

New Providence, New Jersey  
April 6, 2009

The budget meeting of the Borough Council of the Borough of New Providence, County of Union and State of New Jersey was held on Monday, April 6, 2009 at the Municipal Center. Mayor John A. Thoms called the meeting to order.

Present On Roll Call: Mayor Thoms, Council President MacDermott, Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio, Councilman Vyzas

Absent: None

Also Present: Borough Administrator Marvin, Borough Clerk Barry, Deputy Borough Clerk Gorgia

#### 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.

#### Agenda Item

- 1) 2009 Municipal Budget. Councilman Gennaro reviewed options for the 2009 Municipal Budget, including modifications to the spending line. Councilman Hern suggested some alternative options including, but not limited to, taking the pension deferral this year, using monies from the sale of 705 Central Avenue, giving incentives through retirement, possibly charging a \$100.00 per household sewer fee and bonding for tax appeals. Council further discussed ways to reduce costs and expenses.

#### Public Comments

Mayor Thoms declared a public hearing of citizens.

Keith Lynch, Construction Official - asked Council how a furlough differs from the other possible one-shot deals and what happens next year. Councilman Gennaro stated there is no difference.

Monica Marino, Tax Collector - stated the Borough has already paid this year's PERS and Police pensions as of April 1, 2009.

Daniel Henn, Police Department - asked why furloughs may be better than having to pay overtime in lieu of comp time and health care benefits. Officer Henn also asked Council if they considered the ramifications of laying off two police officers, example being one officer who contributes his own time to work on computers and other projects. Overtime will be increased when staff is reduced.

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

Adjournment

There being no further business, on motion by Council President MacDermott, seconded by Councilman Gennaro, the meeting was adjourned.

Respectfully submitted,

Wendi B. Barry  
Borough Clerk

These minutes have not yet been officially approved.

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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, April 6, 2009 at the Municipal Center. Mayor John A. Thoms called the meeting to order.

Present on Roll Call: Mayor Thoms, Council President MacDermott, Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio, Councilman Gennaro

Absent: None

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

#### Pledge of Allegiance

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#### Hearing of Ordinance

- 1) Ordinance 2009-03 "An Ordinance Amending And Supplementing Chapter 147 Of The Code Of The Borough Of New Providence, Establishing Fees And Licenses"

Title read in full by the Borough Clerk.

Mayor Thoms declared a public hearing of citizens on Ordinance 2009-03. There being no one wishing to speak, the public hearing was declared closed.

Council President MacDermott moved final passage of Ordinance 2009-03 "An Ordinance Amending And Supplementing Chapter 147 Of The Code Of The Borough Of New Providence, Establishing Fees And Licenses". Seconded by Councilman Cucco and on roll call: Council President MacDermott, Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio, Councilman Vyzas voted "aye". Carried unanimously on roll call.

## Presentation

Board of Education 2009-2010 Budget. Adam Smith, Ira Krauss from the Board of Education, Dr. David Miceli, Superintendent of Schools and James Testa, School Business Administrator were in attendance to present the proposed budget. Items discussed were district goals, student achievement, curriculum and instruction, adherence to increased state and federal mandates, enrollments and costs.

## Approval of Minutes

Councilman Cucco moved the minutes of the March 23, 2009 Borough Council meeting be approved as submitted. Seconded by Councilman Galluccio and unanimously approved.

Councilman Gennaro pointed out a couple of typing errors in the minutes of the March 28, 2009 Borough Council meeting. Councilman Cucco moved the minutes of the March 28, 2009 Borough Council meeting be approved as amended. Seconded by Councilman Galluccio and unanimously approved.

## Communications

1. Alex DeCroce, Assembly Republican Leader, March 2009. RE: FY 2010 State Budget. No action required.
2. Friends of the New Providence Memorial Library, March 15, 2009. RE: Public Works Assistance. No action required.
3. State of New Jersey, Department of Environmental Protection, March 18, 2009. RE: 2009 Clean Communities. No action required.
4. Mark Gorny, March 19, 2009. RE: "Shake The Can" Fundraiser. Council expressed concern that Springfield Avenue/South Street is an extremely busy intersection and that 12-year olds were going to be involved. Item to be sent to the Police for further discussion.
5. American Heart Association, March 17, 2009. RE: National Start! Walking Day. No action required.
6. County of Union, Department of Human Services, March 20, 2009. RE: Senior Programs. No action required.
7. City of Summit, March 25, 2009. RE: Development Regulations. No action required.

