



**Florham Park Borough Council**  
**Thursday, July 16, 2015**  
**Work Session Minutes**

Mayor Taylor called the work session to order at 6:30 p.m. He asked the Borough Clerk for a roll call:

<b>Governing Body</b>	<b>Present</b>	<b>Absent</b>
Mayor Taylor	X	
Council President Carpenter	X	
Councilman Germershausen	X	
Councilwoman Cefolo-Pane	X	
Councilman Malone	X	
Councilman Michalowski		X
Councilman Zuckerman	X	

Mayor Taylor announced that the Council would be going into Executive Session immediately for confidential matters. Mayor Taylor asked Councilman Malone to read the Executive Session Resolution.

**EXECUTIVE SESSION RESOLUTION:**

**# 15-95 Resolution to Enter into Executive Session**

Council President Malone made a motion to approve Resolution # 15-95 authorizing the Council to enter into Executive Session. The motion was seconded by Councilman Germershausen. All council in favor, motion carried. Council entered into Executive Session at 6:30 p.m.

Council returned to open session at 7:15 p.m. on a motion made by Council President Malone, seconded by Councilwoman Cefolo-Pane. All Council in favor, motion carried.

## **Council Portfolio Updates:**

### **Council President Charles Malone provided the following report:**

- Recreation portfolio: The Fred Stobaeus and Lou Boyd awards were given out at the July 4th Ceremony to Michael Ferrone and Bridget Moynahan. This is the first time this was done and it was done so the recipients would have a larger audience.
- Since the last meeting, meetings have been held with Hanover Park. They are looking for field usage while they are working on their own fields. They are looking at three specific dates for JV and Freshman football. The meetings included myself, Administrator Bill Huyler, Mayor Taylor, the Recreation Committee and Recreation Director John Timmons from Florham Park. From Hanover Park Superintendent Carol Grossi and Principal Tom Callanan and Athletic Director Mike Menditto attended. The Committee discussed three things:
  1. Everyone agreed appropriate channels of communication are the only means by which to work, which would include HP contacting Florham Park and vice versa.
  2. While the artificial turf field at Elm Street is not available and not intended to host either varsity, junior varsity or freshman football games, Florham Park would invite Hanover Park to apply for field permit time for natural grass at Emmett Football Field as a means of helping them through its time of field construction for the three JV/Freshman dates they need.
  3. All Florham Park sports programs are invited to contact Hanover Park through the Recreation Director to seek reciprocal field usage with Hanover Park. We will be looking at a new open dialogue with Hanover Park in terms of field usage. With Council approval and the artificial field use policy in place, I just wanted the Council to be aware that this is the flavor and recommendation of the Recreation Committee. If there any objections, just let me know. If not, John Timmons and I will contact Hanover Park and move forward with that.

- Recreation this year has been a very busy season between Day Camp and Teen Summer Experience; both are working out well.
- A meeting has been scheduled to review the debt reduction plan that is currently in place with myself, Borough Administrator Bill Huyler, CFO Patrice Visco, Budget Consultant Jon Rheinhardt and Mayor Taylor

**Councilman Germershausen provided the following report:**

- Water Department: Personnel provided supervision for the contractor performing upgrades to fire hydrants and valves in conjunction with the road construction project
- Dept. Personnel responded to a power failure with regard to Well #4 on June 20
- The mandated annual Consumer Confidence Report was mailed out to all customers in Florham Park.
- Located underground water lines as related to the fencing for the 4<sup>th</sup> of July Parade
- Personnel repaired fire hydrants during testing

**Councilwoman Cefolo-Pane provided the following report:**

- The Gazebo Committee is almost finished with their Summer Concert Series; the next to last concert this weekend is Bahama Mamas. They are also celebrating their 35<sup>th</sup> year of performing, as is the Borough, who is celebrating their 35<sup>th</sup> year. The last concert of the season is July 26<sup>th</sup>. There will be a recognition ceremony for Andy Picone at the concert. Members of the Florham Park Fire Department as well as members of the Picone family are expected to attend.
- Regarding the Seniors, they do not hold regular business meetings during the summer, but they do have some short presentations. Last week Boiling Springs came in and this week there will an attorney giving a presentation on the financing of long term care costs
- The Senior movies go on throughout the summer
- Two Planning Board items are on the agenda. Ordinance #15-11 is being tabled. The other Ordinance is, regarding changes to the POD-S Zone, Chapter 250. There were some questions at the last work session concerning emergency services response and also questions about the parking lot that will be used by Realogy in Madison. Councilwoman Cefolo-Pane said she had some concerns about the Realogy agreement. How long is the agreement with Realogy for?; is it in perpetuity?; are there

terms and conditions that Florham Park should be aware of even though we are not party to it? She asked the attorney if there was any exposure for Florham Park.

