



## Borough of Florham Park Borough Council Meeting Minutes March 15, 2018

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Mayor Taylor called the Regular Meeting of the Borough Council to order at 6:30 p.m. He asked the Clerk if the requirements of the Open Public Meetings Act had been met. Borough Clerk Sheila Williams stated that adequate notice of the meeting had been made. It was included in the Annual Notice of Meetings published in the Florham Park Eagle. In addition to advertisement, the annual legal notice was posted on the Municipal Bulletin Board. Mrs. Williams also stated that a copy is on file in the Clerk's Office in the Borough Hall in accordance with N.J.S.A 10:4-6.

Mayor Taylor asked the Borough Clerk to call the roll as follows:

Governing Body Member	Present	Absent
Mayor Taylor	X	
Council Pres. Cefolo-Pane	X	
Councilman Germershausen	X	
Councilman Carpenter		X
Councilman Malone		
Councilman Michalowski	X	
Councilman Zuckerman	X	

Additional Borough Officials present were Administrator William Huyler, Borough Clerk Sheila Williams, as well as Borough Attorney Joseph Bell IV.

### Pledge of Allegiance:

Mayor Taylor led the Pledge of Allegiance.

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Mayor Taylor asked for a moment of silence for Alice Dickert, who was a long time resident and mother of Borough Employee and Planning Board Secretary Marlene Rawson. She passed away early this week. Thank you.

A moment of silence was observed.

## Portfolio Updates:

Council President Cefolo-Pane provided the following portfolio update:

### Senior Citizens:

- Senior Citizens meeting was held yesterday 3/14
- Regarding Borough sponsored transportation; to date 13 people have signed up and we need 25 people to sign up to get the program started. Aside from the Borough sponsored transportation we have two non-profits that are willing to service Florham Park for non-emergency appointments. I am not aware of anyone that has signed up with them. One will service Florham Park and point east and one will point west.

### Gazebo Summer Concert Series:

- Donation letters to residents and were mailed out. We are starting to receive donations from our very generous residents. Our lineup is all set for the concerts. There was a change in the schedule; same bands although some dates were shifted. As soon as I receive the schedule I will forward it to Sheila to put on the website. We are also going to make sure we have fully executed contracts and certificates of insurance for all vendors.

### Planning & Zoning Board:

- Zoning Board meets next Wednesday. There are several "C" variances on the agenda; applications for side yard setbacks, change in use variance for Artis Senior living was carried from February 7. It is a facility for individuals with Alzheimers. They are looking to put this facility in an R-25 zone on Columbia Turnpike and Elm St.
- Planning Board met on Monday; three Resolutions for approval for change in tenancy and approval for Habit Restaurant; also heard a major subdivision.
- Heard a site-plan application for Nonna's for additional space for pizza boxes. No perishable food will be stored there.

- Planning Board agreed to pass a Resolution for Pulte homes with conditions; Fire Department requested sprinkler systems in the individual units.
- Another major subdivision of a residential lot was heard and will be carried to the next meeting

## **Councilman Germershausen provided the following portfolio update:**

### **Morris County Board of Chosen Freeholders:**

- Attended a Freeholder budget meeting hosted by Freeholder Christine Meyer. Presented a 1.79% budget increase for 2018. \$305.8M is the total increase. \$1.67 per Morris County home.

### **Historic Preservation Commission:**

- No report. There is a meeting next Wednesday.

## **Councilman Malone provided the following portfolio update:**

### **Recreation:**

- There has been some damage to backstops, fencing at the baseball fields due to the recent storms. There may be a delay with baseball games or in any event we will have to move them around to different fields.
- Last meeting we discussed revenues for the Municipal Pool; they have been decreasing. While attendance has gone up, revenues from Community pass were not taken into account.

## **Councilman Michalowski provided the following portfolio update:**

### **Board of Health:**

The Board is still exploring the licensing the sale of e-cigarettes in the Borough.

### **Water & Sewer Utility:**

- Over the last couple of weeks, the two Nor'easter's have kept personnel in both the sewer and water divisions very busy. At some point during each storm facilities had extended power loss requiring personnel to respond to the facility to ensure it was working properly. At the end of each storm emergency generators were serviced in preparation for the next storm. As of this point in

time, only the Brooklake pump station is known to have suffered damage to the electrical control components. We believe this happened when the power kept bouncing in and out prior to the extended outage. We continue to trouble shoot and investigate in an effort to determine the extent of the damage and formulate a repair plan. The DEP as required was notified that we lost power at facilities and the facilities were running on emergency power as a result of the storms. The DEP was again notified when power came back on line.

