

New Providence, New Jersey
August 9, 2010

The regular meeting of the Borough Council of the Borough of New Providence, County of Union and State of New Jersey was held on Monday, August 9, 2010 at the Municipal Center. Mayor John A. Thoms called the meeting to order.

Present On Roll Call: Mayor Thoms, Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio

Absent: Council President MacDermott, Councilman Vyzas

Also Present: Borough Administrator Marvin, Deputy Borough Clerk Gorgia, Borough Attorney Woodward

Pledge of Allegiance

Mayor Thoms led the Pledge of Allegiance.

Public Notice

Mayor Thoms stated this is a public meeting of the Borough Council of the Borough of New Providence, County of Union and State of New Jersey. Adequate notice of this meeting has been given in accordance with P.L. 1975, Chapter 231, in that an annual notice or revision was made in conformance with Section 13 of the Act.

Public Hearing of Ordinances

1. Ordinance 2010-8 "An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, Amending The Borough Code At Chapter 243, Towing"

Title read in full by the Deputy Borough Clerk.

Mayor Thoms declared a public hearing of citizens for Ordinance 2010-8. There being no one wishing to speak, the public hearing was declared closed.

Councilman Cucco requested this be revised to include a fee for vehicles stored at the Public Works Complex. Borough Attorney stated this should be adopted as is, and then an amendment can be made at another Council meeting.

Councilman Cucco moved final adoption of Ordinance 2010-8 "An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, Amending The Borough Code At Chapter 243, Towing". Seconded by Councilman Hern and on roll call: Councilman Hern, Councilman Gennaro,

Councilman Cucco, Councilman Galluccio voted “aye”. Carried unanimously on roll call.

2. Ordinance 2010-10

“An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, To Provide For Stormwater Regulation Of Refuse Containers And Dumpsters”

Title read in full by the Deputy Borough Clerk.

Mayor Thoms declared a public hearing for Ordinance 2010-10. There being no one wishing to speak, the public hearing was declared closed.

Councilman Cucco moved final adoption of Ordinance 2010-10 “An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, To Provide For Stormwater Regulation Of Refuse Containers And Dumpsters”. Seconded by Councilman Hern and on roll call: Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio voted “aye”. Carried unanimously on roll call.

3. Ordinance 2010-11

“An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, To Provide For Stormwater Regulation Of Private Storm Drain Inlet Retrofitting”

Title read in full by the Deputy Borough Clerk.

Mayor Thoms declared a public hearing for Ordinance 2010-11. There being no one wishing to speak, the public hearing was declared closed.

Councilman Cucco moved final adoption of Ordinance 2010-11 “An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, To Provide For Stormwater Regulation Of Private Storm Drain Inlet Retrofitting”. Seconded by Councilman Hern and on roll call: Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio voted “aye”. Carried unanimously on roll call.

Presentation

Cindy Reis, Public Information Officer, presented an overview of the new website. A second overview will take place at a future meeting to include those Council members not at this meeting. Some new features include a Citizens Concerns and Request

section, that provides tracking numbers for inquiries. The Community Link shows the most recent news, documents, events, and includes a "Rumor Mill" section.

Communications

1. Chatham Township, July 23, 2010. RE: Land Development Ordinance. Councilman Gennaro suggested the Borough may want to consider adopting a similar ordinance. Mayor Thoms requested a copy of this be forwarded to the Planning Board for consideration.
2. Rose Morba, July 26, 2010. RE: Lights At Leider Field. No action required.
3. Colleen Miller, Susan G. Komen For The Cure North Jersey Affiliate, July 28, 2010. RE: Tie A Ribbon Campaign. Council concurred ribbons may only be up for two weeks, and failure to take them down will result in the organization being denied next year.
4. Leslie Brinkman, July 28, 2010. RE: 5K Fundraiser Walk. Council approved, with the condition the organization does not use paint markings to map out the course.
5. Township Of Berkeley Heights, August 2, 2010. RE: Zoning Ordinance. No action required.
6. Union County:
Ordinance 706-2010, Guaranty Ordinance, Revenue Bonds. No action required.
Ordinance 709-2010, Amending Administrative Code. No action required.

COUNCIL COMMITTEE BUSINESS

Councilman Cucco

1. Resolution 2010-212 "Resolution Approving Purchase Order #39510 For Springfield Truck Center, Inc., In The Amount Of \$1,677.66"

Councilman Cucco reported this is for a replacement gas tank for one of the trucks.

2. Resolution 2010-213 "Resolution Approving Purchase Order #39579 For E.M. Grant, In The Amount Of \$1,704.69, Computer Repair Services"

Councilman Cucco reported this is for repair to a computer on a gas/diesel pump.

3. Introduction Of Ordinance 2010-12 "An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, Amending The Recycling Ordinance"

Councilman Gennaro stated he would like clarification of the definition of "Multi-Family Dwelling", as it is not clear. Councilman Gennaro also stated he felt the fines listed in "Violations And Penalties" were too steep. Borough Attorney Woodward will re-write this section. Introduction deferred.

4. Authorization To Bid - Micropaving. Borough Administrator Marvin stated this will be posted on the website, and the residents of the streets involved will be notified by mail.

Councilman Galluccio

1. Resolution 2010-214 "Resolution Approving Purchase Order #39554 For Tab Control, Inc., In The Amount Of \$2,875.00, Printing Services"

Councilman Galluccio reported this is for the printing of the Recreation Fall-Winter Program brochures.

2. Resolution 2010-215 "Resolution Authorizing The Agreement Between The Borough Of New Providence And The Pioneer Triathlon Association"

Councilman Gennaro stated there are inconsistencies between the agreement and the insurance certificate, and asked this be deferred until the correction is made.

