

February 16, 2016

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 Bourke opened the meeting and read the following statement:

In accordance with Section 5 of the Open Meetings Act, Chapter 231, Public Laws, 1975, be 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 16, 2016.

Mayor Bourke asked all those present to stand for the Salute to the Flag.

Upon roll call, the following Committee members were recorded present: W. Theodore Bourke, Cheryl Burstein, Ian Mount, Jodi L. Rosenberg, and Robert J. Tillotson.

Also present were Business Administrator Timothy Gordon, Township Attorney Christopher Falcon, Assistant Administrator Alexander McDonald and Township Clerk Christine Gatti.

Approval of Agenda

Mayor Bourke asked for a motion to approve the agenda, which was offered by Mr. Tillotson and seconded by Ms. Rosenberg.

Vote: All Ayes

Reports

Mr. Mount reported on an upcoming fundraiser for the Arboretum. He announced that the second Complete Streets Open House will take place from 7 – 9 PM on Thursday at town hall.

Ms. Burstein announced that the Environmental Commission is working on a resolution prohibiting the use of toxic, synthetic pesticides where children would be playing on school grounds, kindergarten through-8th grade, childcare centers and playgrounds. They are working on the wording and plan to present a resolution to the Township Committee.

Mayor Bourke thanked Mr. Falcon for moderating the Affordable Housing Forum. He reiterated the importance of residents attending the Complete Streets Open House.

Public Discussion

Mayor Bourke asked if there were any comments or questions regarding items on the Consent Agenda. Mr. Mazer inquired about Resolution 16-048. Mr. Gordon explained that it is a drainage project for the whole street, which includes curbing and handicap parking spots.

Consent Agenda

Mayor Bourke asked for a motion to approve the items on the consent agenda. Mr. Mount made a motion to approve the consent agenda, seconded by Ms. Bourke.

Roll call vote: All ayes

**RESOLUTION 16-045
RESOLUTION TO 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 16, 2016, in the following accounts:

General	\$ 828,129.88
Capital Fund	182,874.96
Parking Utility Operating Fund	3,779.67
Dog Fund Trust	1,229.33
Escrow Trust Fund	4,151.70
SUI Trust Fund	7,106.00
Waste Recycling Trust Fund	7,917.00

**RESOLUTION 16-046
 AUTHORIZE THE REFUND OF TAX OVERPAYMENTS**

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

<u>Make check payable to:</u>	<u>Type</u>	<u>Amount</u>
518 Millburn Investors, LLC c/o Zipp, Tannenbaum & Caccavelli LLC 280 Raritan Center Parkway Edison, NJ 08837 Block 1708 Lot 13 518 Millburn Ave	Tax Appeal 2015 Taxes	\$2,105.00

**RESOLUTION 16-047
 RESOLUTION TO ESTABLISH THE 2016 SEWER USE CHARGE**

BE IT RESOLVED, by the Township Committee of the Township of Millburn in the County of Essex that the Sewer Use Charge per unit for the calendar year 2016 is hereby determined to be \$160.00;

BE IT FURTHER RESOLVED that the 2016 Sewer Use Charge shall be payable April 1, 2016 with a seven day grace period.

**RESOLUTION 16-048
 AUTHORIZING THE ADVERTISING OF BIDS –
 WHITTINGHAM TERRACE ROAD AND DRAINAGE IMPROVEMENTS PROJECT**

BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex, that the Township Clerk be and is hereby authorized and directed to advertise, as required by law, in the ITEM, a newspaper published in said Township, an Invitation to Bidders for sealed proposals to be received by the Township Clerk of the Township of Millburn in the County of Essex, New Jersey, for:

Whittingham Terrace Road and Drainage Improvements Project

BE IT FURTHER RESOLVED that the sealed proposals will be opened and read in public at Town Hall, Millburn, New Jersey at a date and time to be determined and in the event no bids are received at that time, then authorization to re-advertise is hereby directed.