- FP Water Utility personnel assisted with snow plowing efforts during Nor'easter Quinn as requested.

## **Councilman Zuckerman provided the following portfolio update:**

### **Board of Education:**

- No report. There is a meeting next week.

### **Environmental Commission:**

- No report. There is a meeting next week.

### **Municipal Pool:**

There is an Ordinance on the agenda this evening for adoption of pool fees.

## **COMMUNICATIONS:**

Mayor Taylor stated that there were several items of public communications listed on the agenda. He asked if there were any questions on the items. He stated that if anyone would like to review any of the documents, they are on file in the Borough Clerk's Office. There were no questions on the following communications on record:

- Minutes of the January 18, 2018 Morris County Planning Board Meeting
- Memo regarding absence of the Mayor February 22-25, 2018
- Notice of Ordinance Adoption, Twp. of East Hanover, #1-2018, Revised Varsityper Redevelopment

## MINUTES FOR APPROVAL:

Councilman Germershausen made a motion to approve the following meeting minutes:

- ❖ Minutes of the March 1, 2018 Work Session
- ❖ Minutes of the February 15, 2018 Work Session
- ❖ Minutes of the February 15, 2018 Regular Meeting

The motion was seconded by Councilman Zuckerman

Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Carpenter				X	
Malone	X				
Zuckerman	X				
Michalowski			X		
Total	4		1	1	

## New Business

Appointments:

### Florham Park Fire Department

**Zuckerman:** I hereby make a motion to appoint Walter Fenyk. as a Regular Firefighter in the Florham Park Fire Department effective immediately. So moved. The motion was seconded by Councilman Germershausen.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Carpenter				X	
Malone	X				
Zuckerman	X				
Michalowski	X				
Total	5			1	

Mr. Fenyk was sworn in by Borough Clerk Sheila Williams

## ORDINANCES FOR 2<sup>ND</sup> Reading/Public Hearing:

- #18-3 Establishing Summer Program Fees for 2018

Councilman Malone read Ordinance # 18-3 and moved for its adoption. He stated that the Ordinance was introduced and passed on first reading at a regular meeting of the Borough Council held on February 15, 2018 as follows:

BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE # 18-3

AN ORDINANCE ESTABLISHING SUMMER PROGRAM FEES FOR THE YEAR 2018 IN THE  
BOROUGH OF FLORHAM PARK

Mayor Taylor asked Borough Clerk Sheila Williams to read a summary of the legal notice.

Borough Clerk Sheila Williams read a summary of the legal notice and stated that the Ordinance had been published as required by law, posted on the bulletin board in Borough Hall and that copies had been made available to members of the general public desiring same.

Mayor Taylor opened the meeting to the public on the Ordinance and stated that any taxpayer of the Borough of Florham Park or any interested persons could be heard.

Seeing no members of the public who wished to be heard, he closed the meeting to the public.

Councilman Malone read the following resolution and moved its adoption:

**RESOLVED**, that the Ordinance, as read by title, on second reading, at this Regular meeting, be adopted and finally passed.

The motion was seconded by Councilman Germershausen.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Zuckerman	X				
Total	5			1	

Mayor Taylor declared that the Ordinance was finally adopted and asked the Borough Clerk to print the notice of adoption in the proper places.

- Ordinance # 18-4 Amending Chapter 216, Municipal Pool Registration Fees

Councilman Zuckerman read Ordinance # 18-4 and moved for its adoption. He stated that the Ordinance was introduced and passed on first reading at a regular meeting of the Borough Council held on February 15, 2018 as follows:

BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE # 18-4

AN ORDINANCE AMENDING CHAPTER 216 OF THE REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF FLORHAM PARK TO REVISE REGISTRATION FEES FOR THE 2018  
FLORHAM PARK MUNICIPAL POOL

Mayor Taylor asked Borough Clerk Sheila Williams to read a summary of the legal notice.

Borough Clerk Sheila Williams read a summary of the legal notice and stated that the Ordinance had been published as required by law, posted on the bulletin board in Borough Hall and that copies had been made available to members of the general public desiring same.

Mayor Taylor opened the meeting to the public on the Ordinance and stated that any taxpayer of the Borough of Florham Park or any interested persons could be heard.

Seeing no members of the public who wished to be heard, he closed the meeting to the public.

