

**February 5, 2019**

**Millburn Township Committee Meeting Minutes**

Minutes of the Regular Meeting of the Township Committee of the Township of Millburn, in Essex County, New Jersey, held in Town Hall starting at 7:30 PM on the above date.

Mayor Thall-Eglow opened the meeting and read the following statement:

In accordance with Section 5 of the Open Meetings Act, Chapter 231, Public Laws, 1975, are advised that notice of this meeting was made by posting on the Bulletin Board, Town Hall, and serving the officially designated newspapers, a notice stating that this meeting would take place at the Town Hall at 7:30 PM on February 5, 2019.

Mayor Thall-Eglow asked all those present to stand for the Salute to the Flag.

Upon call of the roll, the following Committee members were recorded present: Jackie Benjamin Lieberberg, Samuel L. Levy, Cheryl H. Burstein, Tara B. Prupis, and Dianne Thall-Eglow. Also present were Business Administrator Alexander McDonald, Township Attorney Christopher Falcon, Assistant Business Administrator Jimmy Homsy and Township Clerk Christine Gatti.

**Approval of Agenda**

Mayor Thall-Eglow asked for a motion to approve the agenda. The motion was offered by Ms. Lieberberg and seconded by Ms. Burstein.

Vote: All Ayes

**Minutes**

Mayor Thall-Eglow asked for a motion to approve the October 16, 2018 regular meeting minutes. The motion was made by Ms. Burstein and seconded by Ms. Lieberberg.

Vote: All Ayes

**Reports**

Mayor Thall-Eglow wished everyone a happy and lucky Chinese New Year. She stated there was an event at the high school that honored three resident: Peter Lu, Philip Chung and Jack Oyang. She pointed out that she attended the Fire Department's annual dinner where she presented plaques to firefighters who were honored for 25 years of service. The plaques were presented to Captain Russell Lynn, Captain Christopher Beady, Firefighter Karl Merle, and Firefighter Donald Aurnhammer. She reported on a recent meeting of the Joint Meeting and stated that they are on target with their capital improvement project. She said the town has contacted JCP&L to discuss changing to LED lighting, beginning at the parking lot at the Short Hills train station and then going up Chatham Road. She stated that she agrees that this is a matter of safety and positive feedback has been received regarding the reflective bollards placed in the area of the train station. She indicated that the Engineering Department is working on projects that should be done at the Short Hills train station. She asked drivers and walkers to be mindful of safety when walking or driving. She said she will be going to Washington DC with the seven other mayors who are part of the Rahway River Coalition to ask for support for flood mitigation. Congressman Malinowski sent a representative to one of their meetings and he will be instrumental in getting the Corps to fund a project that will protect from flooding that starts in the South Mountain Reservation and has impact on Millburn and six towns downstream. She stated that she met with our DEP representative to see what permits are required to keep our waterways clear of debris. Mayor Thall-Eglow also spoke about proposed New Jersey Transit projects that require funding. She suggested a website that people can visit to express support for these projects. She also spoke about an upcoming fundraiser to benefit Millburn High School at the California Pizza Kitchen.

Ms. Burstein provided a brief report of the Library Board of Trustees. She said on May 7<sup>th</sup> at 7 PM they will have spring museum night, where a discussion will take place on renaissance portraiture. She said

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the friends are celebrating their 40<sup>th</sup> anniversary and are looking forward to celebratory programming. She pointed out that they also discussed upcoming sensory programming.

Ms. Lieberberg stated that she attended the PTOC meeting where the discussion focused on the Knollwood section, which is by the middle school. She discussed different traffic patterns for drop off and pick up for the middle school, which is supposed to begin on January 25<sup>th</sup>. She indicated that the Township Committee liaisons and representatives from the Board of Education had their first monthly leadership meeting on the 28<sup>th</sup>. She said the intent of these meetings is to keep one another abreast of community issues, happenings and events. She said she attended the MMAC event at the Library on January 30<sup>th</sup>, which focused on issues involving marijuana. She stated that MMAC is hosting an informational evening on March 20<sup>th</sup> which will cover a variety of topics.

Mr. McDonald noted that the four way stop at Highland and Hobart went into effect today and to use caution in the area.

