving Partial Payment # 3 (Final) For Tri-Plex Industries, Inc, In The Amount Of \$38,875.75 For The Project Commonly Known As “DeCorso Kitchen Renovation”

Councilman Madden presented Resolution 2018-309 approving partial payment #3 for Tri-Plex Industries Inc. He stated this resolution authorizes the final payment for the DeCorso Center Kitchen Renovation project as approved by Keith Lynch.

3. Resolution 2018-310 Resolution Accepting The Proposal Of Maser Consulting, P.A. For Professional Surveying Services Regarding Revisions And Update Of Tax Maps

Councilman Madden presented Resolution 2018-310 accepting the proposal of Maser Consulting, P.A. for professional surveying services regarding revisions and update of tax maps.

Public Safety: Mayor Morgan, Councilman Kapner

1. Limousine Licenses: Alex Chertakovsky – Summit Express
Naheeda Ashraf – Summit Express

Mayor Morgan presented limousine license applications from Summit Express.

2. Resolution 2018-311 Resolution Appointing Michael Carlino To Patrolman Step Three In The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-311 appointing Michael Carlino to Patrolman step three in the Police Department of the Borough of New Providence. He stated this is per the recommendation of the Police Chief.

3. Resolution 2018-312 Resolution Appointing Thomas Hoppe To Patrolman Step Three In The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-312 appointing Thomas Hoppe to Patrolman step three in the Police Department of the Borough of New Providence. He stated this is per the recommendation of the Police Chief.

4. Resolution 2018-313 Resolution Appointing Mark Pawelek To Patrolman Step Three In The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-313 appointing Mark Pawelek to Patrolman step three in the Police Department of the Borough of New Providence. He stated this is per the recommendation of the Police Chief.

5. Resolution 2018-314 Resolution Appointing Nicholas Guerriero To Patrolman Step Four In The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-314 appointing Nicholas Guerriero to Patrolman step four in the Police Department of the Borough of New Providence. He stated this is per the recommendation of the Police Chief.

6. Resolution 2018-315 Resolution Appointing Andrew Lynch To Patrolman Step Twelve In The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-315 appointing Andrew Lynch to Patrolman step twelve in the Police Department of the Borough of New Providence. He stated this is per the recommendation of the Police Chief.

7. Resolution 2018-316 Resolution Appointing Christian Cely To Patrolman Step Twelve In The Police Department Of The Borough Of New Providence

Mayor Morgan presented Resolution 2018-316 appointing Christian Cely to Patrolman step twelve in the Police Department of the Borough of New Providence. He stated this is per the recommendation of the Police Chief.

Public Works: Councilman Kapner, Councilwoman Geoffroy

1. Resolution 2018-317 Resolution Approving Partial Payment # 1 For AA Berms, LLC In The Amount Of \$19,840.49 For The Project Commonly Known As "2018 Sidewalk Program"

Councilman Kapner presented Resolution 2018-317 approving partial payment #1 for AA Berms, LLC in the amount of \$19,840.49 for the project commonly known as 2018 sidewalk program.

2. Resolution 2018-318 Resolution Approving Partial Payment # 2 For AA Berms, LLC In The Amount Of \$30,742.58 For The Project Commonly Known As "2018 Sidewalk Program"

Councilman Kapner presented Resolution 2018-318 approving partial payment #2 for AA Berms, LLC in the amount of \$30,742.58 for the project commonly known as "2018 Sidewalk Program". He stated this authorizes partial payment for AA Berms for the completed work within the 2018 sidewalk program.

3. Resolution 2018-319 Resolution Approving Change Order #1 AA Berms, LLC, In The Amount Of \$19,000.00 For The 2018 Sidewalk Program

Councilman Kapner presented Resolution 2018-319 approving change order #1 AA Berms, LLC, in the amount of \$19,000.00 for the 2018 Sidewalk Program. He stated this authorizes a change order for AA Berms to perform sidewalk work,

including installation of drainage to resolve water and icing issues on South Street near St. Andrews Church.