Councilman Zuckerman read the following resolution and moved its adoption:

RESOLVED, that the Ordinance, as read by title, on second reading, at this Regular meeting, be adopted and finally passed.  
The motion was seconded by Councilman Germershausen.

**Roll Call Vote:**

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Carpenter				X	
Malone		X			Wanted to see resident registration begin at age 12
Michalowski	X				
Zuckerman	X				
Total	4	1		1	

Mayor Taylor declared that the Ordinance was finally adopted and asked the Borough Clerk to print the notice of adoption in the proper places.

**ORDINANCES FOR 1<sup>ST</sup> READING**

Councilman Malone read Ordinance # 18-5 by title as follows and moved for adoption on First Reading:

**BOROUGH OF FLORHAM PARK  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE # 18-5**

**AN ORDINANCE TO PROVIDE FOR GENERAL CAPITAL PROJECTS ENUMERATED WITHIN FOR THE BOROUGH OF FLORHAM PARK, COUNTY OF MORRIS AND TO PROVIDE FOR THE FUNDING THEREOF**

The motion was seconded by Councilman Michalowski.

**Roll Call Vote:**

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Michalowski	X				
Zuckerman	X				
Total	5			1	



Councilman Malone stated that the above Ordinance was introduced and read by title at this regular meeting held on March 15, 2018. He further stated that the Council would consider this ordinance for a second reading and final passage on April 19, 2018 at 6:30 p.m. prevailing time in the Municipal Building. He asked the Borough Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building.

Councilman Malone moved for approval of the Ordinance on first reading, seconded by Councilman Michalowski.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Zuckerman	X				
Germershausen	X				
Cefolo-Pane	X				
Carpenter				X	
Michalowski	X				
Zuckerman	X				
Total	5			1	

Councilman Michalowski read Ordinance # 18-6 by title as follows and moved for adoption on First Reading:

**BOROUGH OF FLORHAM PARK  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE # 18-6**

**AN ORDINANCE TO PROVIDE FOR GENERAL CAPITAL PROJECTS FOR THE WATER UTILITY ENUMERATED WITHIN FOR THE BOROUGH OF FLORHAM PARK, COUNTY OF MORRIS AND TO PROVIDE FOR THE FUNDING THEREOF**

The motion was seconded by Councilman Malone

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

Councilman Michalowski stated that the above Ordinance was introduced and read by title at this regular meeting held on March 15, 2018. He further stated that the Council would consider this ordinance for a second reading and final passage on April 19, 2018 at 6:30 p.m. prevailing time in the Municipal Building. He asked the Borough Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building.

Councilman Michalowski moved for approval of the Ordinance on first reading, seconded by Councilman Malone.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

Councilman Malone read Ordinance 18-7 by title as follows and moved for adoption on First reading.

**BOROUGH OF FLORHAM PARK  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE # 18-7**

**AN ORDINANCE ESTABLISHING SALARIES AND WAGES FOR NON-UNION  
SEASONAL, HOURLY, TEMPORARY AND PART-TIME EMPLOYEES OF THE  
BOROUGH OF FLORHAM PARK FOR 2018**

The motion was seconded by Councilman Germershausen.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

Councilman Malone stated that the above Ordinance was introduced and read by title at this regular meeting held on March 15, 2018. He further stated that the Council would consider this ordinance for a second reading and final passage on April 19, 2018 at 6:30 p.m. prevailing time in the Municipal Building. He asked the Borough Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building.

Councilman Malone moved for approval of the Ordinance on first reading, seconded by Councilman Michalowski.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

Councilman Malone read Ordinance 18-8 by title as follows and moved for adoption on First reading.

**BOROUGH OF FLORHAM PARK  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE # 18-7**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

The motion was seconded by Councilman Germershausen.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

Councilman Malone stated that the above Ordinance was introduced and read by title at this regular meeting held on March 15, 2018. He further stated that the Council would consider this ordinance for a second reading and final passage on April 19, 2018 at 6:30 p.m. prevailing time in the Municipal Building. He asked the Borough Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building.

Councilman Malone moved for approval of the Ordinance on first reading, seconded by Councilman Michalowski.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

## BUDGET RESOLUTIONS FOR APPROVAL:

# 18-56      Authorizing the 2018 Budget to Be Read by Title

Councilman Malone read Resolution # 18-56 and asked the Clerk to read the Resolution in its entirety into the record as follows:

**BOROUGH OF FLORHAM PARK**  
**COUNTY OF MORRIS, STATE OF NEW JERSEY**  
**RESOLUTION # 18-56**

**A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FLORHAM**  
**PARK, COUNTY OF MORRIS, STATE OF NEW JERSEY**  
**AUTHORIZING THE 2018 MUNICIPAL BUDGET TO BE READ BY TITLE**

**WHEREAS**, N.J.S.A 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the approved

budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Municipal Clerk to persons requesting them; and

**WHEREAS**, all conditions have been met in accordance with N.J.S.A 40A:4-8.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Governing Body of the Borough of Florham Park, in the County of Morris, State of New Jersey, that the budget shall be read by title only.