**RESOLUTION 16-049
 AUTHORIZING THE ADVERTISING OF BIDS –
 PAPERMILL PLAYHOUSE PARKING LOT IMPROVEMENTS**

BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex, that the Township Clerk be and is hereby authorized and directed to advertise, as required by law, in the

ITEM, a newspaper published in said Township, an Invitation to Bidders for sealed proposals to be received by the Township Clerk of the Township of Millburn in the County of Essex, New Jersey, for:

Papermill Playhouse Parking Lot Improvements

BE IT FURTHER RESOLVED that the sealed proposals will be opened and read in public at Town Hall, Millburn, New Jersey at a date and time to be determined and in the event no bids are received at that time, then authorization to re-advertise is hereby directed.

**RESOLUTION 16-050
AUTHORIZING THE ADVERTISING OF BIDS –
GREAT HILLS ROAD IMPROVEMENTS PROJECT**

BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex, that the Township Clerk be and is hereby authorized and directed to advertise, as required by law, in the ITEM, a newspaper published in said Township, an Invitation to Bidders for sealed proposals to be received by the Township Clerk of the Township of Millburn in the County of Essex, New Jersey, for:

Great Hills Road Improvements Project (Section 3)

BE IT FURTHER RESOLVED that the sealed proposals will be opened and read in public at Town Hall, Millburn, New Jersey at a date and time to be determined and in the event no bids are received at that time, then authorization to re-advertise is hereby directed.

**RESOLUTION 16-051
AUTHORIZING MUNICIPAL ALLIANCE GRANT 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; and

WHEREAS, The Township Committee 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 Committee 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 Committee 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 Committee of Millburn Township in the 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 2017 in the amount of:

DEDR	\$60,000
Cash Match	\$15,000
In-Kind	\$45,000

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2. The Millburn Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION 16-052

**AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH THE ESSEX COUNTY MUNICIPAL ALLIANCE
(COUNTY OF ESSEX OFFICE OF ALCOHOLISM,
DRUG ABUSE AND ADDICTION SERVICES)**

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millburn in the County of Essex State of New Jersey, hereby authorizes the Township Administrator to sign the Grant Agreement with the County of Essex in regards to the Municipal Alliance Grant.

RESOLUTION 16-053

**AUTHORIZATION FOR THE TOWNSHIP OF MILLBURN TO APPLY FOR AND ACCEPT A SUBGRANT
AWARD OF THE FEDERAL FISCAL YEAR 2015 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY
MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL
OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS**

WHEREAS, THE Township of Millburn, Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant #FY15-EMPG-EMAA-0712 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of up to \$14,000.00, including up to \$7,000.00 Federal Award and up to \$7,000.00 Local Matching Funds, is for the purpose of enhancing the Township of Millburn's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Township of Millburn Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of up to \$7,000.00 which the Millburn Township Office of Emergency Management adequately satisfies through the Township of Millburn approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Township of Millburn accepts the award of the FFY15 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of up to \$7,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of up to \$7,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of up to \$7,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of up to \$7,000.00 is hereby appropriated under the caption FFY15 Homeland Security Emergency Management Performance Grant and the sub-award period of the grant shall be from July 1, 2015 to June 30, 2016; and

BE IT FURTHER RESOLVED that the Township Chief Financial Officer and the Township Director of Emergency Management are authorized to sign the appropriate subgrant award documents and the Township of Millburn is hereby accepting the specific grant of funds for the purpose described in the application; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government

Services, the Township Manager, the Township Chief Financial Officer, the County Division of Emergency Management and Office of the Treasury.

