



## Borough of Florham Park Borough Council Meeting Minutes April 18, 2019

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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 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.

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**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 Morris County Planning Board Mtg., February 21, 2019
- Notice of Ordinance Adoption, Twp. of East Hanover, Chapter 95

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**MINUTES FOR APPROVAL**

Mayor Taylor asked for a motion to approve the minutes of the March 21, 2019 Regular Meeting and the Work Session of April 4, 2019.

Councilman Germershausen made a motion to approve the minutes as stated above.

The motion was seconded by Councilman Zuckerman

Vote:

Council Member	Aye	Nay	Abstain	Absent	Comments
Carpenter	X				
Germershausen	X				
Cefolo-Pane	X				
Malone				X	
Michalowski	X				Abstained from 3/21
Zuckerman	X				
Total	5			1	

**Oath of Office**

**Florham Park Environmental Commission:**

Mayor Taylor stated that Brian Bill was appointed to the to the Environmental Commission at the last regular meeting. He stated that Mr. Bill was in attendance this evening to be sworn in.

Mr. Bill was sworn in by Borough Clerk Sheila Williams

## PROCLAMATION

Mayor Taylor read a proclamation regarding Arbor Day which is April 26, 2019. He urged all citizens to take note of this day.



WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I MARK TAYLOR, Mayor of the Borough of Florham Park, do hereby proclaim April 26, 2019 as

# ARBOR DAY

In the Borough of Florham Park, County of Morris, State of New Jersey, and I urge all Citizens to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS 18<sup>th</sup> day of April 2019  
Mark Taylor, Mayor

## Public Hearing on the 2019 Municipal Budget

Mayor Taylor stated that the Borough was going to hold a public hearing on the 2019 Municipal Budget. He asked CFO Patrice Visco to step up and provide an overview.

Ms. Visco stated a few highlights of the 2019 budget were as follows:

- + 9.9% increase in medical insurance; zero increase in pharmacy or dental. Initially at 13% for medical insurance and were able to negotiate it to 9.9%.
  - o This had a huge impact on the budget.
- + Recycling costs for the year increased over \$100,000; another huge impact on our budget.
- + Contributions to PFRS and PERS pension systems are statutory and we have no control over them. PFRS increased by 11% and PERS 7%
- + Anticipating \$75,000 less in sewer surplus for 2019.
- + For 2019 anticipating showing more in fund balance. We try and regenerate fund balance each year.
- + Anticipating more in local revenues; i.e. beverage licenses, permit fees, PILOT revenues, court fees etc. All of these revenues increased in 2018; therefore, anticipating more in 2019.
- + State Aid has remained flat for many years and is the same for 2019.
- + UCC Fees; anticipating the same as last year. These revenues remain strong in Florham Park.

- # Grants are down; expect some for the year and the budget will be amended with a Chapter 159 as they come in.
- # Other special items such as Hotel Occupancy Tax and Fire Safety revenues increased in 2019; anticipating a little less this year because sewer surplus is included in that number
- # Anticipating the same for delinquent taxes for 2019 as last year;
- # Minimum increase in Library fees which is a state calculation that we are obligated to pay.
- # Salaries and wages was a 2% increase across the board. Police contract gave 2% increase; longevity was eliminated. There is no longer longevity for any union or non-union employee.
- # The 9.9% increase in medical was large part of costs this year. There were also more employees opting into the insurance as well as retiree benefits.
- # Recycling expenses have increased. The Borough signed a five-year agreement with the MUA. We are currently researching ideas on how to lower this cost and the cost of trash removal.
- # Large increase in Capital Improvements; as we pay down our debt we are going to increase the money sent to Capital Improvements. For Capital improvements for the year we will be working on various roads and fixing the tennis courts. We are also going to purchase a mini-pumper fire truck as well as some DPW equipment.
- # The Sewer Utility will be doing the Beechwood sewer main replacement. They will also replace the liner in the pipe adjacent to Spring Garden Lake. Working on sewer design for Carrigan and Burnett Sewer expansion.
- # Water Utility will be replacing 1,400 old water meters, including new software and other equipment.
- # Paying someone to design the Exxon well development project

- # Water valve inspection and testing in 2019
- # Large decrease in debt service; Borough paid off the 2011 bond. We are paying off another bond from 2015, which is due to be paid off in 2028.
- # \$658, 022 is the average assessed home value in Florham Park  
Municipal portion of the increase is 1.9% increase; \$53.85 for each home.
- # The budgets and all presentations tonight will be on the Borough website for the public to view.
- # After the budget overview, Mayor Taylor opened the meeting to the public for a hearing on the budget.
- # The following persons wished to be heard:

Paul Chase, 48 Orchard Road

Mr. Chase asked Ms. Visco what she sees as far as revenues, trends etc. over the next 5 years or so.

