

**Borough of Florham Park
Council Meeting Minutes
June 21, 2011**

Present: Huyler, Boy, Beecher, Taylor
Absent: Germershausen, Wikstrom
Others Present: Administrator Gage, Borough Clerk Williams, Attorney Bell

Mayor Eveland 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. 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 and 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.

The Pledge of Allegiance was led by Mayor Eveland.

Mayor Eveland stated that there were several items of public communications listed on the agenda. He asked if there were any questions on the item 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 # 44-2011, Borough of Riverdale opposing Senate Bill #1351 regarding Open Public Meetings
- Notice of Introduction, Ordinance # 6-2011, Twp. of East Hanover, regarding Accessory Structures/Garages
- Notice of Introduction, Ordinance #24-2011, Twp. of Livingston regarding Ch. 170, Setbacks
- Invitation to Mayor Eveland to the June 14th AARP Installation of Officers Luncheon
- Resolution #2011-100, Twp. of Mendham supporting preservation of the original intent of OPRA
- Notice of Planning Board meeting and application of NJ American Water Company

MINUTES FOR APPROVAL:

Councilman Huyler made a motion to approve the following minutes:

- Work Session of April 19, 2011
- Work Session of May 3, 2011 (Boy, Beecher – abstain)
- Work Session of May 17, 2011
- Regular Meeting of May 17, 2011
- Work Session of June 7, 2011

The motion was seconded by Councilman Boy. Councilman Boy stated that he would like to abstain from the May 3 work session minutes; Councilwoman Beecher stated that she would also like to abstain from the May 3 work session minutes. They stated they would approve the rest of the minutes.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

CEREMONIAL SWEARING IN – FLORHAM PARK POLICE DEPARTMENT

Mayor Eveland stated: This evening we are going to swear in members of the Florham Park Police Department. They were previously appointed by the Borough Council and this evening we will have the formal Ceremony and the Borough Clerk will administer Oaths of Office.

1st, Sgt. Christopher D'Ambola. Congratulations on your new appointment. Please step up to recite the Oath of Office and be sworn in by the Borough Clerk. The Borough Clerk administered the Oath of Office.

Next, we have Patrolman Daniel Bell. Congratulations. Please step up to be sworn in by the Borough Clerk. The Borough Clerk administered the Oath of Office.

Next, we have two new dispatchers, Phillip Rega and Robert Mazza. Please step forward to be sworn in by the Borough Clerk. The Borough Clerk administered the Oath of Office.

Mayor Eveland instructed all appointees to sign the Oath of Office book.

MAYORAL RECOGNITIONS

Mayor Eveland formerly recognized participants in the One Day One School event which took place in May 2011 to beautify Hanover Park High School. He stated that this event was the biggest ever and he is extremely proud of the time and effort of the many volunteers. He stated that the donations totaled about \$250,000 in materials and labor. He further stated that he felt that savings could buy a lot of books and other things in Hanover Park High School. Mayor Eveland presented *Certificates of Appreciation* for all those who were present. A video was shown that highlighted the events of the day.

ORDINANCES FOR SECOND READING:

#11-5 Authorizing Revision of Registration Fees for the Florham Park Municipal Pool Authority

Mayor Eveland asked Councilman Taylor to proceed with Ordinance #11-5. Councilman Taylor read a summary of Ordinance #11-5 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 May 17, 2011 as follows:

BOROUGH OF FLORHAM PARK ORDINANCE # 11-5

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

Mayor Eveland asked the Clerk to read a summary of the legal notice.

Borough Clerk 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 Eveland 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 Taylor 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 Huyler.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

**# 11-10 To Provide for Capital Projects for Sidewalks and Traffic Control
Ridgedale Avenue and Columbia Turnpike**

Mayor Eveland asked Councilman Boy to proceed with Ordinance #11-10. Councilman Boy read a summary of Ordinance #11-10 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 May 17, 2011 as follows:

**BOROUGH OF FLORHAM PARK
ORDINANCE # 11-10**

**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 Eveland asked the Clerk to read a summary of the legal notice.

Borough Clerk 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 Eveland 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 Boy 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 Huyler

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

**# 11-11 To Provide for Capital Projects for Traffic Improvements at
The Intersection of Ridgedale Avenue and James St. and Columbia Turnpike
And James Street**

Mayor Eveland asked Councilman Boy to proceed with Ordinance #11-11. Councilman Boy read a summary of Ordinance #11-11 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 May 17, 2011 as follows:

**BOROUGH OF FLORHAM PARK
ORDINANCE #11-11**

**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 Eveland asked the Clerk to read a summary of the legal notice.

Borough Clerk 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 Eveland 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 Boy 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 Huyler

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

ORDINANCES FOR FIRST READING

#11-12 Amending Chapter 224, Taxicabs and Limousine Licenses

Councilwoman Beecher introduced Ordinance #11-12 by title as follows:

**BOROUGH OF FLORHAM PARK
ORDINANCE #11-12**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING
CHAPTER 224, "TAXICABS AND LIMOUSINES"**

She explained the purpose of the ordinance and moved for approval on first reading. The motion was seconded by Council President Huyler.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

Councilwoman Beecher stated that the above Ordinance was introduced and read by title at this regular meeting held on June 21, 2011. She further stated that the Council would consider this ordinance for a second reading and final passage on July 19, 2011 at 7:00 p.m. She instructed the Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building.