Mr. Falcon provided an update regarding the status of the builders remedy suit involving 85 Woodland Avenue LLC. Mr. Falcon said there was a conference with all parties in January and the judge decided three things: 1) He extended Millburn's immunity against further builders remedy lawsuits out to May 3<sup>rd</sup>; 2) He ordered the developer to submit revised plans to the special master and the township by February 15<sup>th</sup>; 3) He directed the parties to set up a conference call with him on April 12<sup>th</sup> to report on the status of the mediation. Mr. Falcon stated that Millburn continues to participate in the mediation which is going forward under the auspices of the Superior Court with Judge Gardner presiding. He pointed out that he cannot disclose what happens at the mediations because it is confidential. He said if the mediation results in a settlement, the judge will hold a noticed hearing. If a settlement does not eventually happen, then the case will be tried and the judge will decide.

Mr. Serio, Essex County Representative, reviewed Essex County news and events. He provided an update on painting crosswalks, which are scheduled for the spring and the repair of a signal for a crosswalk button that was not working properly. Ms. Thall-Eglow asked when Parsonage Hill Road and Old Short Hills Road will be paved because they are in horrible shape. Mr. McDonald noted that the stretch in front of Millburn High School is in bad shape also.

**Public Comment**

Mayor Thall-Eglow asked there were any public comments.

Dave Cosgrove, of 99 Oakview Terrace, thanked Mr. Falcon for his report. He said the court order says there is a conceptual settlement and asked if this is correct. A dialogue ensued with Mr. Falcon. Mr. Cosgrove asked Mr. Falcon for permission to disclose certain things discussed in the mediation to be released.

Phil Kirsch, of 93 Cedar Street, asked about the closed session. He was advised they are interviewing professionals that work for the township. He asked if public comment will only be at the beginning. Ms. Thall-Eglow said there will be an opportunity after new business is presented to discuss or ask questions about that business.

Debra Nevis, of 65 Knollwood Road, asked about the Woodland proposed settlement. She asked if Mr. Falcon could discuss the basis upon which revisions will be made. Mr. Falcon said he cannot, due to confidentiality. He reviewed the process and stated that the settlement will come before the Township Committee before it is final. Ms. Nevis expressed her concerns regarding traffic and safety in that area due to the recent death of a walker.

Dennis Estis, 333 Lupine Way, asked if the revised plans will be made available to the public. Mr. Falcon said none of the documents or discussions from the mediation are made public. Mr. Estis and Mr. Falcon had a brief discussion about the process. Ms. Thall-Eglow spoke about accommodations to disseminate information prior to the Township Committee voting on the settlement.

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Lynne Ranieri, of 94 Oakview Terrace, thanked Mr. Serio for handling the traffic issue she presented. She advised that there is a similar problem at Millburn and Wyoming Avenues.

Joshua Scharf, 11 Hawthorne Road, spoke about a debilitated property at 28 Whitney Road. He stated work started moving along when it came to light that a student was registered at that address. He said people are taking advantage of the system and spoke about towns that have an ordinance prohibiting this and calling back fees, expenses and tuition for violators. He urged the township to adopt such an ordinance. Ms. Thall-Eglow said she would discuss it with the business administrator and township attorney.

Louie Chen, a member of the Board of Education, said these allegations are taken very seriously but there is very little evidence of what Mr. Scharf claims. He stated that they are no longer pursuing any further.

Ed Mazer, of Greenwood Drive, inquired about work being done towards an ordinance regarding businesses' hours of operation in town since the application for the corner of Vauxhall Road has been withdrawn. Mayor Thall-Eglow stated yes, it is being worked on by the attorney and town planner.

Oyinade Owolabi, of 46 Maple Street, in the Wyoming section, said she wanted to call attention to the parking dilemma at the school. She reviewed concerns she has and feels it is unsafe. Mr. McDonald advised that the PTOC has been in discussion with the traffic division regarding this topic.

Mayor Thall-Eglow asked if there were any additional comments or questions. Seeing none, she proceeded with the meeting.

**Public Comment – Consent Agenda**

Mayor Thall-Eglow asked if there were any comments or questions regarding items on the Consent Agenda. Phil Kirsch, of 93 Cedar Street, inquired about Resolution 19-055, regarding a bond anticipation note. Mr. McDonald explained the process.

**Consent Agenda**

Mayor Thall-Eglow asked for a motion to approve the items on the consent agenda. Mr. Levy made a motion to approve the consent agenda which was seconded by Ms. Burstein.

