

**Borough of Florham Park
Council Meeting Minutes
June 21, 2012**

Mayor Eveland 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 Eveland	X	
Council President Taylor	X	
Councilman Germershausen	X	
Councilman Wikstrom	X	
Councilwoman Cefolo-Pane		
Councilman Carpenter	X	
Vacancy	X	

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

COMMUNICATIONS:

Mayor Eveland 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:

- Letter from Senator Joseph Pennacchio regarding S-302, "Transparency in Government"
- Letter of Ordinance Introduction, Twp. of Livingston, Amending Ch. 170
- Resolution, Borough of Madison, Regarding Speed limits on Park Avenue
- Minutes of the June 18, 2012 Florham Park Library Board of Trustees Meeting

MINUTES FOR APPROVAL:

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

Minutes of the May 31, 2012 Regular Meeting

The motion was seconded by Councilwoman Cefolo-Pane

Roll Call: Taylor, abstain; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes

RECOGNITIONS:

- Honoring Hanover Park Girls Softball – State Sectional Champions

Mayor Eveland congratulated the Hanover Park Girls Softball Team on winning the State Sectional Championship. He praised them for their achievement and presented each player and coach with a Certificate of Achievement.

- Honoring Ridgedale Middle School Baseball –Morris County Champions

Mayor Eveland congratulated the Ridgedale Middle School Baseball Team on winning the Morris County Champion Title. He praised them for their achievement and presented each player and coach with a Certificate of Achievement.

- Honoring the Life of John Cunningham

Mayor Eveland welcomed the family members of John Cunningham to the meeting. He spoke about the dedication of Mr. Cunningham to our Borough and the State of New Jersey. He presented the following proclamat

PROCLAMATION

WHEREAS, John Cunningham was a dedicated and active member of the Borough of Florham Park community since 1952. And, he was an avid historian of the Borough and of the entire state of New Jersey, particularly the State’s role in the War for American Independence. His contributions to New Jersey history, including a school curriculum are invaluable; and,

WHEREAS, Mr. Cunningham was a prolific author, writing more than 50 books about New Jersey, local towns in particular, the War for American Independence and baseball in New Jersey; and,

WHEREAS, Mr. Cunningham is a founder of the New Jersey Historical Commission, the founding president of the Friends of the Newark Public Library, and a co-founder of the North Jersey American Revolution Roundtable as well as its first speaker; and,

WHEREAS, Mr. John Cunningham made more than 20 documentary films over the years, including “Dreams of Distant Shores” for which he won a television Emmy in 1986. He was the

author of more than 2,000 magazine articles and the recipient of nine honorary degrees. John was also the recipient of the New Jersey Council for the Humanities' Lifetime Achievement in the Humanities award; and,

WHEREAS, John wrote numerous articles as a reporter for the *Newark Evening News* in the 1960s about the citizens' campaign which was responsible for turning over to the federal government the 1400 acres of land which became New Jersey's first National Wildlife Refuge- the Great Swamp; and,

WHEREAS, the Borough of Florham Park mourns the loss of John T. Cunningham on June 7, 2012, at age 96, and honors the many contributions that he made to our community in a multitude of ways;

NOW, HEREBY BE IT RESOLVED THAT, I, R. Scott Eveland, Mayor of the Borough of Florham Park, County of Morris, State of New Jersey, do hereby proclaim Friday, June 22, 2012:

*John Cunningham Remembrance Day
in the Borough of Florham Park*

IN WITNESS THEREOF, I have hereunto set my hand and caused the seal of the Borough of Florham Park, New Jersey to be affixed this 21st day of June, 2012.

R. Scott Eveland, Mayor

- Honoring Joe Di Martinis for "Adopt a Spot"

Mayor Eveland spoke to the members of the public regarding a program the Borough has in place called "Adopt a Spot". Basically there are little areas in town that belong to the Borough, such as the Triangle at East Madison that landscapers in town take care of on their own time, with their own money. The Mayor stated that each year the Mayor and Council recognize the one area that they think is outstanding and this year that is the area done by Joe DiMartinis. This area just happens to be the one by East Madison. The Mayor thanked Mr. DiMartinis for an outstanding job and presented him with a plaque on behalf of the Council.

APPOINTMENTS:

- **Florham Park Borough Council Vacancy**

Council President Taylor made a motion to appoint Charles Malone to fill the Municipal Vacancy created by William Huyler. The motion was seconded by Councilman Germershausen.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes

Councilman Malone was sworn in by Borough Clerk Sheila Williams. Mayor Eveland congratulated Mr. Malone and said that he and the Council were happy to have him on Board.