8. Anita Meritt, March 30, 2009. RE: Summit College Club Branch of AAUW Book Sale. Council approved the request to put up temporary signs.
9. Willard F. LaForge, Jr., March 30, 2009. RE: Construction Project. Mayor Thoms and Construction Official Lynch have had conversations with Mr. LaForge.
10. New Providence Community Activities Department and New Providence Business and Professional Association, March 30, 2009. RE: 5-K Race Banner. Council approved request to hang banner.
11. Oakwood Park Redevelopment Correspondence - no action required:  
 Stephen C. Leonard - March 20, 2009  
 Chris Cirrotti - March 21, 2009  
 Jen Apicella - March 23, 2009  
 David Maurer - March 23, 2009  
 David Maurer - March 23, 2009  
 Tom Finch - March 24, 2009  
 Kate Jones - March 31, 2009  
 Tom Finch - March 31, 2009  
 Richard Boyd - March 31, 2009  
 Bill Smith - April 1, 2009

## **COUNCIL COMMITTEE BUSINESS:**

### Councilman Cucco

1. Resolution 2009-106      “Resolution Authorizing Agreement Between The Borough Of New Providence And Sage Eldercare, Inc., In The Amount Of \$15,368.41”  
  
DEFERRED TO NEXT COUNCIL MEETING.
2. Resolution 2009-108      “Resolution Approving Purchase Order #36411 For Jen Electric, Inc., In The Amount Of \$3,532.00”

Councilman Cucco stated this is for emergency repair to traffic light.

### Councilman Gennaro

1. Resolution 2009-104      “Resolution Authorizing Emergency, Temporary Appropriations”

Councilman Gennaro stated this is bookkeeping until the budget is approved.

2. Resolution 2009-107 “Resolution Authorizing Release of Lot Grading Escrow, Permit LG2008-106, For Christopher And Nicole Bisaccia, In The Amount Of \$5,160.00”

Councilman Gennaro stated the work has been complete and the Borough Engineer recommends release of funds.

3. Resolution 2009-110 “Resolution Authorizing Payment Of The Attached Bills Payable List In The Amount Of \$2,611,453.57”

Councilman Gennaro stated this is routine paying of bills.

### Councilman Hern

1. Comcast Franchise Renewal Update. Councilman Hern stated the Cable TV Advisory Committee reviewed the upcoming contract renewal very thoroughly and made recommendations. This now has to go to the BPU and then to Council for approval. Some highlights include: receiving a grant for \$55,000.00 to upgrade the TV equipment and broadcast capabilities, live feed a the high school field, & maintenance of all free connections. The contract is for 15 years. Council commended the Chairperson of the Cable TV Advisory Committee, Frank Sommo.

### Mayor Thoms

1. Resolution 2009-105 “Resolution Supporting The ‘Click It Or Ticket’ Mobilization of May 18 - May 31, 2009”

Mayor Thoms stated the Borough supports the program.

2. Resolution 2009-109 “Resolution Honoring Our Troops And “Support Our Troops Day”

Mayor Thoms stated the Borough supports the program and the day is set for April 19, 2009.

3. Raffle Request, OLP Home School Association, RA863. Police approval has been given, subject to State approval.
4. Raffle Request, OLP Home School Association, RA864. Police approval has been given, subject to State approval.
5. Raffle Request, OLP Home School Association, RA865. Police approval has been given, subject to State approval.

6. Raffle Request, OLP Home School Association, RA866. Police approval has been given, subject to State approval.

#### Councilman Vyzas

1. Prestige Petroleum - Dumpster Location. Councilman Vyzas stated he will further investigate this request and get clarification.

### **BOROUGH ADMINISTRATOR'S REPORT**

Borough Administrator Marvin - operation normal.

### **COUNCIL COMMITTEE REPORTS**

Councilman Vyzas - operations normal.

Councilman Hern - operations normal.

Councilman Galluccio:

1. Municipal Alliance - statewide request to revise grants.

Councilman Gennaro:

1. Asked Borough Attorney for update on solicitors. Attorney Woodward stated will have something for Council early May.

Councilman Cucco:

1. Check on alternatives for leaf disposal costs.

Council President MacDermott:

1. Would like to form an internal committee to review revenue issues, with Councilman Hern as Chairman. This will be a sub-committee of the Finance Committee.
2. Recommend the Information Technology Committee conduct a cost and savings analysis for the Borough's technical costs.

#### Mayor Thoms

1. Attended High School Code Red Hostage Demonstration on March 27<sup>th</sup>.
2. Manino Hairdresser opened in town April 4<sup>th</sup>.
3. Milling and base coat for the Village Shopping Center will begin soon.

## Public Comments

Mayor Thoms declared a public hearing of citizens.

Vito Corso, 106 Woodbine Circle - Mr. Corso asked why seniors are seeing a 40% reduction in hours at the Senior Center. Mayor Thoms stated the Community Activities Department will assist in covering the slot vacated by Diane McAneny. Councilman Cucco will attend the meeting on April 13<sup>th</sup>.

Sharon Davis, 61 Possum Way - Ms. Davis stated she is happy to see this meeting is being televised, but is concerned that the work sessions are not being televised.

Alfred Sanczyk, 112 Woodbine Circle - Mr. Sanczyk asked: 1) how Council will justify the proposed Oakwood Park project not being in accordance with the Master Plan; 2) why does the latest version allow for the installation of lighting; 3) does Council intend to open this to a public vote. Mayor Thoms stated the proposal is consistent with the Master Plan, lighting is only for the parking lot and presently there is no plan for a referendum.

