



Borough of Florham Park Borough Council Meeting Minutes January 17, 2019

Mayor Taylor called the Regular Meeting of the Borough Council to order at 7:00 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 President Carpenter	X	
Councilman Germershausen	X	
Councilwoman Cefolo-Pane	X	
Councilman Malone	X	
Councilman Michalowski		X
Councilman Zuckerman	X	

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

Pledge of Allegiance:

Mayor Taylor led the Pledge of Allegiance.

Concord Energy Services

- Lisa Hibbs, Concord Energy Services was in attendance to discuss the current energy program offered through the energy co-op. She stated that the Borough went back to JCP&L for a brief few months due to escalation in the rate. There was another auction in August. She provided an overview of the program and current rates, etc. She answered questions from members of the public as well as questions from Council members.

The Mayor asked a question that he has heard a lot. What happens if my power goes out?

Ms. Hibbs stated that when the power goes out JCP&L will still come out to your location. The program will only affect the supply portion. There is a supply portion and there is a delivery portion. The delivery is still JCP&L. Your meter would still be read by JCP&L.

The Mayor stated he had a success story. He tracked his bills for 12 months. He was previously in a program out of Texas where he was paying an exorbitant amount of money per kilowatt hour. He stated he saved over \$1200 over the year. The only caveat is that he changed from electric to gas over the year. Mayor Taylor stated he had a very good experience and was getting questions regarding the program from other Mayors during the League of Municipalities conference. Mayor Taylor asked if there were any questions for Ms. Hibbs.

Councilman Malone asked if he could lead off as he had a few questions. He asked if everyone wouldn't take his questions as being critical; however, Borough's logo is on the materials and we are tied to you. I think you should do a visit like this at the very least on an annual basis to do our due diligence. I think that is only fair. We also need to see materials prior to going out to residents. We would also like to see the savings numbers.

Ms. Hibbs said I think we can have someone here to report quarterly or have information available on the website with a login and password so you can access your savings to date monthly.

Mr. Malone said we should definitely get a login and a password and would like to talk further about that. He further stated that he gives the company credit as they put everyone back to JCP&L when the rates rose.

Mr. Malone asked how they are measuring the savings? 0.886 cents per kilowatt?

Ms. Hibbs stated it is a two tiered rate at JCP&L in the summer and different rates in the winter. The rate you are referring to is an average rate of the summer and winter months. For 4 months we June, July, August & September are on a two-tiered rate.

Mr. Malone stated that when you receive your JCP&L bill each month there is a different rate on the bill. So I believe it is a variable rate with JCP&L and with your contract we are locked into a fixed rate. We need to compare what the actual savings is.

Ms. Hibbs stated that it is hard to do an average because each home's individual usage is going to be different. You can actually figure it out if you look at your bill. You will see what you would have paid to JCP&L and what you paid through the program. Ms. Hibbs stated she can give the aggregate savings for people in the program in Florham Park. This should be given to you quarterly and I apologize if that hasn't been done.

Councilman Malone said he would like to see that.

Mayor Taylor asked if there were any further questions. The following were additional questions:

John Winters, 32 Brooklake Road

Mr. Winters asked what happened during the GAP period when customers went back to JCP&L

Miss Hibbs stated that when they went out to auction in August they were actually competing at a rate of 21% green energy, where the BGS rate was 16%, so you were paying for the additional green energy, so we were not competitive. From March through June you were actually paying lower than the BGS, so come June there was an uptick in BGS rate because they are being mandated to be at the level the law requires. We actually put you back to JCP&L because the rates were lower.

Mr. Zuckerman asked how they decide when to go out to bid and how do they compete?

Ms. Hibbs stated when they go out to auction they must be better than the BGS. So when the BGS is not required to have what we are required to have such as green energy it created an unequal playing field, so we were not able to get a competitive rate. We were also dealing with the two-tiered summer system, so we waited. During that period you were defaulted back to JCP&L for about 4-5 months and then we were able to restore the savings.

Mr. Malone stated he would like to see what the savings are.

Paul Chase, 48 Orchard Road

Mr. Chase thought the letter sent out to the residents was confusing. It looks like it came from the Borough. You are mixing apples and oranges. At some points in the letter, it seems like it is coming from the Borough and at others from IDT.

Councilman Malone agreed, especially with the use of the Borough logo.

Mr. Chase says there is some language that refers to “minimal risk” and asked for an explanation of that.

Ms. Hibbs stated that it is a variable rate and could change within the six-month time period. You are not notified when the rates change.

Mr. Chase said he did a comparison and he saved a total of \$34.00 over a 12-month period. The summer month rate for JCP&L was actually lower than the IDT rate. I think residents should be informed that the rates can change and actually be higher.

There were two new residents in the audience who indicated they had never heard of the program until they got the latest notification. They stated that someone should look into how to identify new people moving into Florham Park.

