



**Borough of Florham Park
Borough Council Meeting Minutes
April 25, 2013**

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. Mrs. 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 Eveland asked the Borough Clerk to call the roll as follows:

Governing Body	Present	Absent
Mayor Taylor	X	
Councilman Germershausen	X	
Councilwoman Cefolo-Pane	X	
Councilman Carpenter	X	
Councilman Michalowski	X	
Councilman Malone	X	
Councilman Zuckerman	X	

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

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, or 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:

- Resolution, Twp. of Parsippany Supporting A-1896/A-1503-Property Tax Appeal Refunds
- Notice of Public Hearing, Borough of Madison, regarding Master Plan ERI Updates
- Notice of Land Use Ordinance Introduction, Twp. of Hanover, Amending Ch. 166
- Notice of Ordinance Adoption, Twp. of Livingston, Amending Chapter 170
- Notice of Ordinance Introduction, Land Use, Amending Chapter 195, Gas Station Signs
- Invitation to the Morris County Super Bowl 2014 Planning Meeting
- Letter of Resignation of Councilman David Wikstrom
- Invitation to the Florham Park Memorial First Aid Squad Dinner
- Resolution, Borough of Lincoln Park, Supporting S-1896, Assessment Appeal Refunds
- Letter of Resignation of Mayor Scott Eveland
- Minutes of the March 21, 2013 Morris County Planning Board Meeting

MINUTES FOR APPROVAL:

Councilwoman Cefolo-Pane made a motion to approve the following meeting minutes:

- Minutes of the March 28, 2013 Regular Meeting
- Minutes of the March 28, 2013 Work Session
- Minutes of the April 11, 2013 Work Session

The motion was seconded by Councilman Malone

Roll Call: Germershausen, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; abstain

APPOINTMENT OF COUNCIL PRESIDENT:

Mayor Taylor called for discussion on appointment of a Council President. I would like to ask Mr. Carpenter to make a motion to appoint a council president.

Councilman Carpenter made a motion to appoint Councilwoman Cefolo-Pane as Council President. The motion was seconded by Councilman Malone.

Roll Call: Germershausen, absent; Cefolo-Pane, abstain; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; abstain

Mayor Taylor congratulated Mrs. Cefolo-Pane and stated she would be his right hand going forward.

SWEARING IN OF COUNCILMAN:

William Zuckerman was sworn in as a Councilman by the Borough Clerk. Mayor Taylor stated that Mrs. Lonnie Zuckerman was also in attendance. Mayor Taylor stated that Mrs. Zuckerman was on active duty with the First Aid Squad and just celebrated 45 years of service with the Squad. Also in attendance was Mr. Zuckerman's grandson Stephen.

Mr. Zuckerman was sworn in by the Borough Clerk.

PROCLAMATIONS:

Mayor Taylor read a Proclamation in support of Building Safety month as follows:

Proclamation

Building Safety Month — May 2013

***WHEREAS**, the Borough of Florham Park’s continuing efforts to address the critical issues of safety, energy efficiency, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;*

***WHEREAS**, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;*

***WHEREAS**, these guardians—dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play, and;*

***WHEREAS**, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires and earthquakes, and;*

***WHEREAS**, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities’ largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings, and;*

***WHEREAS**, “Building Safety Month: Code Officials Keep You Safe” the theme for Building Safety Month 2013, encourages all Americans to raise awareness of the importance of building safety; green and resilient building; pool, spa and hot tub safety; backyard safety; and new technologies in the construction industry. Building Safety Month 2013 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,*

***WHEREAS**, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.*

***NOW, THEREFORE, I**, Mark Taylor, Mayor of the Borough of Florham Park, do hereby proclaim the month of May 2013 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.*

Set unto my hand the 25th day of April 2013

Mark Taylor, Acting Mayor

INTRODUCTION OF THE 2013 MUNICIPAL BUDGET

Councilman Malone read the following Resolution in its entirety and moved for its approval. The motion was seconded by Councilman Michalowski

Roll Call: Cefolo-Pane, yes; Germershausen, absent; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman, yes

Resolution # 13-65 Authorizing the 2013 Municipal Budget to be Read by Title

**BOROUGH OF FLORHAM PARK
RESOLUTION # 13-65**

**A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FLORHAM PARK,
COUNTY OF MORRIS, STATE OF NEW JERSEY
AUTHORIZING THE 2013 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: April 25, 2013

Mark Taylor, Mayor

Attest:

Sheila A. Williams, Borough Clerk

*****CERTIFICATION*****

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 April 25, 2013

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

- Resolution # 13-66 Introduction of the 2013 Municipal Budget

Councilman Malone read the following Resolution in its entirety and moved for its approval. The motion was seconded by Councilman Carpenter