RESOLUTION 16-054

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLBURN, IN THE COUNTY OF ESSEX, NEW JERSEY, 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 \$5,609,802 BOND ANTICIPATION NOTE (SERIES A) AND A \$1,102,331 BOND ANTICIPATION NOTE (SERIES B), BOTH ISSUES DATED FEBRUARY 5, 2016 AND PAYABLE FEBRUARY 3, 2017, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" 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 \$5,609,802 Bond Anticipation Note (Series A) and a \$1,102,331 Bond Anticipation Note (Series B), both issues dated February 5, 2016 and payable February 3, 2017 (collectively, the "Notes"); and

WHEREAS, the Township desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

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 Notes) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Township Clerk, Chief Financial Officer and other officials of the Township are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Notes are not "private activity bonds" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2016.

SECTION 5. It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2016.

SECTION 6. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2016 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

RESOLUTION 16-055
AUTHORIZING THE ISSUANCE OF REQUEST FOR PROPSALS FOR
ONLINE NEWS SERVICES

WHEREAS, the Township of Millburn ("Township") finds that it will be beneficial to utilize the services of online news publications in order to publicize Township business and post notices and information relating to the same; and

WHEREAS, the Township of Millburn has prepared a Request for Proposals (RFP) in order to engage the services of one or more such online news services; and

WHEREAS, the attached Request for Proposals shall be issued in accordance with the Township's above-described intent.

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

1. The Township's staff is hereby authorized to take any and all action necessary or useful to implement the provisions of this Resolution and issue the attached Request for Proposals.

**RESOLUTION 16-056
RESOLUTION TO 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:

Family and Children's Services, Inc.

DMDA BUDGET HEARING

Resolution 16-057 Read DMDA Budget by Title

Mr. Mount made a motion to approve Resolution 16-057, which was seconded by Ms. Burstein.

Roll Call: All Ayes

**RESOLUTION 16-057
RESOLUTION TO READ BY TITLE –
2016 DOWNTOWN MILLBURN DEVELOPMENT ALLIANCE**

WHEREAS, pursuant to NJSA 40:56-84, the Downtown Millburn Development Alliance 2016 Budget, as advertised, may be read by its title at the public hearing, if a complete copy of the approved budget, as advertised, shall be posted, in a public place where public notices are customarily posted in the Town Hall of the Township, and is made available to each person requesting the same, during that week and during the public hearing; and

WHEREAS, the Township Committee of the Township of Millburn hereby determines that the above conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the 2016 Downtown Millburn Development Alliance Budget shall not be read in full, but by its title only.

Mayor Bourke opened the public hearing on the DMDA Budget. Chris Palumbo asked why his establishment was included in the SID, especially since they do not benefit from it. Mayor Bourke reviewed the history of this district and why properties were designated to be in the parameters at that time. He advised Mr. Palumbo to contact the DMDA if he feels his business is not being served. He added that redesigning the boundaries is a legal issue, but tonight is about the budget, not the designated area. Mr. Palumbo responded that he is almost in Springfield and there are not other businesses in his area. Mayor Bourke reiterated that he should get in touch with the DMDA.

Resolution 16-058 Adopt 2016 DMDA Budget

Ms. Rosenberg made a motion to approve Resolution 16-058 which was approved by Ms. Burstein.

Roll Call: All Ayes

**RESOLUTION 16-058
RESOLUTION TO ADOPT 2016 BUDGET
DOWNTOWN MILLBURN DEVELOPMENT ALLIANCE (SID)**

BE IT RESOLVED by the Township Committee of the Township of Millburn, County of Essex that the 2016 Downtown Millburn Development Alliance (Special Improvement District) Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums herein set forth as appropriations, and authorization of the amount of \$242,050.00 for DMDA purposes.

GENERAL REVENUES

SID Assessment	\$200,850.00
Sponsorship & Grants	
Clean Communities Grant	9,000.00
Council & Farmers Grant	1,000.00
Events	
Farmers Market	8,700.00
Girls Night Out (Sponsors)	15,000.00
Snowflake Parade	7,500.00
<u>TOTAL REVENUES</u>	<u>\$242,050.00</u>

GENERAL APPROPRIATIONS & EXPENSES

<i>Program Services</i>	
Special Events	74,500.00
Visual Improvements	42,785.00
Marketing	49,335.00
<i>Support Services</i>	
Administrative Expenses	32,730.00
General Operating Expenses	42,700.00
<u>TOTAL EXPENSES</u>	<u>\$242,050.00</u>

Resolution 16-059 Adopt 2016 Special Improvement District Roll

SPECIAL RESOLUTION – 2016 Special Improvement District (SID) Hearing

Mayor Bourke opened the 2016 SID Hearing. Since no one presented comments or questions, the public hearing was closed.