Councilwoman Beecher moved for approval of the Ordinance on first reading, seconded by Council President Huyler.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

11-13 Bond Ordinance providing for Various Road Improvements

Councilman Boy introduced Ordinance #11-13 by title as follows:

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY
ORDINANCE # 11-13**

**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 \$469,000 THEREFOR,
AND PROVIDING FOR THE ISSUANCE OF \$445,550 IN GENERAL
IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF
FLORHAM PARK TO FINANCE THE SAME**

Councilman Boy explained the purpose of the ordinance and moved for approval on first reading. The motion was seconded by Councilman Taylor.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

Councilman Boy stated that the above Ordinance was introduced and read by title at this regular meeting held on June 21, 2011. He further stated that the Council would consider this ordinance for a second reading and final passage on July 19, 2011 at 7:00 p.m. He instructed the Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building.

Councilman Boy moved for approval of the Ordinance on first reading, seconded by Councilwoman Beecher.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

PUBLIC HEARING – RESOLUTION # 11-98

A Resolution of the Borough Council convening a public hearing on the submission of a year 2011 Morris County Open Space & Farmland Preservation Trust Fund application and further authorizing its submission to the Morris County Department of Planning, Development and Technology pertaining to the Borough's proposal to acquire a portion of Lot 2, Block 2009, as set forth on the tax map of the Borough of Florham Park for open space preservation and primarily passive recreation purposes as a part of the "Stobaeus Park Addition" project

Mayor Eveland made the following announcement:

At this time I would like to hold a public hearing on Resolution #11-98. The Borough Council intends to submit a 2011 Morris County Open Space and Farmland Preservation application to acquire a portion of Lot 2, Block 2009 on the Tax Map of the Borough of Florham Park to add to the project designated as the Stobaeus Park Addition. The application process requires that this body conduct a public hearing on the application. Notice of this hearing was published in the June 11, 2011 edition of the Morris County Daily Record. The Clerk has copies of this Resolution if anyone would like to view it. At this time, prior to a council vote on the Resolution, I would like to open the Public Hearing on this Resolution # 11-98. If any members of the Public wish to be heard regarding this Resolution, please step up to the microphone and state your name and address for the record.

The following members of the public wished to be heard:

Charles Malone, 6 Burnside Road

Mr. Malone stated that he would like to publicly state that he endorses the Resolution and commends the Council for preserving open space.

Blaine Rothauser, Park Street

Mr. Rothauser stated that he applauded the efforts by the Mayor and Council, especially Mayor Eveland and Councilman Taylor. He further stated that as Chair of the Environmental Commission, he requests the Commission be allowed to make ecological and restoration recommendations regarding

this area. He also stated that this area could be used for a learning experience to teach children how things are harmful to the environment.

Seeing no more members of the Public who wished to be heard, Mayor Eveland thanked the residents for their comments and closed the meeting to the Public.

Council President Huyler made a motion to approve Resolution # 11-98. The motion was seconded by Councilman Taylor.

Roll call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

Mayor Eveland declared the Resolution adopted.

RESOLUTIONS FOR APPROVAL VIA CONSENT AGENDA

Council President Huyler made a motion to approve the Resolutions under the Consent Agenda via a single motion of the Council as follows:

- # 11-99 Authorizing ratification of the Agreement between Florham Park Borough And Local Union 469
- # 11-100 Authorizing the Borough Clerk to issue 2011 Alcoholic Beverage Licenses
- # 11-101 Authorizing a Bid Award to Caro Corporation for Water Improvements
- # 11-102 Authorizing a Grant Agreement with Morris County for ADA Sidewalks
- # 11-103 Authorizing a Bid Award to JC Contracting Inc. for Road Improvements

The motion was seconded by Councilwoman Beecher.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

APPOINTMENTS:

Florham Park Department of Public Works:

Council President Huyler made a motion to appoint Charles McGovern to the Buildings and Grounds Department of the DPW as a seasonal employee effective June 13, 2011. The motion was seconded by Councilman Taylor.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

Florham Park Municipal Pool:

Councilman Taylor made a motion to approve the appointments of the following seasonal employees at the Florham Park Municipal Pool:

Jessica Zein	Snack Shack Substitute	\$7.75 per hour
Erin Cahill	Snack Shack Substitute	\$7.75 per hour
Cara Cannilla	Lifeguard Substitute	\$9.00 per hour

The motion was seconded by Councilwoman Beecher.

Roll call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor, yes; Wikstrom, absent

PAYMENT OF VOUCHERS:

Councilman Boy read a summary of the current bills list and made a motion to approve it in the amount of \$1,929,932.39 The motion was seconded by Councilwoman Beecher.

Roll Call: Huyler, yes; Germershausen, absent; Boy, yes; Beecher, yes; Taylor; yes, Wikstrom, absent

PRIVILEGE OF THE FLOOR-OPEN TO THE PUBLIC

Charles Malone, 6 Burnside Road

Mr. Malone stated that he would like to bring to the Council's attention the area along Burnside Road, often referred to as "Bitner's Path". He stated that he believes it is Borough property and is severely neglected. He stated that trees need to be planted and there are drainage issues there as well. The Council indicated they would look into the matter.

Blaine Rothauser, Park Street, Environmental Commission Chair

Mr. Rothauser stated that the Borough could plant inexpensive native ferns and put and bench it. It would be very simple to improve the problem at Bitner's Path.

Mr. Rothauser stated that for the record the water quality at Spring Garden Lake is much better. He asked the Council to consider getting the DPW to help them with issues over there a few hours per week. The Council indicated they would look into it.

Councilman Taylor stated for the record that Mr. Rothauser is doing an excellent job and he wanted to publicly recognize him for it.

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

Adjournment:

It was regularly moved by Councilman Wikstrom, seconded by Councilwoman Beecher that the meeting be adjourned at 7:50 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.
Borough Clerk
July 12, 2011