Miss Hibbs stated they could possibly send out an “opt in” card just to make residents aware that the program exists.

Ms. Hibbs answered a few more miscellaneous questions and Mayor Taylor thanked Ms. Hibbs for coming in to answer questions.

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:

- Notice, Township of Millburn, Regarding a 12/19/18 Master Plan Hearing
 - Minutes of the Morris Co. Planning Board Meeting of October 18, 2018
 - Notice, Ordinance Adoption, Twp. of East Hanover, Amending Ch. 195
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MINUTES FOR APPROVAL:

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

- Minutes of the December 13, 2018 Regular Meeting
- Minutes of the January 3, 2019 Annual Reorganization Meeting

The motion was seconded by Councilman Carpenter

Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Carpenter	X				
Germershausen	X				
Cefolo-Pane	X				Abstain from 1/3/19
Malone					
Michalowski	X			X	
Zuckerman	X				
Total	5			1	

Council President Carpenter provided the following report:

Department of Public Works:

- Leaf pick-up is complete
- Currently collecting Christmas trees and brush
- Salters and plows are operational and ready to go
- Mechanics are all back to work after surgeries, illnesses, etc.

Florham Park Police Department

- OEM received notification that the Borough would be reimbursed \$215,000 for snow and debris removal during winter storm Quinn in 2018; they already got reimbursed \$5,700 for pump station repairs; more monies are expected
- Police ordered two new patrol vehicles; should be on the road in April
- Faith Neimynski started at the Police Academy and is due to graduate in May
- Gregory Dietz is set to begin his duties February 1st

Florham Park First Aid Squad

- Squad will begin with County coverage for Thursdays in February

Florham Park Fire Department

- Department has two men that went inactive due to poor attendance
- No new recruits in the pipeline
- Reviewing the specs for the new mini pumper

Engineering:

Councilman Carpenter deferred to Borough Engineer Mike Sgaramella
Mr. Sgaramella stated:

Roads:

- Campus Drive Milling and Paving and Traffic Signal Updates is currently under design by Traffic Consultant. Additional comments provided by Borough have been issued.
- Consultant working on addressing NJDOT comments and my comments for the Columbia/Crescent plans. Hopefully submitting to NJDOT next week for approval since a grant is tied to it. Bid advertisement scheduled for March.
- Updated 5-year Capital Road Maintenance Plan and 2019 Capital request has been submitted to M&C.

Miscellaneous:

- Kayla & I will be attending the next Environmental Commission Meeting to discuss the potential for the Borough to obtain a Tree City USA certification. It involves the possibility of forming a Shade Tree Commission within the Borough, hosting Arbor Day festivities, and being involved with Tree Removal Permits for residential and commercial properties throughout the Borough. Obtaining a Tree City USA designation would fulfill a goal outlined in the Borough's 2017-2021 Community Forestry Management Plan. However, this cannot be accomplished by the Engineering Department alone and assistance from the Environmental Commission will be requested.

Councilman Germershausen provided the following report:

- Last night the Historic Preservation Commission met; they held elections. Suzanne Herold was voted in as Chair, the Vice-Chair is Patrick Dolan and Rosemary Picone is Secretary.
- One of the goals for 2019 is to open the Schoolhouse up more frequently.
- Signed an agreement with the County for volunteer time to qualify for grants
- Moving meetings to Little Red Schoolhouse to help increase hours required for grants.
- A Resolution will be on February meeting for the next Grant for LRSB improvements
- Course for commission members on March 19th to be held to provide education on what they should be doing as a Commission.
- Discussed active shooting training for members; Suzanne will talk to Chief Orlando
- Pathways to history September 21 & 22

Councilwoman Cefolo-Pane provided the following report:

Gazebo Committee:

- First regular meeting will be in February. Busy contacting performers and trying to schedule dates.
- Sometimes performers don't have contracts. We have obtained a template to show what is required

Senior Citizens:

- Both Seniors and AARP held meetings. Councilwoman Cefolo-Pane could not make the Seniors meeting; attended the AARP meeting.
- Distributed correct recycling schedule

Board of Adjustment:

- A Zoning Board meeting was held last night; US Northeast Properties was on the agenda; however, that is being carried to another meeting as well as an R15 application
- Artis Senior Living was heard; the hearing will continue on February 6. The applicant revised plans based on correspondence regarding input from Borough and County Officials.