Roll Call Vote: All Ayes

**RESOLUTION 19-047  
APPROVE BILLS PAYABLE**

**RESOLVED** that the Township Treasurer be and hereby is authorized to accept for payment and pay bills or items as they appear on Schedule dated February 5, 2019, in the following accounts:

General	\$ 534,551.50
Capital Fund	497,482.88
Parking Utility - Operating Fund	4,744.95
Escrow Trust Fund	135,334.30
Police Off Duty Trust	64,473.00
Waste Recycling Trust	23,432.17

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RESOLUTION 19-048
AUTHORIZE THE REFUND OF TAX OVERPAYMENTS

NOW, THEREFORE BE IT RESOLVED that the Treasurer of the Township of Millburn be and he is hereby authorized and directed to the draw warrants to pay the payees listed below in the specified amounts;

Table with 3 columns: Make check payable to, Type, Amount. Row 1: Mo Cun Wu, Tax Appeal, \$672.80. Row 2: 90 Hobart Ave, 2017 taxes. Row 3: Short Hills, NJ 07078. Row 4: Block 1604 Lot 19. Row 5: 90 Hobart Ave.

RESOLUTION 19-049
AUTHORIZING MUNICIPAL ALLIANCE GRANT CYCLE JULY 2014-JUNE 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Millburn, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Essex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Millburn, County of Essex, State of New Jersey hereby recognizes the following:

- 1. The Township Council does hereby authorize submission of a strategic plan for the Millburn Municipal Alliance grant for fiscal year 2020 in the amount of:
DEDR \$60,000
Cash Match \$15,000
In-Kind \$45,000
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION 19-050
RATIFY EMERGENCY APPROPRIATION AND CONTRACTS
FOR THE REPAIR OF THE MILLBURN FIRE STATION # 2 BOILER AND HEATING SYSTEM

WHEREAS, an emergency situation, which could not have been reasonably foreseen, developed with respect to the failure of boiler and heating system at Millburn Fire State # 2; and

WHEREAS, Fire Station 2 is need of a new boiler and heating system due to the failure of the current system; and

WHEREAS, the Township Engineer, Fire Chief, and Public Works Superintendent has deemed this to be an emergency due to the potential of a serious safety health hazard, and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-6, and regulations promulgated thereto, N.J.A.C. 5:34-6.1, a contract may be awarded without public advertising for bids and bidding

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when an emergency affecting the public, health, safety or welfare requires the immediate performance of services; and

WHEREAS, the Township authorized the Township Engineer, Public Works Superintendent, Fire Chief and CFO to award to contracts for the repair, replacement and temporary heating system necessary as follows:

Sunbelt Rentals of Linden NJ – estimated rental system (4 months) -	\$ 14,060
Rosetti Engineering of Flemington, NJ -	\$ 9,000
IN-LINE Heating and Air Conditioning – replacement of system	<u>\$ 78,333</u>
Total Estimated Repairs	\$101,393

WHEREAS, the funding of the \$101,393.00 will be raised as part of an existing bond ordinance for Fire Department Improvements;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, of the Township of Millburn, County of Essex, State of New Jersey, as follows:

1. The Township Committee hereby ratifies the award of an emergency contract for the repairs to the Boiler and Heating System of Fire Station 2.
2. Contractors, as listed, above, have been authorized to immediately commence with the work in order to prevent health hazard; and
2. This Resolution shall take effect as provided by law.

**RESOLUTION 19-051  
AUTHORIZING ONE YEAR OPTION #1 ON CONTRACT  
FOR SUMMER BASEBALL CAMP [THE SPORTS ACADEMY]**

WHEREAS, the Township of Millburn entered into a contract in 2018 with The Sports Academy, 56 East Willow Avenue Millburn, NJ 07041, to provide a Summer Baseball Camp; and

WHEREAS, the Assistant Superintendent of Recreation has recommended exercising the Township’s option by renewal of this contract with the same terms and conditions for one additional year which is first option year for the contract (January 1, 2019 through December 31, 2019); and

WHEREAS, the Township reserves the right to terminate this contract at any time, providing the contractor is given thirty (30) days written notice;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby authorizes the extension of this contract.

**RESOLUTION 19-052  
AUTHORIZE APPLICATION FOR 2019  
COMMUNITY FORESTRY PROGRAM GREEN COMMUNITIES**

WHEREAS, certain State Funding will potentially be made available by the State of New Jersey, Department of Environmental Protection, State Forest Service, under the Community Forestry, Green Communities Program; and

WHEREAS, the Township of Millburn has the need and the desire for assistance under the Green Communities Programs in order to provide assistance to the Township’s Shade Tree/Forestry Program;

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**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Millburn that the Township is hereby authorized to make application for the 2019 Program Year funding for the Green Communities program.