Councilman Gennaro

1. Note Sale - July 20, 2010. Councilman Gennaro reported bids were accepted for the sale of \$1,070,240 Bond Anticipation Notes. The sale was awarded to PNC Bank, after conferring with the Bond Counsel.
2. Resolution 2010-216 "Resolution Authorizing Payment Of The Attached Bills Payable List In The Amount Of \$10,562,619.97"

Councilman Gennaro reported approximately \$6.3 million was paid to the Board of Education, approximately \$2.65 million was paid to Union County and payments were made for bond principal and interest and insurance premiums.

3. Resolution 2010-220 "Resolution Approving Purchase Order #39600 For UHY Advisors, In The Amount Of \$5,000.00"

Councilman Gennaro requested this be pulled from the agenda.

Mayor Thoms

1. Resolution 2010-217 "Resolution Affirming The Appointment Of Macrina Carra As The Court Administrator For The Borough

Of New Providence In The Shared Court Of Berkeley Heights And New Providence”

Mayor Thoms reported Ms. Carra is the Borough’s Court Administrator and Berkeley Heights will be sharing court services with the Borough.

2. Resolution 2010-218 “Resolution Appointing Joan Bierbaum As Deputy Court Administrator In The Borough Of New Providence”

Mayor Thoms reported Ms. Bierbaum is the Court Administrator For Berkeley Heights and with shared services, will be the Borough’s Deputy Court Administrator.

3. Resolution 2010-219 “Resolution Supporting The: *Over The Limit Under Arrest 2010 Statewide Crackdown*”

Mayor Thoms reported an enforcement crackdown is planned to combat impaired driving during August 20 to September 6, 2010.

BOROUGH ADMINISTRATOR’S REPORT

Borough Administrator Marvin reported on the following:

1. The public is being encouraged to send inquiries through the website.
2. The website content is managed locally, so the information is timely.
3. The Borough Clerk’s office is receipting taxes. The most efficient way to pay taxes is to mail to the lock box, but residents may also come in person. Payment this quarter is due August 30th.

COUNCIL COMMITTEE REPORTS

Councilman Gennaro - operations normal.

Councilman Galluccio - operations normal.

Councilman Cucco - operations normal.

Councilman Hern - operations normal.

Mayor Thoms:

1. A&P is officially opening September 24th.
2. Purple Heart monument dedication is August 28th at 11:00 am.
3. Application submitted by Alcatel/Lucent to install 6 acres of solar energy panels on the New Providence portion. Council should work on an ordinance as soon as possible.

Public Comments

Mayor Thoms declared a public hearing of citizens.

Patrick Moschetti, 50 Sherwood Drive:

1. Stated he feels Council should dedicate more time on shared services.
2. Asked Council what net loss was for 2009 leaf collection. Councilman Cucco stated there was no loss, approximately \$60,000.00 was collected for increased costs. Mr. Moschetti stated he sees a loophole in the leaf collection application and will tell Council what it is when Council reports to him on their opinion to lower the leaf collection fee.

Larry Corsi, 28 Eighth Street:

1. Feels Council should not “cave in” to the Union being against shared police services.
2. Asked for clarification of micropaving.
3. Stated Union County has a solar energy program and asked if Council will participate. Borough Administrator Marvin stated Union County studied the Borough facilities and made a recommendation to use canopy solar panels, that are not aesthetically pleasing.

There being no one else wishing to speak, the public hearing was declared closed.

FORMAL ACTION

CONSENT AGENDA

(routine items that may be passed by a single roll call vote; any Council member may call for a separate discussion or vote on any item)

Councilman Hern moved passage of items 1 through 3, 5 through 9, and item 11, and deferring items 4, 9 and 10. Seconded by Councilman Cucco and on roll call: Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio voted “aye”. Carried unanimously on roll call.

1. Resolution 2010-212 “Resolution Approving Purchase Order #39510 For Springfield Truck Center, Inc., In The Amount Of \$1,677.66”
2. Resolution 2010-213 “Resolution Approving Purchase Order #39579 For E.M. Grant, In The Amount Of \$1,704.69, Computer Repair Services”
3. Resolution 2010-214 “Resolution Approving Purchase Order #39554 For Tab Control, Inc., In The Amount Of \$2,875.00, Printing Services”
4. Resolution 2010-215 “Resolution Authorizing The Agreement Between The Borough Of New Providence And The Pioneer Triathlon Association” **DEFERRED**
5. Resolution 2010-216 “Resolution Authorizing Payment Of The Attached Bills Payable List In The Amount Of \$10,562,619.97”

6. Resolution 2010-217 "Resolution Affirming The Appointment Of Macrina Carra As The Court Administrator For The Borough Of New Providence In The Shared Court Of Berkeley Heights And New Providence"
7. Resolution 2010-218 "Resolution Appointing Joan Bierbaum As Deputy Court Administrator In The Borough Of New Providence"
8. Resolution 2010-219 "Resolution Supporting The: *Over The Limit Under Arrest 2010 Statewide Crackdown*"
9. Resolution 2010-220 "Resolution Approving Purchase Order #39600 For UHY Advisors, In The Amount Of \$5,000.00
DEFERRED
10. Introduction Of Ordinance 2010-12 "An Ordinance Of The Borough Of New Providence, County Of Union, State Of New Jersey, Amending The Recycling Ordinance" **DEFERRED**
11. Authorization To Bid: Micropaving.

ADJOURNMENT

There being no further business, on motion by Councilman Hern, seconded by Councilman Cucco, the meeting was adjourned.

Respectfully submitted,

Marilyn A. Gorgia
Deputy Borough Clerk

These minutes have not yet been officially approved.