Roll Call: Cefolo-Pane, yes; Germershausen, absent; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; abstain

**BOROUGH OF FLORHAM PARK
RESOLUTION #13-66
INTRODUCTION OF THE 2013 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 2012 appropriations shall constitute the local budget for the year 2013; and

The Governing Body of the Borough of Florham Park does hereby approve the following summary of the Budget for the Fiscal Year 2013:

Municipal Appropriations within "CAPS"	\$13,322,927.75
Municipal Appropriation excluded from "CAPS"	\$ 4,827,299.93
Reserve for Uncollected Taxes	\$ 1,326,510.00
Total General Appropriation	\$19,476,737.68
Less Anticipated Non-Tax Revenue (Surplus Misc Revenues, Receipts from delinquent taxes)	\$ 6,792,283.93

Difference: Amounts to be raised by Taxes
For support Municipal Budget (as follows)

(A) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$ 11,680,104.75
(B) Minimum Library Tax	\$ 1,004,349.00

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 May 30, 2013.

This Resolution shall take effect immediately.

Council Approval: April 25, 2013

Mark Taylor, Mayor

Attest:

Sheila A. Williams, Borough Clerk

*******CERTIFICATION*******

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 April 25, 2013

Sheila A. Williams, R.M.C.

ORDINANCES FOR FIRST READING

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY
ORDINANCE # 13-4**

AN ORDINANCE OF THE BOROUGH OF FLORHAM PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS FOR THE BOROUGH OF FLORHAM PARK AND APPROPRIATING \$750,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$714,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF FLORHAM PARK TO FINANCE THE SAME

Councilman Carpenter introduced Ordinance #13-4 by title, explained the purpose of the ordinance and moved for approval on first reading. The motion was seconded by Councilman Malone.

Councilman Carpenter stated that the above Ordinance was introduced and read by title at this regular meeting held on April 25, 2013. He further stated that the Council would consider this ordinance for a second reading and final passage on May 30, 2013 at 7:00 p.m. prevailing time in the Municipal Building. He asked the Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building. Councilman Carpenter moved for approval of the Ordinance on first reading, seconded by Council President Cefolo-Pane

Roll Call: Cefolo-Pane; yes Germershausen, absent; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; yes

**BOROUGH OF FLORHAM PARK
ORDINANCE # 13-5**

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

Councilman Malone introduced Ordinance #13-4 by title, explained the purpose of the ordinance and moved for approval on first reading. The motion was seconded by Councilman Malone.

Councilman Malone stated that the above Ordinance was introduced and read by title at this regular meeting held on April 25, 2013. He further stated that the Council would consider this ordinance for a second reading and final passage on May 30, 2013 at 7:00 p.m. prevailing time in the Municipal Building. He asked the Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building. Councilman Carpenter moved for approval of the Ordinance on first reading, seconded by Council President Cefolo-Pane

Roll Call: Cefolo-Pane; yes Germershausen, absent; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; yes

RESOLUTIONS – CONSENT AGENDA

Council President Cefolo-Pane motion to approve the following resolutions on the agenda under “Consent Agenda” via a single motion of the Council. He asked the Borough Clerk to read the resolutions into the record. The motion was seconded by Councilman Carpenter.

- # 13-67 Authorizing creation of Summer Intern Positions in the Board of Health
- # 13-68 Authorizing a Developer’s Agreement with Calvary Presbyterian Church

Roll Call: Cefolo-Pane; yes Germershausen, absent; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; abstain

PAYMENT OF VOUCHERS:

Councilman Malone read a summary of the current bills list and made a motion to approve it in the amount of \$286,316.07. The motion was seconded by Council President Cefolo-Pane.

Roll Call: Cefolo-Pane; yes Germershausen, absent; Carpenter, yes; Malone, yes; Michalowski, yes; Zuckerman; abstain

PRIVILEGE OF THE FLOOR-OPEN TO THE PUBLIC

Mayor Taylor opened the meeting to the Public for comments or questions.

The following comments/questions were heard:

Jon Winters, 32 Brooklake Road:

Does the Ordinance being done tonight include money we are getting from the State to do Brooklake Road?

Mayor Taylor stated that is our side of the money.

Mr. Winters asked if the State money doesn't come through, would the road stay in its current shape.

Mayor Taylor said adjustments will be made as necessary. He agreed that road must be fixed and he will make sure that is a priority.

Mr. Winters inquired as to why the Borough is hiring seasonal employees for the Board of Health.

Council President Cefolo-Pane stated that the Borough is required is to have an animal canvassing program by state statute. These positions are an essential component of that. The CFO has certified that we have monies in the Animal Trust Fund to fund the positions.