**RESOLUTION 19-053  
AUTHORIZE THE EXECUTION OF 2019 COST SHARING AGREEMENT**

**WHEREAS**, through the Mayors' Council for Rahway River Watershed Flood Control ("Council"), seven municipalities consisting of Cranford Township, Kenilworth Borough, Maplewood Township, Rahway City, Springfield Township, Union Township and Millburn Township continue to engage in cooperative activities such as planning, engineering, legal and environmental assessments to address conditions of serious and repeated flood damage in the Rahway River Basin; and

**WHEREAS**, the said municipalities have previously entered into Cost Sharing Agreements to administer and fund the activities of the Council; and

**WHEREAS**, the Council and its associated municipalities desire to enter into a further Agreement to administer and fund the following additional activities:

- a) Development and approval of this Agreement.
- b) Negotiation and contract development for access agreements with the County of Essex and City of Orange for the performance of surveys, studies, tests, soundings including sonar, borings, appraisals and other such engineering and environmental analysis as shall be necessary to determine the suitability of a flood control project.
- c) Develop, consistent with applicable law, a mechanism for the receipt and disbursement of federal and/or state loan or grant funds.
- d) Assist in the preparation of grant/loan applications for federal and/or state governments including if necessary, the Local Finance Board.
- e) Hiring of Winning Strategies and other lobby firms to obtain federal/state funding.

**WHEREAS**, the Township Committee desires to continue to participate in and to share in the funding of the foregoing activities;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Millburn in the County of Essex and the State of New Jersey on this 5th day of February, 2019 as follows:

1. The Mayor is authorized and directed to execute the 2019 Cost Sharing Agreement in the form reviewed by it, on behalf of the Township of Millburn, subject to such minor corrections or modifications, additions or deletions which do not alter the substantive provisions thereof and which may hereafter be approved by the Mayor after consultation with the Township Attorney.
2. The Business Administrator is authorized to implement the provisions of the 2019 Cost Sharing Agreement.
3. The Township Attorney is authorized to continue as Lead Agency Counsel with payment for services to be made from the Council's funds.
4. The Township of Millburn is authorized to pay \$10,000.00 for its share of costs in the 2019 Cost Sharing Agreement.
5. The Chief Financial Officer has certified that funds are available for this purpose.
6. This Resolution shall take effect as provided by law.

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**RESOLUTION 19-054**

**AUTHORIZE TO CEASE ASSESSMENT OF THE 2019 DOWNTOWN MUNICIPAL DEVELOPMENT ALLIANCE SPECIAL IMPROVEMENT DISTRICT TAXES**

**WHEREAS**, on December 26, 2018 the Downtown Millburn Development Alliance, Inc. voted to liquidate and dissolve their corporation and the Certificate of Dissolution number 0100506651 confirms this dissolution effective December 28, 2018; and

**WHEREAS**, the Tax Assessor determines the values and percentage of usage of the Special Improvement District role and the Tax Collector is obligated to bill, collect and enforce collection of the Special Improvement District parcels; and

**WHEREAS**, the Tax Assessor and Tax Collector require authorization to cease the assessment, billing and collection of the 2019 Special Improvement District taxes;

**NOW BE IT RESOLVED**, that the Millburn Township Committee authorize the Tax Assessor and Tax Collector to refrain from the Assessment, Billing and Collection of the 2019 Special Improvement District role and future years until such time as a district management corporation is reestablished and presents a budget to the Township Committee in accordance with local ordinance for the Special Improvement District.

**RESOLUTION 19-055**

**RESOLUTION COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE TOWNSHIP OF MILLBURN, AUTHORIZING THE MAYOR, TOWNSHIP CLERK, CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$7,083,022 BOND ANTICIPATION NOTE, DATED FEBRUARY 1, 2019 AND PAYABLE JANUARY 30, 2020, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED**

**WHEREAS**, the Township of Millburn, in the County of Essex, New Jersey (the "Township"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

**WHEREAS**, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the Township, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

**WHEREAS**, the Township intends to issue a \$7,083,022 Bond Anticipation Note, dated February 1, 2019 and payable January 30, 2020 (the "Note"); and

**WHEREAS**, the Township desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, in the County of Essex, New Jersey, as follows:

SECTION 1. The Township Committee hereby covenants on behalf of the Township, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Township (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

RESOLUTION 19-056
AUTHORIZING RELEASE OF PERFORMANCE BOND FOR SELF STORAGE FACILITY
[30 BLEEKER STREET]

WHEREAS, Hampshire Millburn, LLC ("the Developer") has completed the project within the Township of Millburn, located at 30 Bleeker Street (Block 105, Lot 2); and