Council Approval: March 15, 2018

\_\_\_\_\_  
Mark Taylor, Mayor

Attest:

\_\_\_\_\_  
Sheila A. Williams, Borough Clerk

I hereby certify this to be a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Florham Park on March 15, 2018

\_\_\_\_\_  
Sheila A. Williams, R.M.C.  
Borough Clerk

Councilman Malone made a motion to approve the Resolution as read.

The motion was seconded by Council President Cefolo-Pane.

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

## # 18-57 Introduction of the 2018 Municipal Budget

Councilman Malone read Resolution # 18-57 and asked the Clerk to read the Resolution in its entirety into the record as follows:

**BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
RESOLUTION # 18-57  
INTRODUCTION OF THE 2018 MUNICIPAL BUDGET**

**BE IT HEREBY RESOLVED** by the Governing Body of the Borough of Florham Park, County of Morris, State of New Jersey that the following statements of revenue for 2017 appropriations shall constitute the local budget for the year 2018; and

The Governing Body of the Borough of Florham Park does hereby approve the following summary of the Budget for the Fiscal Year 2018:

Municipal Appropriations within "CAPS"	\$14,270,366.84
Municipal Appropriation excluded from "CAPS"	4,322,219.01
Reserve for Uncollected Taxes	1,465,528.25
Total General Appropriation	\$20,058,114.10
Less Anticipated Non-Tax Revenue (Surplus Misc Revenues, Receipts from delinquent taxes)	6,001,818.31
Difference: Amounts to be raised by Taxes For support Municipal Budget (as follows)	\$14,056,295.79
(A) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$12,917,919.79
(B) Minimum Library Tax	\$ 1,138,376.00

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Florham Park, County of Morris, that a hearing on the Municipal Budget and Tax Resolution will be held at the Municipal Building on April 19, 2018.

This Resolution shall take effect immediately.

Council Approval: March 15, 2018

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Mark Taylor, Mayor

Attest:

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Sheila A. Williams, Borough Clerk

I hereby certify this to be a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Florham Park on March 15, 2018.

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Sheila A. Williams, R.M.C.  
Borough Clerk

Councilman Malone made a motion to approve the Resolution as read. The motion was seconded by Councilman Germershausen

Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

## RESOLUTIONS FOR APPROVAL - CONSENT AGENDA:

Council President Cefolo-Pane made a motion to approve the Resolutions listed below under “Consent Agenda” via a single motion of the Council. She asked the Borough Clerk to read the resolutions into the record. The following Resolutions were presented:

- # 18-50 Authorizing a Grant Application for Hancock Cemetery
- # 18-51 Authorizing a Sidewalk Café License for Mangia Italian Eatery
- # 18-52 Authorizing the hire of a Wastewater Operator in the FP Sewer Utility
- # 18-53 Authorizing an ABC License for Lucco Bar
- # 18-54 Authorizing a Temporary Municipal Budget for 2018
- # 18-55 Authorizing a Tax Lien Redemption for Block 702, Lot 1.256
- # 18-58 Certifying Compliance with EOC Civil Rights Act

The motion was seconded by Councilman Germershausen

### Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

### Payment of Vouchers:

Councilman Malone read a summary of the current bills list and made a motion to approve it in the amount \$433,980.86. The motion was seconded by Councilman Zuckerman



## Roll Call Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Malone	X				
Carpenter				X	
Malone	X				
Michalowski	X				
Total	5			1	

## PRIVILEGE OF THE FLOOR:

Mayor Taylor opened the meeting to the Public.

Seeing no members of the Public who wished to be heard, Mayor Taylor closed the meeting to the Public.

Councilman Malone thanked the Budget Committee for all their work on the budget. It is a great group of Professionals. We are lucky to be in Florham Park. We are in a great position.

## ADJOURNMENT:

Mayor Taylor asked the Council for a motion to adjourn.

It was regularly moved by Councilman Carpenter seconded by Council President Cefolo-Pane that the meeting be adjourned at 7:05 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.  
Borough Clerk  
March 21, 2018