Ms. Bourke made a motion to approve Resolution 16-059, which was seconded by Mr. Mount.

Roll Call: All Ayes

**RESOLUTION 16-059
ADOPT 2016 SPECIAL IMPROVEMENT DISTRICT ASSESSMENT ROLL**

WHEREAS, the Township Committee of the Township of Millburn on May 19, 1992 adopted an ordinance entitled, “AN ORDINANCE CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE TOWNSHIP OF MILLBURN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION.” (Ordinance No. 12-92); and

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WHEREAS, in accordance with the provisions of said ordinance, on February 16, 2016, the Township Committee, by a majority of its full membership, did adopt the 2016 Downtown Municipal Development Alliance Special Improvement District Budget, effective for the year January 1, 2016 to December 31, 2016; and

WHEREAS, the Township Tax Assessor, on January 21, 2016, prepared and filed in the Office of the Township Clerk, a 2016 Special Improvement District Assessment Roll, setting forth separately the amounts to be specially assessed against the separately benefited and assessable properties in said District; and

WHEREAS, the Township Committee caused the Assessment Roll to be set down for public hearing and consideration by this Committee at its regular meeting on February 16, 2016 at 7:30 p.m. or as soon thereafter as the matter could be heard, and the Township Clerk has caused notice of said hearing to be published and to be given to all property owners interested and affected thereby in accordance with the ordinance; and

WHEREAS, on February 16, 2016, at the time and place designated for special hearing the special assessments in said Assessment Roll, as prepared by the Township Tax Assessor were duly considered and all interested persons wishing to be heard thereon were heard by the Township Committee; and

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

The special assessments set forth in the 2016 Downtown Municipal Development Alliance Special Improvement District Assessment Roll of the Township Assessor, in accordance with the following schedule, are hereby approved and that the grace period for the first installment of the Special Improvement District Tax be extended to April 7th for 2016:

<u>PROPERTY ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT PREPARED BY ASSESSOR</u>	<u>AMOUNT APPROVED BY COMMITTEE</u>
187 Millburn Avenue	0305	001	\$21,012.18	\$21,528.87
179 Millburn Avenue	0312	013	\$2,106.82	\$2,158.62
177 Millburn Avenue	0312	014	\$219.29	\$224.68
175 Millburn Avenue	0312	015	\$364.54	\$373.50
8 Main Street	0701	002	\$725.41	\$743.25
12 Main Street	0701	003	\$797.15	\$816.75
14 Main Street	0701	004	\$871.45	\$892.87
20 Main Street	0701	005	\$1,079.20	\$1,105.75
34 Main Street	0702	001	\$241.27	\$247.20
36 Main Street	0702	002	\$251.08	\$257.25
38 Main Street	0702	003	\$697.84	\$715.00
40 Main Street	0702	004	\$435.98	\$446.70
42 Main Street	0702	005	\$1,771.07	\$1,814.62
341 Millburn Avenue	0702	006	\$859.71	\$1,295.37
335 Millburn Avenue	0702	008	\$861.81	\$883.00
333 Millburn Avenue	0702	009	\$305.45	\$312.96