Bill Hart, 25 Newcomb Drive - Mr. Hart asked if litigation arises out of the sale, how will it be handled. Borough Attorney Woodward stated any ordinance adopted can be challenged. Negotiations with the County are ongoing and more meetings are scheduled.

Chris Boyman, 175 Woodbine Circle - Mr. Boyman asked how the 3 ½ million dollars was determined and asked why so much money is being considered to develop the park when the use will be reduced. Mayor Thoms stated the Recreation Master Plan Committee conducted an extensive study of the fields and costs, as well as the Borough Engineer doing a cost analysis.

Chris Cirrotti, 35 Walton Avenue - Mr. Cirrotti asked about park usage and suggested partnering with the Board of Education and the NP Athletic Foundation. Mr. Cirrotti urged Council to put this to a referendum vote.

Joe Narcisso, 136 Woodbine Circle - Mr. Narcisso stated he is concerned about traffic and asked Council to look at the Passaic Street entrance. Mayor Thoms stated the Passaic Street entrance is not feasible because traffic would go in between the buildings and there are chemicals and tanks in the area.

John Bale, 17 Wesley Court - Mr. Bale expressed concern regarding increase in traffic and people congestion and asked what would happen if the Borough wished to buy back the property. Mayor Thoms stated the Borough is negotiating with Union County for a buy back condition.

Katherine Hadow, 35 Shelly Drive - Ms. Hadow stated she is concerned artificial turf may contaminate the drinking water and distributed a letter from the United States Department of the Interior regarding same.

David Maurer, 224 Pine Way - Mr. Maurer asked if the Borough re-purchased the land, would a bond be required and would this be subject to a referendum vote. Borough Attorney explained how initiative and referendum works.

Brian Flanagan, 157 Grant Avenue - Mr. Flanagan asked if this is a "done deal", and asked how much money has gone into it so far. Mayor Thoms stated the Borough is still in negotiations, and \$30,000.00 has been expended from the grant money so far. Mr. Flanagan asked how much input was received from seniors, property owners, people involved with environmental issues, etc. Mayor Thoms stated several presentations and meetings were conducted. Mr. Flanagan asked if any suggestion was made to sub-divide the property and/or only turf on field.

Pat Moschetti, 50 Sherwood Drive - Mr. Moschetti stated it is reasonable to put this to a referendum vote.

Vito Corso, 106 Woodbine Circle - Mr. Corso asked how the 3 ½ million dollars was determined. Mayor Thoms stated the Recreation Master Plan Committee conducted an extensive study of the fields and costs, as well as the Borough Engineer doing a cost analysis.

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 and 2, and 4 through 11, deferring item 3. Seconded by Councilman Vyzas and on roll call: Council President MacDermott, Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio, Councilman Vyzas voted "aye". Carried unanimously on roll call.

1. Resolution 2009-104 "Resolution Authorizing Emergency, Temporary Appropriations"
2. Resolution 2009-105 "Resolution Supporting The 'Click It Or Ticket' Mobilization Of May 18-May 31, 2009"
3. Resolution 2009-106 "Resolution Authorizing Agreement Between The Borough Of New Providence And Sage Eldercare, Inc., In The Amount Of \$15,160.00"

### **DEFERRED.**

4. Resolution 2009-107 "Resolution Authorizing Release Of Lot Grading Escrow, Permit LG2008-106 for Christopher And Nicole Bisaccia, In The Amount Of \$5,160.00"
5. Resolution 2009-108 "Resolution Approving Purchase Order #36411 For Jen Electric, Inc., In The Amount Of \$3,532.00"
6. Resolution 2009-109 "Resolution Honoring Our Troops And 'Support Our Troops' Day"
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8. Raffle Request, OLP Home School Association, RA863.
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11. Raffle Request, OLP Home School Association, RA866.

#### **EXECUTIVE SESSION**

1. Resolution 2009-6a "Resolution Establishing April 6, 2009 As The Date, And 9:45 PM As The Time, And The Municipal Center As The Place, For The Holding Of A Special Meeting Of The Mayor and Council Of The Borough Of New Providence, To Discuss Legal Matters, At Which Time The Public Will Be Excluded"

Title read in full by the Borough Clerk.

Council President MacDermott moved passage of Resolution 2009-6a "Resolution Establishing April 6, 2009 As The Date, And 9:45 PM As The Time, And The Municipal Center As The Place, For The Holding Of A Special Meeting Of The Mayor and Council Of The Borough Of New Providence, To Discuss Legal Matters, At Which Time The Public Will Be Excluded". Seconded by Councilman Galluccio and on roll call: Council President MacDermott, Councilman Hern, Councilman Gennaro, Councilman Cucco, Councilman Galluccio, Councilman Vyzas voted "aye". Carried unanimously on roll call.

## **RE-OPENING OF MEETING**

On motion by Councilman Hern, seconded by Councilman Galluccio, the meeting was re-opened to the public.

## **ADJOURNMENT**

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

Respectfully submitted,

Wendi B. Barry  
Borough Clerk

These minutes have not yet been officially approved.