WHEREAS, both the public and private site improvements have been completed, inspected, and accepted by the Township; and

WHEREAS, the Developer is entitled to release of the performance bond submitted in 2017 pending Township receipt of a maintenance bond posted for the public improvements (road, curbs, sewers) equivalent to 15% of the value of said improvements, for a period of two years; and

WHEREAS, the performance bond currently being held by the Township is in the amount of \$622,866.00; and

WHEREAS, the amount of the maintenance bond has been submitted by the developer in the amount of \$13,193.40; and

WHEREAS, by letter dated January 29, 2019, the Township Engineer, Martha Callahan, has advised the Township Committee that based on her review of the status of the site improvements made, she recommends that the performance bond be released seeing the maintenance bond has been posted; and

WHEREAS, the Township Committee wishes to accept the recommendation of the Township Engineer.

NOW, THEREFORE, BE IT RESOLVED on this 5th day of February 2019, by the Township Committee of the Township of Millburn in the County of Essex, that:

- 1. The performance bond currently being held by the Township in the amount of \$622,866.00 shall be released.

This Resolution shall take effect immediately as provided by law.

RESOLUTION 19-057
APPROVE RAFFLE LICENSES

WHEREAS, the following have submitted applications to the Township Clerk to conduct a raffle, providing all required identification and the appropriate fees; and

WHEREAS, the Police Department has conducted an investigation of those conducting such raffles and has found nothing to prevent their issuance.

NOW, THEREFORE, BE IT RESOLVED that the following be approved:

PTO Wyoming School

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The Connection  
St. Rose of Lima Academy HAS  
Eva's Village

**RESOLUTION 19-058**

**AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS AND CERTAIN MORRIS COUNTY COOPERATIVE PRICING COUNCIL VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS**, the Township of Millburn, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program and other approved Cooperative Purchasing Programs for any State or Cooperative Purchasing contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and/or by the approve the Cooperative Purchasing Program; and

**WHEREAS**, the Township of Millburn is a member of the Morris County Cooperative Pricing Council; and

**WHEREAS**, The Township of Millburn is a member of the Middlesex Regional Educational Services Commission (MRESC); and

**WHEREAS**, The Township of Millburn is a member of the Educational Services County Co-op:

**WHEREAS**, The Township of Millburn is a member of the Cranford Police Cooperative Pricing Council:

**WHEREAS**, the Township of Millburn, has the need on a timely basis to purchase goods or services utilizing State contracts, Morris County Cooperative Pricing Council Contract, MRESC, Cranford Police Pricing Council, and the Educational Services County Co-op; and

**WHEREAS**, the Township of Millburn intends to enter into contracts with the attached Referenced State Contract and Morris County Cooperative Pricing Council Contract Vendors, MRESC, Cranford Cooperative Police Pricing Council, and Educational Services County Co-OP through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State and Cooperative Purchasing Program contracts;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Millburn authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract, Morris County Cooperative Pricing Council Vendors, MRESC, Cranford Police Cooperative Pricing Council, and Educational Services County Co-op on the below list, pursuant to all conditions of the individual State and Cooperative Purchasing contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the Township of Millburn pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the Township of Millburn and the Referenced State Contract, Morris County Cooperative Pricing Council Vendors, MRESC vendors, Cranford Police Cooperative Pricing Council, and The Educational Services County Commission of Morris County shall be from January 1, 2019 to December 31, 2019.

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## Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State/Co-Op Contract #</u>
General Office Supplies	W.B. Mason	State Contract # 88839
	W.B. Mason	MRESC Contract # 15/16-13 MCCPC Contract # 30 (paper)
	The Office Concepts Group	MRESC Contract # 14/15-51 MCCPC Contract # 16 & 30
Road Salt	Morton Salt	MCCPC Contract # 3
Road Paving & Resurfacing	Tilcon New York, Inc	MCCPC Contract # 5, 6
	Micro-Pave Systems	MCCPC Contract # 6
Line Painting	Denville Line Painting	MCCPC Contract # 36
Tree Removal & Trimming	Tree King	MCCPC Contract # 18
Records Management Services	File Bank	Educational Services County Co- Commission of Morris County Bid # 5210
Electrician Services	MTB Electric	MRESC Contract #15/16-24
Technology Supplies & Services	CDWG	MRESC Contract # 15/16-11
	Johnston Communications	State Contract #88766
	Dell	State Contract #88796
Police Uniforms	Atlantic Tactical	State Contract # 86389 MCCPC # 23
Police Vehicles	Beyer Ford	Contract 15-01
Sporting Goods-Clothing	RnR Trophy & Sporting Goods	Co-op Contract # 20-A
Parking Paystations	Integrated Technical Systems	CPCPS Contract# 13-02
Vehicles, Passenger Vans	Mall Chevrolet	State Contract # 88229
Generators	Generator Joe	State Contract # 85477
Video Equipment Bullets	13 Mobile Vision	State Contract # a81311
	Eagle Point Gun	State Contract # a81296
Street Signs/Cones	Garden State Highway	MCCPC # 28
Police Vehicles	Hertrich Fleet Service	State Contract # a88729
Road Paving & Resurfacing	Stavola Asphalt Company, Inc	MCCPC Contract # 5, 6
Fire Department Equipment	Continental Fire and Safety	State Contract #80970 & #8096
HVAC Services & Repairs	In-Line Air Conditioning Co. Inc.	State Contract #65MCECCPS