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329 Millburn Avenue	0702	010	\$178.95	\$229.19
327-1/2 Millburn Avenue	0702	011	\$660.63	\$676.87
327 Millburn Avenue	0702	012	\$560.59	\$574.37
321 Millburn Avenue	0702	013	\$2,318.00	\$2,375.00
319 Millburn Avenue	0702	014	\$2,242.97	\$2,298.12
315 Millburn Avenue	0702	015	\$2,013.00	\$2,062.50
100 Essex Street	0702	016	\$2,684.00	\$2,750.00
170 Essex Street	0702	017	\$1,752.65	\$1,795.75
184 Essex Street	0702	018	\$2,759.15	\$2,827.00
196 Essex Street	0702	019	\$551.20	\$564.75
150 Essex Street	0702	020	\$3,660.00	\$3,750.00
72 Essex Street	0703	001	\$1,523.90	\$1,561.37
311 Millburn Avenue	0703	002	\$609.63	\$624.62
309 Millburn Avenue	0703	003	\$266.81	\$300.71
307 Millburn Avenue	0703	004	\$312.22	\$319.89
305 Millburn Avenue	0703	005	\$341.72	\$350.12
301 Millburn Avenue	0703	006	\$793.00	\$812.50
44 Essex Street	0703	009	\$585.60	\$600.00
70 Essex Street	0703	010	\$2,086.20	\$2,137.50
46 Essex Street	0703	011	\$432.12	\$442.75
303 Millburn Avenue	0703	012	\$768.11	\$787.00
12 Holmes Street	0704	001	\$884.50	\$906.25
281 Millburn Avenue	0704	002	\$1,368.11	\$1,401.75
279 Millburn Avenue	0704	003	\$1,834.51	\$1,879.62
275 Millburn Avenue	0704	004	\$1,150.09	\$1,178.37
271 Millburn Avenue	0704	005	\$842.29	\$563.75
269 Millburn Avenue	0704	006	\$723.58	\$741.37
265 Millburn Avenue	0704	007	\$4,815.95	\$4,934.37
32 Essex Street	0704	008	\$372.10	\$381.25
249 Millburn Avenue	0705	001	\$9,440.85	\$9,673.00
227 Millburn Avenue	0705	002	\$17,979.75	\$18,421.87
223 Millburn Avenue	0705	003	\$1,069.70	\$1,096.00
215-219 Millburn Avenue	0705	004	\$2,683.02	\$2,749.00

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45 Essex Street Rear	0705	025	\$1,007.96	\$1,032.75
55 Essex Street	0705	026	\$2,802.46	\$2,871.37
45 Essex Street	0705	027	\$3,575.21	\$3,663.12
29 Essex Street	0705	028	\$149.82	\$153.50
348 Millburn Avenue	0801	001	\$1,986.04	\$2,034.87
350 Millburn Avenue	0801	002	\$2,085.71	\$2,137.00
356 Millburn Avenue	0801	003	\$1,764.85	\$1,808.25
358 Millburn Avenue	0801	004	\$1,519.75	\$1,557.12
374 Millburn Avenue	0801	005	\$9,150.00	\$9,375.00
378 Millburn Avenue	0801	006	\$379.36	\$466.42
380 Millburn Avenue	0801	007	\$270.23	\$276.87
382 Millburn Avenue	0801	008	\$1,275.27	\$1,306.62
386 Millburn Avenue	0801	009	\$2,897.62	\$2,968.87
75 Main Street	0801	012	\$7,316.00	\$7,496.00
59 Main Street	0801	015	\$1,365.30	\$1,398.87
55 Main Street	0801	016	\$1,379.58	\$1,413.50
4 Taylor Street	0802	002	\$1,244.77	\$1,275.37
109 Main Street	0802	027	\$143.58	\$169.74
105 Main Street	0802	028	\$507.15	\$519.62
95 Main Street	0802	031	\$170.46	\$218.31
93 Main Street	0802	032	\$908.17	\$930.50
304 Millburn Avenue	0804	007	\$516.43	\$529.12
306 Millburn Avenue	0804	008	\$511.91	\$524.50
308 Millburn Avenue	0804	009	\$1,079.33	\$1,105.87
318 Millburn Avenue	0804	011	\$1,272.09	\$1,303.37
320 Millburn Avenue	0804	012	\$844.73	\$865.50
322-324 Millburn Avenue	0804	013	\$888.55	\$924.62
330 Millburn Avenue	0804	015	\$587.13	\$950.47
340 Millburn Avenue	0804	016	\$2,304.46	\$2,361.12
64 Main Street	0804	017	\$1,764.97	\$1,808.37
290 Millburn Avenue	0805	001	\$4,270.00	\$4,375.00
264 Millburn Avenue	0810	021	\$251.99	\$258.19
175 Main Street	0902	001	\$767.84	\$786.72