Mr. Winters asked when the budget presentation would be. He stated it was going to be at the next meeting on May 28th.

Bernie Wetter, 8 Milton Avenue

Mr. Wetter asked about the CAP Bank ordinance and asked if this had been done in prior years.

Mayor Taylor stated it is standard and is done every year.

Mr. Wetter spoke about the bond that didn't pass for the fields at the schools; that bond would actually cost more than they were saying. What controls do we have in place for the Elm Street fields? How do we protect ourselves from interest rates, etc. He asked Councilman Malone what the interest rate would be in 2, 4, 6, 8 years.

Councilman Malone stated that his understanding is the interest rate is 0.25% for a bond anticipation note. So that's temporary financing, while we await permanent financing. That is at today's rates. Permanent financing would be approximately 1%. All of this is being done within the confines of the debt reduction plan. We are not pushing that out any further. It has been structured to fit in with the debt reduction plan.

Mayor Taylor suggested Mr. Wetter speak with Mr. Rheinhardt off line for an explanation of the debt reduction plan.

Larry Alexander, 40 Elm Street:

Reminder about Elm Street flooding issue that he raised at Coffee with the Council.

Mayor Taylor stated Mr. Sgaramella is working on it.

Mr. Alexander stated he is worried about residual, muddy water.

Mayor Taylor

Mr. Alexander talked about Birdsall services. He is concerned that the Borough has a contract with Birdsall. He would like the Council to clear the boards on any rumors. He wants each council member to sign an affidavit stating that they did not receive any money from Birdsall personally.

Wants the people to see if Birdsall

Mr. Bell stated that the Contract went through the normal bid process and there was nothing improper about it.

Mr. Alexander stated he accepted that, he just wanted it on the record.

Mr. Alexander thanked Mayor Taylor on his new appointment.

Lynn Zaug, Elm Street

Mrs. Zaug questioned why the lights are on when nobody is playing on the field.

Mayor Taylor

Mrs. Zaug said the lights were shining in her family room last night and there was nobody back there – the lights are on continuously. She stated the lights go on and they

Mr. Huyler stated the lights are scheduled in block times so there may be a time when someone isn't there when the lights are on.

Recreation Director Adam Lieb

So you are saying sporting events take precedence over the residents.

Mr. Huyler said he didn't agree with Mrs. Zaug.

Mrs. Zaug said it is constant.

Mayor Taylor said he will do the best he can to have that monitored through Mr. Lieb's office.

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

Patricia Lindridge-Ingber, 46 Elm St:

She wanted to reiterate what Larry Alexander said about the water; she mentioned it at coffee with the Council.

Mayor Taylor stated that he spoke to the Borough Engineer about the issue.

The water is eroding the ground at the side of her house.

Can you give me an idea of when the manganese plant will be built?

Working on specs, should be ready soon and the project should begin in late summer.

Mrs. Lindridge-Ingber stated she thought it was going to happen last year.

Mayor Taylor stated the Borough has been working on this since 2002 and they have encountered road blocks with the DEA and other issues. Pipeline through the ROSI was an issue. We are trying to get it all straightened out.

Mrs. Lindridge-Ingber asked if there was going to be access to the Elm Street facility through Cali.

Mayor Taylor stated there is not an update on that issue at the present time.

Mrs. Lindridge-Ingber asked about the \$100,000 from the JETS for the fields as well as the money from the NFL. She asked if that was being pursued.

She suggested that a notice board be put outside the building. The notices that are put in the newspaper, can they be put on the board.

Mayor Taylor said he will look into it.

Larry Alexander came back up indicated that the sign doesn't say when the Council meetings are.

Jerry Iorio, 2 Smithfield Lane

Mr. Iorio suggested having permits for garage sales in Florham Park. He indicated there currently is not an Ordinance. Currently where he lives it is an issue and would like to see a garage sale permit in the town. There are instances in town where garage sales are occurring all the time and there should be some regulation.

Borough Clerk Sheila Williams stated that she had recently become aware of certain circumstances regarding garage sales. She further stated she is working with the Borough Administrator, Zoning Office and the Borough Attorney to craft an Ordinance to regulate these activities.

Mr. Iorio stated that he was happy to hear that.

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

Mayor Taylor announced that Coffee with the Council will be held at Natale's Deli on Friday, at June 7th at 7:45 a.m. He stated that all are welcome to attend.

ADJOURNMENT

It was regularly moved by Council President Cefolo-Pane, seconded by Councilman Carpenter that the meeting be adjourned at 7:55 p.m. All Council presented indicated they were in favor of adjournment.

Respectfully submitted,

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

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