4. Resolution 2018-320 Resolution Approving Partial Payment # 3 (Final) For Graybar Electric. In The Amount Of \$44,943.83 For The Project Commonly Known As "Wastewater Treatment Plant Improvements Project"

Councilman Kapner presented Resolution 2018-320 approving partial payment #3 for Graybar Electric in the amount of \$44,943.83 for the project commonly known as "Wastewater Treatment Plant Improvements Project". He stated this authorizes the final payment for Graybar Electric for the Wastewater Treatment Plant Improvements.

5. Resolution 2018-321 Resolution Approving Shared Service Agreement For Wastewater Operations And Maintenance Between The Borough Of New Providence And The City Of Summit

Councilman Gennaro recused himself from discussion due to a conflict of interest.

Councilman Kapner presented Resolution 2018-321 approving shared service agreement for Wastewater Operations and Maintenance between the Borough of New Providence and the City of Summit. He stated this agreement extends the contract for a two-year period and the provisions are the same as the last agreement with the pricing being updated to reflect the escalation clause within the last agreement.

6. Resolution 2018-322 Resolution Authorizing Release Between The Borough Of New Providence And New Jersey American Water Company, Voorhees New Jersey 08043

Councilman Kapner presented Resolution 2018-322 authorizing release between the Borough of New Providence and New Jersey American Water Company. He stated the water company has agreed to make a contribution toward the paving of Livingston Avenue where they recently installed a new water main.

Sustainability: Councilman Kapner, Council President Muñoz

1. Approval of Community Support for NJ Tree Recovery Campaign 2019

Council President Muñoz presented the request to submit application for the seedling give-a-way program. He stated this was requested by the Sustainability Committee.

COUNCIL COMMITTEE REPORTS.

Councilman Madden stated it was his last full meeting as a councilman and was proud of all the field projects that were completed during his time on council.

Councilman Robinson shared kind words and praised him for all his hard work over the years with items such as field renovations, liquor licenses, road resurfacing projects, and FEMA grants.

Councilwoman Geoffroy – reported on the following:

- 1) Night of 1,000 Stars – low attendance possibly due to cold weather
- 2) Trek Benches – high school collecting bags

Councilman Kapner stated it was his last full meeting as a councilman and stated it was a pleasure working with the other council members and serving the community. He congratulated the new council members, Pete DeSarno & Matt Cumiskey on their appointment.

Councilman Robinson thanked him for his service to New Providence specifically with his efforts with the downtown master plan and downtown business community.

Councilman Gennaro – reported on the following:

- 1) Affordable Housing agreement still pending
- 2) Thanked Councilman Kapner and Councilman Madden for serving and stated their unique skills would be missed.

Council President Muñoz – reported on the following:

- 1) Sustainability Committee meeting – discussed items such as the trek bench program, legacy project and community garden.
- 2) Thanked Councilman Madden and Councilman Kapner for serving the community and for their friendship.

Councilman Robinson – reported on the following:

- 1) PBA Holiday Party – sponsored by businesses.
- 2) Cops in Shops - Met with Police Officers Drown and Parlapiano and discussed downtown safety

Mayor Morgan – reported on the following:

- 1) Santa attended several events - Night of 1,000 Stars and Firehouse.
- 2) Thanked BPA for hosting the annual holiday appreciation party for Borough employees and volunteers.
- 3) American Legion Cookie Walk.
- 4) Union Ave work at Kline Place – still need to speak with the police and public works regarding the safety issues at this intersection.
- 5) Leaf Vacuuming – discussed a possible summons for those who put their leaves out without a permit.

BOROUGH ADMINISTRATOR REPORT.

Administrator Marvin was not in attendance but attached department head reports for council's review.

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.

Brian Haas – 49 Bradford Street

Mr. Haas asked about serving on the Affordable Housing Board. Council members explained the role of the Affordable Housing Board. They explained the board is mainly involved with handling applications and conducting a lottery for a waiting list. Borough Clerk Barry stated she did receive Mr. Haas' application earlier that day and forwarded it on to the Mayor.

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 items 1-25 & 28-30 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.

Councilman Madden moved items 26 & 27 of the consent agenda, seconded by Council President Muñoz and on Roll Call: Council President Muñoz, Councilman Madden, Councilwoman Geoffroy, Councilman Kapner, and Councilman Robinson voted "aye". Councilman Gennaro abstained. Carried on Roll Call.