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221 Main Street	0903	022	\$344.04	\$352.50
150 Main Street	0904	008	\$976.00	\$1,000.00
156 Main Street	0904	009	\$366.00	\$375.00
160 Main Street	0904	010	\$629.15	\$644.62
194 Main Street	0906	024	\$1,193.28	\$1,222.62
1 East Willow Street	0906	028	\$7,006.22	\$7,178.50
231 Main Street	1001	024	\$218.65	\$291.23
238 Main Street	1004	010	\$1,390.80	\$1,425.00
396 Millburn Avenue	1102	009	\$295.03	\$302.28
425 Essex Street	1207	003	\$755.91	\$774.50
421 Essex Street	1207	004	\$469.94	\$481.50
407 Essex Street	1207	005	\$417.73	\$428.00
335 Essex Street	1207	010	\$229.97	\$235.62
291 Essex Street	1207	011	\$421.39	\$431.75
281 Essex Street	1207	012	\$495.27	\$642.77
271 Essex Street	1207	013	\$622.69	\$638.00
257 Essex Street	1207	014	\$327.23	\$620.87
27 Main Street	1207	016	\$408.04	\$418.07
397 Millburn Avenue	1211	001	\$3,483.10	\$3,568.75
393 Millburn Avenue	1211	002	\$273.91	\$280.65
391 Millburn Avenue	1211	003	\$661.24	\$677.50
389-1/2 Millburn Avenue	1211	004	\$717.97	\$735.62
156 Spring Street	1211	006	\$562.54	\$576.37
387 Millburn Avenue	1212	001	\$672.22	\$688.75
363 Millburn Avenue	1212	005	\$733.22	\$751.25
357 Millburn Avenue	1212	006	\$785.96	\$1,098.11
355 Millburn Avenue	1212	007	\$304.85	\$312.34
353 Millburn Avenue	1212	008	\$206.24	\$211.31
351 Millburn Avenue	1212	009	\$1,279.54	\$1,311.00
343 Millburn Avenue	1212	010	\$5,449.62	\$5,583.62
41 Main Street	1212	011	\$373.69	\$382.87
35 Main Street	1212	012	\$2,055.70	\$2,106.25
266 Essex Street	1212	015	\$637.33	\$653.00

276 Essex Street	1212	016	\$398.33	\$408.12
286 Essex Street	1212	017	\$540.09	\$553.37
368 Essex Street	1212	024	\$465.19	\$476.62

2. The full amount of said special assessments shall be due and payable on or before the 1st day of March, 2016 and the 1st day of September, 2016 and shall draw interest imposed upon arrearages of taxes in said Township and shall be collected as provided by law and the grace period for the first installment of the Special Improvement District Tax shall be extended to April 7th for 2016.

3. A duplicate copy of said approved Assessment roll, duly certified by the Township Clerk, be delivered to the Essex County Tax Board and the Millburn Tax Collector, together with a copy of this resolution.

4. The Tax Collector shall forthwith proceed to collect the amounts due on the approved Assessment Roll according to law.

5. This resolution shall take effect immediately.

ORDINANCE/SECOND READING AND CONSIDERATION OF ADOPTION

Ordinance 2452-16

Mayor Bourke brought forth ordinance 2452-16 for consideration of adoption.