Ms. Visco stated that what we are seeing is that UCC fees remain strong and she thinks that will continue. The rest of the Borough revenues have been relatively stagnant and that is one of the reasons we are looking to cut expenses for things like medical insurance, recycling and trash removal.

Mr. Chase stated there are new homes being built on River Road and Park Avenue. He asked what effect they would have on our revenues.

Ms. Visco stated they are all UCC revenues and they will remain strong.

John Winters, 32 Brooklake Road

Mr. Winters questioned the library funding. What does the mandatory cost cover? Does it include capital items too?

Mrs. Visco stated that Joan Hipp has money put aside for bigger capital items.

Mr. Winters also asked about the recycling costs? What can we do to get those under control?

As far as recycling is concerned, the Borough is working on doing some things down at the Environmental Center.

Seeing no more members who wished to be heard, Mayor Taylor closed the meeting to the public.

**Budget Resolutions:**

Resolution # 19-84 – Authorizing and Amendment to the 2019 Municipal Budget

Mayor Taylor asked Council President Carpenter to read Resolution # 19-84

Council President Carpenter read the following Resolution:



**BOROUGH OF FLORHAM PARK  
RESOLUTION # 19-84  
RESOLUTION TO AMEND THE 2019 INTRODUCED MUNICIPAL BUDGET**

**Whereas**, the local municipal budget for the year 2019 was approved on the 21st day of March 2019; and

**Whereas**, the public hearing on said budget has been held as advertised; and,

**Whereas**, it is desired to amend said approved budget,

**Now, Therefore, Be It Resolved** by the Governing Body of the Borough of Florham Park, County of Morris, that the following amendments to the approved budget of 2019 be made:

Recorded Vote (insert last names)	AYES	{ Carpenter { Germershausen { Cefolo-Pane { Zuckerman { Michalowski
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NAYS	{	ABSTAINED	{	ABSENT	{	Malone
	{		{		{	
	{		{		{	

	FROM	TO
Anticipated Revenues:		
1. Surplus Anticipated	\$ 2,029,000.00	\$ 2,149,000.00
Total Surplus Anticipated	2,029,000.00	2,149,000.00

3. Miscellaneous Revenues:

Total Section G. Special Items of General Revenue Anticipated with Prior  
Written Consent of Director Local Government Services -

Other Special Items:

Board of Education Fees	120,000.00	0
Section G: Other Special Item	<u>1,067,687.74</u>	<u>947,687.74</u>
Total Miscellaneous Revenue	<u><u>4,167,178.74</u></u>	<u><u>4,047,178.74</u></u>

Be It Further Resolved, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for their certification of the local municipal budget so amended.

Be it Further Resolved, that a public hearing on said amendment is to be held at the Municipal Building on April 18, 2019 at 6:30 PM.

Council Approval: April 18, 2019

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

Attest:

\_\_\_\_\_  
Sheila A. Williams, RMC

It is hereby certified that this is a true copy of a Resolution amending the budget, adopted by the governing body on April 18, 2019.

\_\_\_\_\_  
Sheila A. Williams, RMC

Mayor Taylor opened the meeting for Public comments and questions on the Resolution amending the budget.

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

Council President Carpenter move the approval of the Resolution. The motion was seconded by Councilman Germershausen.

Mayor Taylor asked for a roll call vote.



Roll Call Vote:

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

Mayor Taylor asked Council President Carpenter to present the Resolution for approval of the 2019 Municipal Budget. Council President Carpenter read the following Resolution:

**BOROUGH OF FLORHAM PARK  
RESOLUTION #19-70  
BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, NEW JERSEY**

**BE IT HEREBY RESOLVED** by the Governing Body of the Borough of Florham Park, County of Morris, that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of: \$13,412,640.53 for municipal purposes and \$1,170,344.00 Minimum Library Levy.

**Council Approval: April 18, 2019**

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

Attest:

\_\_\_\_\_  
Sheila Williams, Municipal Clerk

**CERTIFICATION\*\*\*\*\***

I HEREBY CERTIFY this to be a true and correct Resolution of Governing Body of the Borough of Florham Park adopted at the Public Hearing held on April 18, 2019 in the Municipal Building located at 111 Ridgedale Avenue.

Sheila Williams, R.M.C, Borough Clerk

Council President Carpenter moved for approval of the Resolution. The motion was seconded by Councilman Michalowski.