- **Florham Park Board of Health – Deputy Registrar**

Councilwoman Cefolo-Pane made a motion to appoint Marlene Rawson as Deputy Registrar effective August 1, 2012. The motion was seconded by Council President Taylor.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes
Malone, abstain

- **Florham Park Volunteer Fire Department**

Council President Taylor made a motion to appoint David Favata as a regular firefighter in the Florham Park Volunteer Fire Department effective immediately. The motion was seconded by Councilman Carpenter.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes
Malone, abstain

Mr. Favata was sworn in by Borough Clerk Sheila Williams

- **Florham Park Day Camp & Florham Park Municipal Pool**

Councilman Carpenter made a motion to appoint/remove various seasonal employees to the Florham Park Day Camp, Summer Teen Experience Camp and the Florham Park Municipal Pool. He asked the Borough Clerk to read them into the record as follows:

Teen Summer Experience:

- Jessica Sainato - \$15.00 per hour
- Amy Shera - \$13.50 per hour
- Michelle Guida - \$12.00 per hour
- Jen Amato - \$10.00 per hour

Florham Park Day Camp:

- Molly Vogt – will not be returning – take off payroll
- Jenna DeFina - \$7.25 per hour

Florham Park Municipal Pool:

- Alex Garcia - \$7.25 hour (snack bar)
- Kelly Hinton - \$7.25 hour (snack bar)

The motion was seconded by Council President Taylor.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

Mayor Eveland stated that he had to leave inasmuch as it was his daughter's birthday. Left at 7:55 p.m.

ORDINANCE FOR SECOND READING:

#12-9 Establishing Service of Charges for the Florham Park Sewer Utility

Council President Taylor read Ordinance #12-9 and moved for its adoption. He stated that the Ordinance was introduced by title and passed on first reading at a regular meeting of the Borough Council held on May 31, 2012 as follows:

**BOROUGH OF FLORHAM PARK
ORDINANCE # 12-9**

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE SCHEDULE OF SERVICE CHARGES FOR THE FLORHAM PARK SEWER UTILITY

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.

Public Comment:

Jon Winters, Brooklake Road

Mr. Winters commented that he would like to see the sewer rates based on usage. There are many single people or seniors who are not using the service as much as say a family of 4 or 5. He asked the Council to consider that.

Council President Taylor stated we have been using surplus money to pay for the sewer as it has not been paying for itself. There have been significant improvements to the sewer in the last 3 years, including Ridgedale Avenue. Got a hook up fee from Rock-GW. Council President Taylor said he agrees that the sewer fees should be by usage and something they

Steve Jensen, 41 Roosevelt Blvd.

Stated that he wanted to recognize the volunteer efforts of the Mayor and the entire Council. Put in a ton of time to manage the Borough.

Was under the impression that the utility was self supporting, but that appears not to be the case. . Would like to hear that this is not self supporting anymore

Has been in town since 1991 and doesn't recall seeing any increases. Not disputing the fact that there might be increases necessary. Is that the case? Concerned plant is 60 years old. You have additional connections coming up that will put a burden on the existing system.

Council President Taylor: We have done some significant upgrades over the past few years. Only piece missing will be an additional scrubber that we are preparing for.

Mr. Jensen asked what happens to BASF connection fees.

Carl Ganger was in attendance and see he can get those numbers; he doesn't have it at hand. Connection fees go toward structure repairs. It helps offset deficiencies in the budget at times. Auditors advised that we were not taking enough money in.

Jensen not against rate increase – if you need it, you need. Concerned some of this money is going toward fields and not the utility. Thinks fields are a good thing, but he does care what he costs. He would like it to be well thought out. It would be nice to see some transparency. It would be nice to have a number to see how much it will cost.

Peter Nicolas, Townsend Drive

Concerned about that if increase goes through residents will be paying \$214 more per year – biggest sewer increase in the history of the Borough.

Cursory review of the budget shows that there are sufficient monies to cover the sewer if they weren't withdrawing it to pay for non-sewer projects.

If we don't use the sewer to pay for the Elm Street fields – what would the sewer increase be?

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

Council President 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 Councilman Carpenter.

Roll Call: Taylor, yes; Germershausen, no; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

Council President declared the Ordinance adopted and finally passed.

#12-11 Authorizing the Purchase of Lot 17, Block 2009 for Open Space

Councilman Carpenter read Ordinance #12-11 and moved for its adoption. He stated that the Ordinance was introduced by title and passed on first reading at a regular meeting of the Borough Council held on May 17, 2012 as follows:

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

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
AUTHORIZING PURCHASE OF THE PROPERTY KNOWN AS A LOT 17 IN BLOCK 2009,
IN THE BOROUGH OF FLORHAM PARK, COUNTY OF MORRIS AND STATE OF NEW
JERSEY**

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 Mayor Eveland closed the meeting to the public.

Councilman 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: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

Council President Taylor declared the Ordinance adopted and finally passed.