Mayor Bourke declared the public hearing open. Seeing there was no public comment, Mayor Bourke declared the public hearing closed and moved that Ordinance 2452-16 be passed on final reading; the motion was seconded by Ms. Rosenberg.

Roll call vote: All ayes

**ORDINANCE NO. 2452-16
 ORDINANCE AMENDING CHAPTER VII "TRAFFIC"
 OF THE MILLBURN TOWNSHIP ORDINANCE CODE**

STATEMENT OF PURPOSE: Ordinance to revise existing regulations concerning the designation of through streets and locations of stop intersections.

BE IT ORDAINED by the Township Committee of the Township of Millburn, in the County of Essex and State of New Jersey, as follows:

Section 1. Article VII "Traffic" of the Revised General Ordinances of the Township of Millburn ("Code") is hereby amended as follows:

a. Section 7-19 "Through Streets" is revised to include the following:

<i>Name of Street</i>	<i>Limits</i>
Elm Street	Wyoming Avenue to Myrtle Avenue

b. Section 7-20 "Stop Intersections" is revised to include the following intersection:

<i>Intersection</i>	<i>Stop Sign On:</i>
Myrtle Avenue and Elm Street	Myrtle Avenue facing southbound traffic

STOP AHEAD, Type W3-1, 30" x 30" warning signs shall be installed along Myrtle

Avenue, southbound, approximately
300' in advance of intersection.

Section 2. The provisions of this ordinance are severable and the invalidity of any phase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 3. This ordinance shall take effect after final passage and publication as required by law.

ORDINANCE/INTRODUCTION

Ordinance 2454-15

Mr. Mount brought forth Ordinance 2454-15 for introduction:

Mr. Mount moved that the ordinance be taken up and passed on first reading, which was seconded by Ms. Burstein. The public hearing for the ordinance is scheduled for March 15, 2016.

Roll Call: All Ayes

ORDINANCE NO. 2454-16 ORDINANCE TO AMEND ARTICLE III CHAPTER 2-6 ENTITLED "POLICE DEPARTMENT" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLBURN

Statement of Purpose: *The purpose of this Ordinance is to amend the existing Code to comply with accreditation criteria over the respective legal responsibility and duties of the Township Business Administrator and Chief of Police in the administration of the Police Department.*

WHEREAS, the creation and operation of the Millburn Township Police Department was established through the enactment of Chapter 2 of the Revised General Ordinances of the Township of Millburn by the Township Committee of the Township of Millburn; and

WHEREAS, a review of the provisions thereof pertaining to the authority and duties of the Business Administrator and the Chief of Police has resulted in a recommendation for the improvement and clarification thereof, especially in connection with Section 2-16.2 and 2-16.3; and

WHEREAS, the Township Business Administrator and the Chief of Police have recommended that new provisions replace those currently set forth in the said Sections of the Revised General Ordinances.

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

Section 1. Section 2-16.2 is hereby amended in its entirety to read:

The Township Administrator shall be designated as the appropriate authority, as defined and provided in the New Jersey statutes (N.J.S.A. 40A:14-118), for the promulgation of rules and regulations. The Township Administrator shall adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of its members. Such rules and regulations shall be styled "Rules and Regulations of the Police Department of the Township of Millburn, New Jersey." The rules may prescribe the duties of the members of the Department more specifically than is herein contained, and may provide such penalties, not inconsistent with law, as may be deemed necessary and expedient for the proper regulation of the Department. All of the rules and regulations made in pursuance hereof shall be in writing and filed in the office of the Township Clerk, and shall be binding on all persons subject to the jurisdiction of the Department after notice thereof. A written or printed copy of such rules shall

be delivered to each member of the Department and copies shall be on file in the headquarters of the Department, and such delivery or availability shall be deemed notice of the adoption and effectiveness thereof to those subject thereto. Such rules shall prescribe the uniforms, badges and insignia to be worn by the Police Officers, and the time and manner of wearing the same, and such other provisions in reference thereto as may be deemed proper. (1967 Code §18-1-2; Ord. No. 7-20-70 § 2)