**Roll Call Vote:**

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

**ORDINANCES FOR SECOND READING**

- # 19-6 An Ordinance Establishing Salaries & Wages for Non-Union, Seasonal, Hourly, Temporary and Part-Time Employees.

Councilman Zuckerman read a summary of Ordinance # 19-6 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 March 21, 2019 as follows:

**BOROUGH OF FLORHAM PARK  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE # 19-6**

**AN ORDINANCE ESTABLISHING SALARIES AND WAGES FOR NON UNION  
SEASONAL, HOURLY, TEMPORARY AND PART-TIME EMPLOYEES OF THE  
BOROUGH OF FLORHAM PARK FOR 2019**

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
Carpenter	X				
Germershausen	X				
Cefolo-Pane	X				
Malone				X	
Zuckerman	X				
Michalowski	X				
<b>Total</b>	<b>5</b>			<b>1</b>	

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

**# 19-7 Amending Chapter 212-27 of the Borough Code, Maintenance Guarantees**

Councilwoman Cefolo-Pane read a summary of Ordinance # 19-7 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 March 21, 2019 as follows:

**BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE # 19-7**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING**

SECTION 212-27 OF THE CODE OF THE BOROUGH OF FLORHAM PARK, RELATING TO PERFORMANCE AND MAINTENANCE GUARANTEES AND DEVELOPER AGREEMENTS

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.

Councilwoman Cefolo-Pane 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 Council President Carpenter.

**Roll Call Vote:**

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

**# 19-8 To Exceed the Municipal Budget Establish a CAP Bank**

Council President Carpenter read a summary of Ordinance # 19-8 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 March 21, 2019 as follows:

**BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE # 19-8**

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

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 President Carpenter 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 Michalowski

**Roll Call Vote:**

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

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

# 19-9 To Provide Funding for Various General Capital Projects

Councilman Michalowski read a summary of Ordinance # 19-9 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 March 21, 2019 as follows:

**BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE # 19-9**

**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**

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 Michalowski 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
Carpenter	X				
Germershausen	X				
Cefolo-Pane	X				
Malone				X	
Zuckerman	X				
Michalowski	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.

**# 19-10 To Establish Requirements to Control Littering in Florham Park**

Council President Carpenter read a summary of Ordinance # 19-10 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 March 21, 2019 as follows:

**BOROUGH OF FLORHAM PARK  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
ORDINANCE # 19-10**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY ESTABLISHING REQUIREMENTS TO CONTROL LITTERING 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.

Council President Carpenter 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 Councilwoman Cefolo-Pane

**Roll Call Vote:**

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

### Consent Agenda Resolutions:

Council President Carpenter made a motion to approve the following Resolutions via a single motion of the Council. He asked the Clerk to read the Resolutions into the Record.

- # 19-71 Authorizing a Developer Agreement for US Northeast Properties, LLC
- # 19-72 Authorizing a Developer Agreement for PSI Atlantic, FP, NJ, LLC
- # 19-73 Authorizing Officers to attend the Police Unity Tour as On-Duty Officers
- # 19-74 Authorizing Execution of a TWA-1 Sanitary Sewer Extension
- # 19-75 Authorizing a Restoration Guarantee Release, Park Ave. Foundation
- # 19-76 Authorizing a NJ Cooperative Purchasing Alliance with Co. of Bergen
- # 19-77 Authorizing an Agreement with the NJ Wastewater Cooperative
- # 19-78 Authorizing a Bid Rejection for Water Valve Inspection/Testing
- # 19-79 Authorizing a Contract Award for Landscaping Services
- # 19-80 Authorizing 2019 Salaries for Temporary, Hourly and PT Employees
- # 19-81 Authorizing Amending the Sewer Utility Service Charges
- # 19-82 Authorizing the Hire of a Part-Time Technical Assistant – TACO

The motion was seconded by Councilman Germershausen

### Roll Call Vote:

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



## Payment of Vouchers:

Councilman Zuckerman read a summary of the current bills list and made a motion to approve it in the amount \$325,800.47. The motion was seconded by Councilman Michalowski.

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 at 7:45 p.m. Seeing no members of the public who wished to be heard, he closed the meeting to the Public.

## EXECUTIVE SESSION RESOLUTION

➤ # 19-83 Authorizing the Council to Enter into Executive Session

Councilwoman Cefolo-Pane read Resolution # 19-83 Authorizing the Council to Enter into Executive Session.

## ADJOURNMENT:

It was regularly moved by Councilman Michalowski and seconded by Councilman Germershausen that the meeting be adjourned at 8:00 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.  
Borough Clerk  
May 14, 2019