

**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 Burstein 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 January 17, 2017.

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

Upon call of the roll, the following Committee members were recorded present: Cheryl H. Burstein, Dianne T. Eglow, Samuel D. Levy, Jodi L. Rosenberg and Robert J. Tillotson.

Also present were Business Administrator Alexander McDonald, Township Attorney Christopher Falcon, Assistant Business Administrator Jimmy Homsy and Assistant Township Clerk Megan Patrick.

**Approval of Agenda**

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

Vote: All Ayes

**Minutes**

Mayor Burstein brought forth the minutes of December 6, 2016. Ms. Rosenberg made a motion to approve the minutes, which was seconded by Mr. Tillotson.

Vote: Ms. Rosenberg, Mr. Tillotson and Mayor Burstein

Abstain: Ms. Eglow and Mr. Levy

Mayor Burstein brought forth the minutes of a Special Meeting on December 6, 2016. Mr. Tillotson made a motion to approve the minutes, which was seconded by Ms. Rosenberg.

Vote: Ms. Rosenberg, Mr. Tillotson and Mayor Burstein

Abstain: Ms. Eglow and Mr. Levy

**Reports**

Ms. Eglow stated that the Environmental Commission presented two items for consideration to the Township Committee and appropriate departments which is being reviewed. She also reported that the Complete Streets Ad Hoc Committee is scheduled to meet on January 19<sup>th</sup> and a report will be provided afterward.

Mr. Tillotson reported that he attended the 1<sup>st</sup> meeting of the Recreation Commission. He also attended the first meeting for the Arboretum where they discussed some major fundraising for renovating the interior of the Arboretum. He stated that they are coming along nicely with their goal, but could use some additional help. He asked that the public visit their website for information.

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Public Discussion

Mayor Burstein asked if there were any comments or questions regarding items on the Consent Agenda. None were presented.

Consent Agenda

Mayor Burstein asked for a motion to approve the items on the consent agenda. Ms. Eglow made a motion to approve the consent agenda, which was seconded by Ms. Rosenberg.

Roll Call Vote: All ayes

**RESOLUTION 17-035**

**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 January 17, 2017, in the following accounts:

General	\$837,640.83
Capital Fund	770,171.50
Parking Utility Operating Fund	656.35
Dog Fund Trust	66.17
Donation Trust Fund	7,545.16
Police Off Duty Trust Fund	94,706.00
Waste Recycling Trust	995.00
PATFA II	4,514.00

**RESOLUTION 17-036**

**APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE EAST WILLOW STREET AND BLEEKER STREET ROAD IMPROVEMENTS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that Township of Millburn formally approves the grant application for the above stated project;

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-East Willow/Bleeker Streets-00125 to the New Jersey Department of Transportation on behalf of the Township of Millburn;

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Millburn and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION 17-037**

**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

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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	\$59,400
Cash Match	\$14,850
In-Kind	\$44,950

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

BE IT FURTHER RESOLVED that this resolution replaces Resolution 16-051 adopted by the Millburn Township Committee on February 16, 2016 seeing that the grant amounts have been revised as per the Coordinator.

RESOLUTION 17-038
AUTHORIZE EXECUTION OF STORM SEWER INDEMNIFICATION AGREEMENT

NOW, THEREFORE BE IS RESOLVED that the Millburn Township Mayor and Township Clerk are hereby authorized to execute the Indemnification Agreement for Storm Sewer Connection for 17 Willow Street, Block: 903, Lot: 17, as per the recommendation of the Superintendent of Public Works.

RESOLUTION 17-039
CONFIRM APPOINTMENT TO THE
ARTS ADVISORY COMMITTEE

BE IT RESOLVED that the Millburn Township Committee confirms the Mayor's appointment of Maren Less as member to the Arts Advisory Committee with a term expiration of December 31, 2017.

RESOLUTION 17-040
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:

- Education Foundation of Millburn-Short Hills
Family and Children's Services
Morristown-Beard School
Hartshorn School PTO

**RESOLUTION 17-041**  
**RESOLUTION TO CLOSE SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances do exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters;

The general nature of the subject matter to be discussed is as follows:

a.) Current & Potential Litigation – Millburn Courtyard Associates, LLC and Rudder Realty Corp.