Section 2. Section 2-16.3 is hereby amended in its entirety to read:

- a. The Chief of Police shall be the executive head of the Department. The Chief shall exercise sole and complete control over the Department, its members and employees, and over its property, subject only to the authority of the Business Administrator, with the approval of the Township Committee. The Chief of Police shall be the head of the Police Department and shall be directly responsible to the Township Administrator for its efficiency and day-to-day operations. Pursuant to policies established by the Township Administrator, the Chief of Police shall:
 1. Administer and enforce the rules and regulations of the Police Department and any special emergency directives for the disposition and discipline of the Department and its members and officers;
 2. Have, exercise and discharge the functions, powers and duties of the Police Department;
 3. Prescribe the duties and assignments of all members and officers;
 4. Delegate such authority as may be deemed necessary for the efficient operation of the Police Department to be exercised under the Chief's direction and control; and
 5. Report at least monthly to the Township Administrator, in such form as shall be prescribed, on the operation of the Police Department during the preceding month and make such other reports as may be requested by the Township Administrator.

The Business Administrator, with the approval of the Township Committee, may designate an acting Chief of Police during any extended period of absence or disability of the Chief of Police.

- b. The duties of the Chief of Police shall be as established by State Statute or as otherwise directed.

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.

OLD BUSINESS

Advanced Accelerator Application (AAA) Risk Management

Mayor Bourke introduced Patrick McDermott, a board certified ionized radiation expert from Rycon Solutions. Mr. McDermott reviewed his qualifications and background. He reviewed his report that was previously submitted to the township and addressed previous and current comments and concerns expressed by the public.

Residents posed questions in regards to the submitted report and Mr. McDermott reviewed various matters in detail such as the materials being manufactured, health concerns and emergency situations that may arise.

He pointed out that in his professional opinion the proposed operations at AAA, located at 57/59 East Willow Street, are safe and pose no hazard to the citizens of Millburn. In addition the site would have no radioactive exposure to the residents. He stated that they still need to obtain approval from DEP and the EPA. Mayor Bourke assured the audience that officials will have a contingency plan in place with emergency services in the unlikely event that a worst case scenario was to occur. The report and supporting documentation are available on the township's website.

PUBLIC DISCUSSION

Mayor Bourke asked if anyone had additional questions or comments for the Township Committee.

A resident came forward and stated they would like to see transportation data regarding transport of the radioactive material.

A resident that resides on Main Street requested that the Committee consider a municipal policy on lawn toxins and voiced concerns in regards to lawn chemicals. Mr. Bourke stated that the Environmental Commission members are experts and it is best they make a recommendation to the Committee.

A resident came forward and voiced their opposition to the AAA facility being in Millburn Township.

Resident of 38 Addison Drive thanked the township for the report on the AAA matter and added that there is no zero risk and he is still concerned. He reviewed his concerns in regards to traffic safety.

Ilisa Pearlman, resident of Southern Slope Drive, reviewed the report in regards to the AAA matter and voiced her concerns in regards to transportation of the materials and the safety of those residents that live in close proximity to the facility. She added that there is some information on the report that is problematic. She further reviewed her concerns with ingestion and evacuation of the area in case there is a disaster. She added that she would like a contingency plan in place.

Mayor Bourke stated that safety procedures are being examined and the Office of Emergency Management is involved.

Various residents and Mayor Bourke reviewed the history of the zoning of the property. The residents suggested that the zoning be reviewed and amended to not include facilities of this nature to be allowed in the municipality.

ADJOURNMENT

Mayor Bourke asked if anyone had any remaining comments or questions. Receiving none, he called for a motion to adjourn the meeting which was offered by Mr. Tillotson and seconded by Mr. Mount. Vote: All Ayes. The meeting was adjourned at 9:45PM.

Christine A. Gatti, RMC
Township Clerk

Approved: May 17, 2016