Planning Board Attorney John Inglesino was in attendance and asked Councilwoman Cefolo-Pane to clarify what type of exposure she was referring to. Was she talking about liability?

Councilwoman Cefolo-Pane stated with regard to emergency services and also in terms of off-site parking, which is something we expressly prohibited with others.

Borough Planner Robert Michaels, who was also in attendance, stated that the Ordinance calls for sole access from that parking lot from the borderline of Madison. He stated his opinion was that if there was an emergency they would have to service it because that is where the access is. As far as if the agreement is in perpetuity, the agreement was long-term, that unless the Ordinance is amended, it will go in on perpetuity.

Councilwoman Cefolo-Pane asked about the off-site parking issue.

Bob Michaels stated that if she was referring to the fact the Ordinance in other locations prohibits it? He stated he feels the ordinance, because it is specifically addressed, addresses this area only.

Councilwoman Cefolo-Pane asked if going forward the Borough would have to allow off-site parking? Also, she would like to make sure it didn't open the Borough up to any other liability since off-site parking was denied elsewhere.

Mr. Michaels stated only in this instance.

Mr. Inglesino, stated it did not open the Borough up to liability. The Ordinance is specific to this site and this location.

Councilman Carpenter asked if the agreement had already been reached with Reaology and if so, how could that have taken place prior to the Council adopting an Ordinance? Also, has the Planning Board fully vetted this particular aspect of the Ordinance?

Mr. Michaels stated that the Planning Board has examined this.

Mayor Taylor stated that we moved forward with the Korman property as a result of this. That was 8-10 months ago that we started the conversation on this aspect

and hence the Rockefeller Group spent hundreds of thousands of dollars to move the Korman property to where it is today in light of this parking area that will be designated.

Councilman Carpenter stated it seems like the residents of Madison had a large amount of input as to what happened with Korman. How do we know we are not going to be back here next month with an Ordinance got re-done once again because the Madison residents realize there is now a parking lot there? He further stated that there are a lot of moving pieces and before the Council moves ahead with an Ordinance, he is not sure if the changes have been properly vetted with the Planning Board.

Mayor Taylor stated that aspect of the property has been taken care of, because we are issuing permits in the next week or two.

Councilman Carpenter stated that was the Mayor's opinion, but when the residents of Madison realize there is a parking lot going in there, they might come back.

Mayor Taylor asked Doug Henshaw, attorney for Rock-GW, to come forward and explain it.

Mr. Henshaw stated that they have an arrangement with Realogy that they are going to buy this lot; however, nothing happens until the Planning Board approves it. In terms of the duration of the agreement, Mr. Henshaw stated that he thinks this could go on in perpetuity. With regard to Madison and their interplay, there are at least two agreements between Rock-GW and Madison that basically say we have reached an accommodation with you; they acknowledge that we are helping them with the problem that they caused and they have agreed to not interfere with our process. We tried to protect both ourselves and you. Again, we still have to go through the planning process.

Councilman Carpenter asked Mr. Henshaw if he thought it was realistic that any emergency services would be handled by Madison and doesn't see how it is possible.

Mr. Henshaw stated that he is not an emergency responder; however, his understanding is if he saw something happening, like a car fire happening in that parking lot, he would call 911 to report it. What that would trigger is Madison may come, Florham Park may come. I can't imagine nobody would respond to a 911 call.

Councilman Carpenter stated that what if it was a crime? Nobody wants to deal with a crime. If there was a crime here, they might say it is not my problem because it's not in my Borough. Forget about fire or emergencies; a criminal act or an accident. I think we need to be clear about who is responsible for that.

Mr. Henshaw stated that criminal acts run on jurisdictional lines. If something happened there that was criminal, it would be probably investigated by the prosecutors' office.

Mrs. Cefolo-Pane said she had no further questions and thanked both attorneys for the clarification.

**Councilman Carpenter provided the following report:**

- The Police Department is in the process of having some transitional meetings with departing Chief Pat Montuore and the soon to be Acting Chief Bob Treiber; there are a few ongoing investigations that are being discussed. A few more meetings will be held before Chief Montuore departs.
- First Aid Squad wanted to thank the Mayor and Council for help with construction; the construction is finally back on track and going fine.
- DPW is doing fine; setting up interviews for the Landscape and Sports Field Supervisor for next week
- Engineering bid projects are moving along; Vreeland Road project has been advertised now and there is a matching grant as well
- Fire Department had one resignation; two residents in the pipeline to join.
- The Alderton family would like to put a patio behind the Museum in honor of their father. Look for a dedication to occur in sometime in October. The family is considering a significant amount of money.
- A joint EMS Picnic will not happen this year; the Fire Department will do a picnic with the same tone in September.
- Discussed the steering committee idea that he brought up at the last meeting. Councilman Carpenter stated that he met with Budget Consultant Jon Rheinhardt who said there are certain aspects of the idea that have merit and we need to start altering the budget process in 2016. I would like to discuss this with everyone at some point.