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Copier Services	Ricoh	State contract # A40467
Vehicles & Equipment	Jesco, Inc	MRESC # 15/16-08
Vehicles	National Auto Fleet	120716-NAF
Micro Paving	Asphalt Paving Systems, INC	State Contract T2507
Tree Pruning/Trimming	Nelson Tree Service	State Contract #T0465
Playground Equipment	BCI Burke Company	State Contract # 16-00314
Playground Equipment and Park Site Amenities	Ben Shaffer Recreation Inc	State Contract #16-00135
Police Equipment	Major Police Supply	State Contract # A80311
Office Furniture	National Business Furniture	ESCNJ 17/18-16
Firefighter Equipment	Air and Gas Technologies	State Contract # 80963
Firefighter Equipment	Firefighter One	State Contract # 80949
Firefighter Equipment	Lion Apparel	State Contract # 80947
Firefighter Equipment	Morning Pride Manufacturing	State Contract # 80948
<b>Phone Systems</b>	<b>Hunter Technologies</b>	<b>State Contract # A80802</b>

**BE IT FURTHER RESOLVED** that this resolution replaces Resolution 19-030 adopted by the Millburn Township Committee on January 2, 2019.

**Resolutions**

**Resolution 19-059**

Mayor Thall-Eglow brought forth Resolution 19-059 and reviewed the purpose of the resolution. She asked for a motion to approve the resolution, which was made by Ms. Burstein and seconded by Ms. Prupis.

Roll Call Vote: All Ayes

**RESOLUTION 19-059**

**ESTABLISH A CULTURAL, DIVERSITY & ARTS ADVISORY COMMITTEE (CDAAC)**

**WHEREAS**, Millburn Township is a community composed of people with a wide variety of faiths, philosophies and backgrounds and can become stronger, more cohesive and more interesting by embracing its diversity; and

**WHEREAS**, the Township Committee would like to create a Cultural, Diversity & Arts Advisory Committee in order to assist local cultural organizations in highlighting programs that recognize and showcase the diversity in culture and art in Millburn Township;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee in the Township of Millburn, in the County of Essex and State of New Jersey on the 5<sup>th</sup> day of February, 2019 as follows:

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- 1.) There is hereby created a Cultural, Diversity & Arts Advisory Committee wherein the purpose is to:
  - a. share the rich background of our community and seeking to be a resource for diversity needs within the community
  - b. assist local organizations in highlighting programs that recognize the diversity in culture in Millburn Township
  - c. assist with requests for visual art placement in Millburn Township
- 2.) The board shall consist of seven (7) or more Millburn Township residents, appointed by the Mayor, with advice and consent of the Township Committee, to serve until December 31, 2019:
  - Jackie Benjamin Lieberberg, Township Committee Member
  - Cheryl Burstein, Township Committee Member
  - Louie Shen, Millburn Board of Education Representative
  - Dr. Roy You, Millburn Township Resident
  - John Westfall-Kwong, Millburn Township Resident
  - Subadhra Sridharan, Millburn Township Resident
  - Jane Gomez, Millburn Township Resident
  - Maggee Miggins, Millburn Township Resident and Township Beatification League President
  - Christine Lassiter, Millburn Township Resident
  - Dean Shulman, Millburn Township Resident
  - Meghan Garland, Millburn High School Guidance Counselor and Advisor to the national Gender & Sexuality Alliance
  - Paper Mill Playhouse Representative
- 3.) The Board shall select a chairperson among its members. The Chairman shall submit an annual written report to the Mayor and Township Committee.
- 4.) The board shall also select a secretary among its members. The secretary shall schedule meetings, issue notices and keep minutes.
- 5.) Cultural, Diversity & Arts Advisory Committee shall meet quarterly through the end of the year, but may meet more frequently in its discretion as needed.
- 6.) The Resolution shall take effect immediately.