Councilman Madden moved item 31 of the consent agenda, seconded by Council President Muñoz 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.

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2. Resolution 2018-297 Resolution Authorizing Agreement Between The Borough Of New Providence And The Town Of Westfield For Professional Health Services For The Years 2019-2021
3. Resolution 2018-298 Resolution Authorizing Agreement Between The Borough Of New Providence And Animal Control Solutions For The Years 2019 And 2020, In The Amount Of \$16,800.00 Per Year
4. Resolution 2018-299 Salary Resolution

5. Resolution 2018-300 Resolution Approving Request Of The New Providence Diversity Committee To Sponsor Community Events
6. Resolution 2018-301 Transfer Resolution
7. Resolution 2018-302 Resolution Authorizing Payment Of The Attached Bills Payable Lists, In The Amount Of \$ 520,579.62
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10. Resolution 2018-305 Resolution Accepting Written Employment Resignation From Katherine Paterson As A Part-Time Municipal Alliance Coordinator For The Borough Of New Providence
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15. Resolution 2018-310 Resolution Accepting The Proposal Of Maser Consulting, P.A. For Professional Surveying Services Regarding Revisions And Update Of Tax Maps
16. Resolution 2018-311 Resolution Appointing Michael Carlino To Patrolman Step Three In The Police Department Of The Borough Of New Providence
17. Resolution 2018-312 Resolution Appointing Thomas Hoppe To Patrolman Step Three In The Police Department Of The Borough Of New Providence

18. Resolution 2018-313 Resolution Appointing Mark Pawelek To Patrolman Step Three In The Police Department Of The Borough Of New Providence
19. Resolution 2018-314 Resolution Appointing Nicholas Guerriero To Patrolman Step Four In The Police Department Of The Borough Of New Providence
20. Resolution 2018-315 Resolution Appointing Andrew Lynch To Patrolman Step Twelve In The Police Department Of The Borough Of New Providence
21. Resolution 2018-316 Resolution Appointing Christian Cely To Patrolman Step Twelve In The Police Department Of The Borough Of New Providence
22. Resolution 2018-317 Resolution Approving Partial Payment # 1 For AA Berms, LLC In The Amount Of \$19,840.49 For The Project Commonly Known As "2017 Sidewalk Program"
23. Resolution 2018-318 Resolution Approving Partial Payment # 2 For AA Berms, LLC In The Amount Of \$30,742.58 For The Project Commonly Known As "2017 Sidewalk Program"
24. Resolution 2018-319 Resolution Approving Change Order #1 A A Berms, LLC, In The Amount Of \$ 19,000.00 For The 2018 Sidewalk Program
25. Resolution 2018-320 Resolution Approving Partial Payment # 3 (Final) For Graybar Electric. In The Amount Of \$44,943.83 For The Project Commonly Known As "Wastewater Treatment Plant Improvements Project"
26. Resolution 2018-321
SEPARATE VOTE Resolution Approving Shared Service Agreement For Wastewater Operations And Maintenance Between The Borough Of New Providence And The City Of Summit
27. Resolution 2018-322
SEPARATE VOTE Resolution Authorizing Release Between The Borough Of New Providence And New Jersey American Water Company, Voorhees New Jersey 08043
28. Approval of Community Support for NJ Tree Recovery Campaign 2019.
29. NP Downtown Streetscape – Authorization to Bid.
30. 2018 Sick Time Request.

31. Limousine Licenses: Alex Chertakovsky – Summit Express

SEPARATE VOTE

Naheeda Ashraf – Summit Express

EXECUTIVE SESSION:

Resolution 2018-12a

Resolution Establishing December 17, 2018 As The Date, And 8:00 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 Borough Clerk Barry.

Council President Muñoz moved passage of Resolution 2018-12a, 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 Councilwoman Geoffroy, seconded by Council President Muñoz the meeting was adjourned to January 3, 2019.

Respectfully submitted,

Wendi B. Barry
Borough Clerk

These minutes have not yet been officially approved.

Minutes approved at the February 11, 2019 meeting of the Borough Council, with corrections.