2. The minutes of the discussions shall be made public as soon as the matters under discussion are no longer of a confidential or sensitive nature.

3. This Closed Session will take place immediately following the regular meeting on Tuesday, January 17, 2017.

**New Business**

**Presentation by Silverman Group – Chatham Road Summit Medical Site**

Representatives from the Silverman Group were present to discuss potential development on Chatham Road. They used a PowerPoint presentation to outline their vision for an upscale, transit-oriented mixed use development. The architect described the plan to include 82 apartments and 10,000 square feet of medical office space. He also noted that the intended price point will be high, with one bedroom marketing for \$3,000 per month and 2 bedrooms marketing for \$4,500 a month. The Silverman representatives fielded a variety of comments from both the Township Committee and residents. Mayor Burstein advised that this project will have to go before the Planning Board but thanked them for sharing the information.

**Towing Ordinance Revisions**

Mr. McDonald explained that the Traffic Bureau is recommending changes and updates to the current towing ordinance. He gave a brief overview of the proposed revisions. He indicated that introduction of the revised ordinance was scheduled for the February 7, 2017 meeting.

**Public Discussion**

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

Robert Engel, resident of 46 Main Street, asked about the cost overruns for Phase One of Complete Streets. He was advised that the project was bid at \$3.8 million and there were two change orders, one for \$113,000 and the other for \$207,000.

Jamie Serruto, resident of 77 Jefferson Avenue, suggested that biographies and pictures of the Township Committee members be put on the website.

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Local merchants from Just Be Smooth and Jia came forward and asked when more information regarding the Complete Streets program will be available. They were advised that there will be periodic updates resulting from the Complete Streets Ad Hoc Meetings.

Betty Levin, residents of 117 Sagamore Road, asked about rumored turning issues at the intersection of Essex and Main. Mayor Burstein advised that is something that will be addressed by the Ad Hoc Committee.

Jamie Serruto, resident, asked if lines are going to be painted for the flexible parking. Mr. Tillotson said he believes it is part of the plan but he expects it to be looked at by the Ad Hoc Committee.

Cary Heller, resident of 56 Byron Road and owner of 343 Millburn Avenue, asked about the refuse from businesses in the downtown and used La Strada as an example of a business that is still able to use the municipal garbage service instead of a private contractor. He requested that there be equal treatment. He stated that Mr. McDonald has a responsibility to make recommendations to the Township Committee and hopes he will do so regarding this issue. He stated that township pickup for businesses are being phased out as businesses turn over, but some properties have not turned over. Mayor Burstein said the issue will be revisited in the future. Mr. Heller brought up the issue of municipal taxes, stating that Millburn has exceeded the cap and it shouldn't be at 4% year after year. He asked why Livingston has a volunteer fire department and Millburn does not? He suggested modeling ourselves after other communities and looking into additional shared services. He spoke about the sports fields and stated he is not thrilled with the current proposal and referred to research Richard Keller had done in the past on different locations for fields. He discussed his concerns with commuters cutting through town to get to the various highways in the area. He asked about a telephone pole behind a building on Millburn Avenue and was told that the Code Enforcement Officer is looking into it. He stated that he does not support the DMDA and feels it is not working. He commented that it is a large tax, which he would not mind paying if he got some results for the money. He asked to have lots #1 and #2 connected, stating it will allow easier access into the parking garage.

Betty Levin, resident of 117 Sagamore Road, suggested that the township sponsor an event recognizing Martin Luther King Jr. Day next year. Carol Kirsh expressed her support for this event.

**Closed Session**

Mayor Burstein asked if anyone has any remaining comments or questions, noting that they would be enter the closed session as per Resolution 17-041. The Committee reconvened to closed session at 9:15 PM.

**Adjournment**

Mayor Burstein asked if anyone has any remaining comments or questions. Receiving none, she called for a motion to adjourn the meeting which was offered by Mr. Levy and seconded by Mr. Tillotson. The meeting was adjourned at 9:55 PM.

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Christine A. Gatti, RMC  
Township Clerk

Approved: March 7, 2017