## **Councilman Michalowski provided the following report:**

Mayor Taylor stated that Councilman Michalowski was on vacation and submitted the following report:

### **Sewer Utility:**

- Annual jet cleaning of trouble areas and areas of high use has begun.
- 41 Woodbine - sanitary sewer lines runs under paver driveway. Pipe has deteriorated and is no longer suitable for lining. There is no recorded easement. It would be very expensive to excavate. They have come up with a plan to construct a new manhole on Woodbine and construct a parallel sewer line on borough property. Then they will fill in the existing line with a concrete slurry, sealing it off. The initial cost for the project was \$298K, the estimate for this plan is \$195K - \$225; still awaiting firm numbers.

### **Board of Health:**

- The Board adopted an amendment to chapter 259, "Retail Food Establishments and Food and Beverage Machines" passed. The amendment requires all food handlers to obtain a Food Handlers Certificate.
- Kathy Green would like to step down as president to alternate position Recommend Michael Moore as president and Dr Ray Holmes as regular member.

### **Library:**

- John Buckholtz, contract for doing room over, \$8K. Will follow up with Mike Sgaramella; approved pending any questions from Mike \$1K retainer (Sun Fund).

### **4th of July:**

- The parade went very well; unfortunately, the rain put a damper on the festivities at the picnic which caused food sales and attendance at the rides to go down. A great fireworks display went off again as planned. There are still outstanding bill, but we are anticipating an estimated \$8K loss for the day, which can be covered by the escrow account.

**Councilman Zuckerman provided the following report:**

- The Environmental Commission did not meet due to lack of a quorum.
- Historic Preservation received a letter from the County stating that the Borough would be receiving a grant for the roof on the Little Red Schoolhouse for \$74,600.
- The Commission is looking at what other work needs to be done at the Little Red Schoolhouse as well as Hancock Cemetery.
- The Municipal Pool currently has 489 Members ( \$143,222) which is 61 members over this time last year. Carl Ganger updated the Council. Pool being rented in the morning to the YMCA and Morris County Swim; brings in additional revenue
- Also rented the pool to the New Horizon Day Camp; they bring in small groups of 30 children; they pay for their own staff, pay for additional guards and do their own clean-up. They don't come during peak times and it seems to be working out. The Borough will probably do this again next year.
- This year the swim team has 86 swimmers; a lot of kids graduating this year; season coming to the end

Councilman Malone asked what time Horizon Day Camp came in. He had several residents express concerns about this.

Mr. Ganger stated they come from 11:00 a.m. and leave by 2:30. He stated that he had received the same concerns. He visited the pool on several different days to take a look. He observed the first group had approximately 25 children who were primarily younger children; they were in the shallow area. There were 8 pool members there at that time. The next group was a little smaller and fewer kids were in the shallow end and were in the deep end. The next group was a small group of teenagers who were in the main pool area. He stated that given the fact that there were only eight members there and it is an Olympic sized pool, he didn't see any problem. The staff monitors the children in and out of the pool and they clean up the locker rooms. They seem to be very well organized. He stated he did receive a few phone calls, and feels the situation was grossly exaggerated. He finds the kids are very well behaved and there is one staff member for every three children.

Administrator Bill Huyler stated he visited a few times and didn't see a problem. When speaking with Manager Frank Newman, Mr. Newman was very happy with the group and said he would welcome them back.

Mayor Taylor stated he also visited and didn't see any problems.

**Borough Administrator Bill Huyler provided the following report:**

- General Dynamics has asked for permission to put signs in front of Vreeland Road; the signs would be approximately 2' x 3'. They would be up for 3 or 4 weeks because they are having a job fair.
- Hanover Park Football is looking for a donation similar to what the Borough did last year; Fifth Quarter Club

Councilman Zuckerman made a motion to approve both items, seconded by Councilwoman Cefolo-Pane.

Vote:

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

Mayor Taylor opened the meeting to the public.

**Public Comments:**

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

**ADJOURNMENT:**

On a motion made by Council President Malone, seconded by Councilman Germershausen, the work session was adjourned by a unanimous vote at 7:50 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.  
Borough Clerk  
July 25, 2015