Planning Board:

- Planning Board had two meetings.
- Supportive housing application made modifications to their plans. The count is the same; however, the buildings have been reduced from 11 buildings to 8.
- There was an approval for Avalon Community to renovate their barbeque area.
- Approved a change in tenancy
- BASF submitted an application to install solar canopies

Councilman Malone provided the following report:

Finance:

- The Budget Committee met prior to tonight's meeting; ongoing process

Recreation:

- Florham Park Athletic Foundation is folding; looking to return monies to Clubs that initially supported it.
- Florham Park Rotary is holding an event on the 22nd at the First Aid Squad

John Timmons reported:

- We ordered a new liner for the skating rink; currently two inches of ice. You need four inches to skate on it. This is the 4th year with the rink. People really look forward to it.
- Yoga classes are coming up; its \$80 for the Session
- Rutgers class on February
- Finalizing trips for Teen Summer Experience; you can sign up
- Day Camp is finalized; it will start later this year on July 1st and end on August 16th
- Ski Club is in full swing; 89 kids registered
- Winter Cheer is up and running; they participate in competitions
- Recreation basketball is also in full swing; 19 teams
- Another lightning detector was received; will do a site visit next week. We will now have two. One by the Community Center and one at the snack shack at Volunteer's Park
- Mets bus trip booked for July 24th

Councilman Zuckerman provided the following report:

Environmental Commission:

- Stan Wisnewski is going to be stepping down as Chair; there will be an election for a new chair

Board of Education:

- The Board held their reorganization meeting; the President and Vice President were re-elected.

Municipal Pool:

- There is a pool fee Ordinance on the agenda tonight which reflects a 5% membership fee increase; there hasn't been an increase since 2015
- The plan for the pool this year is to try an increase our revenue; 75% of revenue comes from family memberships. Looking to have some new activities and organized events during the day and in the evening for both kids and adults. Arts and Crafts, Yoga by the Pool and Aqua aerobics are just some ideas. We would also like to make our pool day a much bigger event. Also thinking of an adult swim night with the possibility of musical performers. Possibly giving special parking on 4th of July to members.

- Would like to contact Morris County Mosquito Commission to see if there is anything we can do to control the mosquitos.

ORDINANCES FOR FIRST READING

#19-1 Authorizing 2019 Summer Program Fees

Councilman Carpenter read Ordinance # 19-1 by title as follows and moved for adoption on First Reading:

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY
ORDINANCE # 19-1**

**AN ORDINANCE ESTABLISHING SUMMER PROGRAM FEES FOR THE YEAR 2019 IN THE
BOROUGH OF FLORHAM PARK**

The motion was seconded by Councilman Zuckerman

Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Carpenter					
Germershausen	X				
Cefolo-Pane	X				
Malone	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 January 17, 2019. He further stated that the Council would consider this ordinance for a second reading and final passage on February 21, 2019 at 5:00 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 Germershausen.

Vote:

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

19-2 Authorizing 2019 Pool Membership Fees

Councilman Zuckerman read Ordinance # 19-2 by title as follows and moved for adoption on First Reading:

**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS
STATE OF NEW JERSEY
ORDINANCE # 19-2**

**AN ORDINANCE AMENDING CHAPTER 216 OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF FLORHAM PARK TO REVISE REGISTRATION FEES FOR THE 2019
FLORHAM PARK MUNICIPAL POOL**

The motion was seconded by Councilman Carpenter

Vote:

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

Councilman Zuckerman stated that the above Ordinance was introduced and read by title at this regular meeting held on January 17, 2019. He further stated that the Council would consider this ordinance for a second reading and final passage on February 21, 2019 at 5:00 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 Zuckerman moved for approval of the Ordinance on first reading, seconded by Councilman Carpenter.

Vote:

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

Consent Agenda – Resolutions of Approval

Councilwoman 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 and are appended hereto as part of the record:

- # 19-26 Authorizing Execution of a Lease Agreement between Cingular Wireless PCS, LLC
- # 19-27 Authorizing Hiring of Police Matrons in the Florham Park Police Dept.
- # 19-28 Authorizing Stipend for Borough Engineer for Services Rendered
- # 19-29 Authorizing Appointment of a Per Diem Electrical Inspector
- # 19-30 Authorizing Execution of a Collective Bargaining Agreement, FPPD
- # 19-31 Authorizing a Temporary Municipal Budget for 2019
- # 19-32 Authorizing Cancellation of Unexpended Grant Funds

The motion was seconded by Mr. Germershausen. Mayor Taylor asked for a roll call.

Vote:

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

Payment of Vouchers:

Councilman Malone read a summary of the current bills list which is appended hereto and made a motion to approve it in the amount \$4,597,074.80. The motion was seconded by Councilman Zuckerman.

Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Cefolo-Pane	X				
Germershausen	X				
Carpenter	X				
Malone				X	
Michalowski	X				
Zuckerman	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, he closed the meeting to the Public.

Executive Session Resolution:

Council President Carpenter made a motion to approve Resolution # 19-33 to enter into Executive Session at 8:05 p.m. The motion was seconded by Councilman Germershausen. All Council in Favor. At 8:05 p.m. the Governing Body entered into Executive Session.

Council entered back into Open Session at 8:20 p.m.

ADJOURNMENT:

It was regularly moved by Councilman Malone and seconded by Councilman Germershausen that the meeting be adjourned at 8:20 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.
Borough Clerk
February 21, 2019