Resolution 19-060

Mayor Thall-Eglow brought forth Resolution 19-060 and reviewed the purpose of the resolution. She asked for a motion to approve the resolution which was made by Ms. Lieberberg and seconded by Ms. Prupis.

Roll Call Vote: All Ayes

**RESOLUTION 19-060**

**PROVIDE FOR THE CONFIRMATION OF APPOINTMENT OF INDIVIDUALS TO THE PEDESTRIAN AND CIRCULATION TRAFFIC SAFETY AD HOC COMMITTEE (PACTS) AND TO CONFIRM THE DUTIES OF THE AD HOC COMMITTEE**

**WHEREAS**, Mayor Dianne Thall-Eglow would like to create an Ad Hoc Committee to meet and provide recommendations to the Millburn Township Committee in order improve traffic circulation and pedestrian safety in Millburn Township;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee in the Township of Millburn, in the County of Essex and State of New Jersey on the 5<sup>th</sup> day of February, 2019 as follows:

- 7.) There is hereby created a Pedestrian and Circulation Traffic Safety Ad Hoc Committee wherein the goal is to offer recommendations to the Township Committee to assist in improving traffic circulation and pedestrian safety in Millburn Township.
- 8.) The mission of Pedestrian and Circulation Traffic Safety Ad Hoc Committee is to assess and address elements of Township infrastructure and roadways that have become

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troublesome to Millburn Township’s commerce, emergency service delivery, traffic circulation and pedestrian safety. This Ad Hoc Committee will analyze the severity of and cost to remediate problem areas and bring recommendations to the Township Committee. Criteria for action items will be identified. Recommendations for correcting areas of concern will be prioritized.

- 9.) The following persons are hereby appointed to a Pedestrian and Circulation Traffic Safety Ad Hoc Committee until December 31, 2019:  
 Dianne Thall-Eglow, Township Committee Member, Chair  
 Jackie Benjamin Lieberberg, Township Committee Member  
 Alexander McDonald, Business Administrator, or Designee  
 Christine Bugel, Assistant Township Engineer  
 Gaston Ryan Hauptert, Planning Board Member  
 Merrily Riesebeck, Millburn Township Resident  
 Rich Keller, Millburn Township Resident  
 Michelle Retik, Millburn Township Merchant  
 Bobby Engel, Millburn Township Property Manager  
 Andrew Morgan, Millburn Township Property Owner  
 Police Chief Brian Gilfedder *(as needed)*  
 Fire Chief Robert Echavarria *(as needed)*  
 John Bace, DPW Director or Designee *(as needed)*  
 Paul Phillips, Township Planner *(as needed)*  
 Traffic Engineer Consultant *(as needed)*
- 10.)The Pedestrian and Circulation Traffic Safety Ad Hoc Committee shall meet once a month through the end of the year, but may meet more frequently in its discretion as needed.
- 11.)Dianne Thall-Eglow shall serve as Chairperson of the Pedestrian and Circulation Traffic Safety Ad Hoc Committee and shall have the right to designate another member of the Committee to serve as temporary Chair in any instance where Mayor Thall-Eglow is unable to attend. The Chair shall set an agenda to the extent known, and it shall be circulated at least two days prior to the next meeting, but the Committee shall have the right to take up such additional agenda items as a majority in attendance shall advance for consideration. The Business Administrator or Designee shall keep a record of the matters discussed in the form of minutes.
- 12.)The Pedestrian and Circulation Traffic Safety Ad Hoc Committee shall provide the Municipal Clerk with reports reflecting the results of its investigations and setting forth any recommendations which are being made to the Township Committee.
- 13.)The Resolution shall take effect immediately.

**Ordinance/Second Reading and Consideration of Adoption**

**Ordinance 2523-18**

Mayor Thall-Eglow brought forth and reviewed Ordinance 2523-19 for consideration of adoption.

Mayor Thall-Eglow declared the public hearing open. Seeing there weren’t any public comments, Mayor Thall-Eglow declared the public hearing closed. Ms. Thall-Eglow made a motion to approve the ordinance on final reading, which was seconded by Ms. Burstein.