#12-12 Amending the 2012 Salary Ordinance

Councilwoman Cefolo Pane read Ordinance #12-12 and moved for its adoption. She stated that the Ordinance was introduced by title and passed on first reading at a regular meeting of the Borough Council held on May 17, 2012 as follows

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY**

ORDINANCE #12-12

**AN ORDINANCE OF THE GOVERNING BODY OF THE BOROUGH OF
FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW
JERSEY, AMENDING AND SUPPLEMENTING ORDINANCE 12-4
ENTITLED AN ORDINANCE ESTABLISHING SALARIES AND WAGES
FOR NON-UNION EMPLOYEES OF THE BOROUGH OF FLORHAM
PARK FOR 2012, SCHEDULE (B) COMPENSATION FOR MANAGERIAL
AND SUPERVISORY EMPLOYEES**

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 Mayor Eveland 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 Councilman Carpenter

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes;

Malone, abstain

Council President Taylor declared the Ordinance adopted and finally passed.

ORDINANCES FOR FIRST READING

12-13 To Provide for General Capital Projects

**BOROUGH OF FLORHAM PARK
ORDINANCE # 12-13**

**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**

Councilwoman Cefolo-Pane introduced Ordinance #12-13 by title, explained the purpose of the ordinance and moved for approval on first reading, seconded by Councilman Germershausen.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

Councilwoman Cefolo-Pane stated that the above Ordinance was introduced and read by title at this regular meeting held on June 21, 2012. She further stated that the Council would consider this ordinance for a second reading and final passage on July 5, 2012 at 6:00 p.m. She asked the Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building. Councilwoman Cefolo-Pane moved for approval of the Ordinance on first reading, seconded by Councilman Carpenter

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

#12-14 Amending the 2012 Salary Ordinance

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY**

ORDINANCE #12-14

**AN ORDINANCE OF THE GOVERNING BODY OF THE BOROUGH OF
FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW
JERSEY, AMENDING AND SUPPLEMENTING ORDINANCE 12-4
ENTITLED AN ORDINANCE ESTABLISHING SALARIES AND WAGES
FOR NON-UNION EMPLOYEES OF THE BOROUGH OF FLORHAM**

PARK FOR 2012, SCHEDULE (D) COMPENSATION FOR SEASONAL, HOURLY, TEMPORARY AND PART-TIME EMPLOYEES

Council President Taylor introduced Ordinance #12-14 by title, explained the purpose of the ordinance and moved for approval on first reading, seconded by Councilman Germershausen.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

Council President Taylor stated that the above Ordinance was introduced and read by title at this regular meeting held on June 21, 2012. He further stated that the Council would consider this ordinance for a second reading and final passage on July 19, 2012 at 6:00 p.m. He asked the Clerk to publish the proper notice and to post the ordinance on the bulletin board in the Municipal building. Councilwoman Cefolo-Pane moved for approval of the Ordinance on first reading, seconded by Councilwoman Cefolo-Pane.

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

RESOLUTIONS – CONSENT AGENDA

Council President Taylor made a 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 Germershausen.

- #12-84 Authorizing a Tax Appeal settlement for 15 Vreeland Road
- #12-85 Approving 2012-2013 Alcoholic Beverage Control Licenses
- #12-86 Expressing Gratitude for the Fairleigh Dickinson University Donation
- #12-87 Authorizing a Professional Services Agreement for Princeton Hyrdo, LLC
- #12-88 Authorizing a Professional Services Agreement with Brennan Environmental, LLC
- #12-89 Authorizing contracts with co-operative Purchasing Contract Vendors
- #12-90 Authorizing a Tax Appeal for Vreeland SPVEF C/O Berman Group
- #12-92 Appointment Maryann Lang as Registrar for Florham Park Borough

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes; Malone, abstain

PAYMENT OF VOUCHERS:

Councilman Carpenter read a summary of the current bills list and made a motion to approve it in the amount of \$404,367.63 The motion was seconded by Councilman Gemershausen

Roll Call: Taylor, yes; Germershausen, yes; Wikstrom, absent; Cefolo-Pane, yes; Carpenter, yes;

Malone, abstain

PRIVILEGE OF THE FLOOR-OPEN TO THE PUBLIC

Council President Taylor opened the meeting to the Public for comments or questions. The following members of the public wished to be heard:

John Winters, Brooklake Road:

Mr. Winters asked what the status of Lifetime Fitness was.

Council President Taylor stated that it is a legal action and cannot be discussed.

Mr. Winters asked why the plants were cut down at Germershausen Park.

Mr. Taylor stated that has been cut back; it is invasive.

Mr. Winters asked for an update on TD Bank.

Mr. Taylor stated that Planning Board Resolution has been passed and they are working on permits. Waiting to do developer's agreement.

ADJOURNMENT

It was regularly moved by Councilman Germershausen, seconded by Council President Taylor that the meeting be adjourned at 8:10 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.
Borough Clerk
June 27, 2012