Roll Call Vote: All Ayes

**ORDINANCE NO. 2523-19**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII “TRAFFIC”, SECTION 7-29 “SPEED LIMITS” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLBURN**

**STATEMENT OF PURPOSE:** *The proposed amendment to the Traffic Ordinance is to authorize a reduction in the speed limit on Highland Avenue to twenty-five (25) miles per hour for the entire length of the roadway.*

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**WHEREAS**, the Township of Millburn traffic bureau and engineering department have recommended that 7-29 “Speed Limits” be amended to reduce the speed limits on Highland Avenue to twenty-five (25) miles per hour for the entirety of its length; and

**WHEREAS**, this recommendation comes in support of other measures taking place on Highland Avenue to reduce the prevalence of crashes and is supported by data that shows that speeding in the current zones is occurring at the 85<sup>th</sup> percentile.

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLBURN, IN THE COUNTY OF ESSEX AND THE STATE OF NEW JERSEY, as follows:**

**Section 1.** Chapter VII entitled “Traffic” of the Revised General Ordinances of the Township of Millburn, Part I, “On Street Traffic Regulations,” Section 7-29, “,” is hereby amended and supplemented to include the following amendment:

**Remove:**

<i>Name of Street</i>	<i>Direction</i>	<i>Speed Limit and Location</i>
Highland Avenue	Both	Zone 1. Thirty miles per hour from The Crescent to the center of Western Drive, thence
		Zone 2. Thirty-five miles per hour to Hartshorn Drive

**Add:**

<i>Name of Street</i>	<i>Direction</i>	<i>Speed Limit and Location</i>
Highland Avenue	Both	Twenty-five miles per hour for its entire length

**Section 2.** With the addition of the above language, the remainder of Section 7-29, “Speed Limits” of Chapter VII, “Traffic,” Part I, “On Street Traffic Regulations” shall remain in full force and effect.

**Section 3.** The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

**Section 4.** This Ordinance shall take effect after final passage and publication as provided by law.

**Ordinance/Introduction**

**Ordinance 2524-19 and 2525-19**

Ms. Lieberberg brought forth Ordinance 2524-19 for introduction. She reviewed the ordinance and Mayor Thall-Eglow asked if the Committee had any comments or questions.

Mr. Levy noted that the language in the short term rental ordinance states 30 days or less, which is important because landlords often extend leases on a month to month basis. He said that month to month option would be rendered void under this ordinance and may be an unintended consequence. He suggested making the time frame 32 days. Mr. Falcon pointed out that this is a good point and he and Mr. Levy reviewed language options to protect landlords. Mr. Falcon noted that this is a substantive change and the short term rental ordinances should be revised and brought back before the Committee for introduction at the next meeting. Ms. Burstein noted that Ordinance 2525-19 would be brought back as well since they are related. Counsel was advised to revise both ordinances, and since they are both related to short term rentals, Ordinances 2524-19 and 2525-19 will be brought back for consideration of introduction at the next meeting.

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Old Business

No old business was presented.

New Business

Realtor Trail Blazing Signs

Mayor Thall-Eglow stated this piece of new business was brought to the attention of the Committee by a local realtor. She stated that this addresses the signs put around town to lead prospective buyers to open houses. Currently this violates the local ordinance. The proposed ordinance would accommodate these signs and allow realtors to place them without the possibility of being ticketed. Mr. Levy asked if the local realtors are supportive of this. Mayor Thall-Eglow advised that yes, a realtor approached her as a representative of other realtors who would also like to see this change. Mr. McDonald said he was also approached by the New Jersey Association of Realtors.

Maggee Miggins, of 34 South Terrace, came forward and spoke in support of the change. She stated that she has the support of the New Jersey Realtors Association and many local realtors are asking for this change because currently they are breaking the law if they use the trailblazing signs in town.

A realtor, whose name was not audible, of 45 Mechanic Street said he would be grateful for this change.

A discussion ensued regarding time limits for the sign posting and limits on the amount of signs that can be placed, their location and the use of balloons.

Ed Mazer, of Greenwood Drive, said he was on the Planning Board at the time when the ordinance was enacted. He said the intent was that they did not want visual clutter. He pointed out that they need to regulate the numbers of signs and consider if this will apply to estate and garage sales also. He said this is a slippery slope and asked that all factors be considered and the intent of the original ordinance be kept in mind. He added that signs are needed to a lesser extent with GPS.

Adjournment

Mayor Eglow asked if anyone has any remaining comments or questions. Receiving none, she called for a motion to close the public session meeting which was offered by Ms. Burstein and seconded by Mr. Levy. The meeting was adjourned at 8:45 PM. Vote: All Ayes

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Christine A. Gatti, RMC  
Township Clerk

Approved: April 2, 2019