

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 Lieberberg 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 4, 2020.

Mayor Lieberberg 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, Jackie Benjamin Lieberberg, Tara B. Prupis, Dianne Thall Eglow and Richard J. Wasserman. Also present were Business Administrator Alexander McDonald, Township Attorney Brad Carney, Assistant Township Clerk Megan Patrick and Assistant Administrator Jimmy Homsi.

Approval of Agenda

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

Vote: All Ayes

Personnel

Confirm Appointments of Police Officers – Resolution 20-050

Police Chief Gilfedder provided background information on the candidates for promotion within the Millburn Police Department. Ms. Burstein made a motion to approve the resolution for appointment, which was seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

Mr. Homsi administered the Oaths of Office.

**RESOLUTION 20-050
CONFIRM POLICE DEPARTMENT PROMOTIONS**

WHEREAS, the Township of Millburn is in need of an additional Police Lieutenants; and

WHEREAS, Michael Fattal met the criteria set-down for Police Lieutenant and has gone through the appropriate selection process;

WHEREAS, Adam Norris met the criteria set-down for Police Lieutenant and has gone through the appropriate selection process;

WHEREAS, the Township of Millburn is in need of additional Police Captains; and

WHEREAS, David Bonney has met the criteria set-down for Police Captain and has gone through the appropriate selection process;

WHEREAS, Edward Blazinski has met the criteria set-down for Police Captain and has gone through the appropriate selection process;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, that confirmation is given to the promotions of Michael Fattal, Adam Norris, David Bonney and Edward Blazinski.

A brief recess was taken.

Minutes

Mayor Lieberberg asked for a motion to approve the January 7, 2020 Reorganization meeting minutes. The motion was made by Ms. Burstein and seconded by Ms. Thall Eglow.

Roll Call Vote: All Ayes

Reports

Mayor Lieberberg made and provided the following statement:

“PACTS (Pedestrian and Circulation Traffic Safety Ad Hoc Committee) —the Pacts Committee met on January 27th—we discussed the 5 items that were previously recommended and the committee discussed their prioritization of these items to focus on the following:

- I. Dunkin Donuts CROSSWALK
- II. Additional Parking LOT on ESSEX Street—

(The flex parking, reduction of bump outs and restoration of right turn lane will await the review by our new engineer). Deputy Mayor Prupis will speak about the Merchant meeting. “In take” sheets were distributed on Jan 29th. These findings will be discussed once the data has been reviewed and compiled.

CEDA (Advisory Committee on Culture, Engagement, Diversity and Arts) - FOUNDING DAY CELEBRATION—SUNDAY March 15th—at Bauer Center—(1 PM-4 PM—RAIN OR SHINE). Millburn was officially founded on March 20th and we will use this time to celebrate all things MILLBURN. We will have refreshments—pizza, drinks, desserts - Craft projects for our youngest residents, a Millburn Trivia Contest, Prizes, and games. Come listen to some local musicians including —Stan Tso—“the big romance band”—80s /classic rock with Harmony.

RAHWAY RIVER MEETING - I will be attending the Mayors’ Council Rahway River Watershed Flood Control, be hosted by Freeholder Bette Jane Kowalski on behalf of the Union County Board of Chosen Freeholders. I will be joined with Alex McDonald, our Business Administrator and Sara Sherman—President of SMCA—South Mountain Civic Association—that meeting will be tomorrow evening and I will report at the next Committee meeting regarding an update.

INTERNSHIPS - I am pleased to announce that we will be accepting resumes for the town hall internship program that will run from March –April through the summer and potentially into fall of 2020. Interested Students are invited to send their resumes. The complete job description is posted on the Town Hall website—under “Our community—job posting”—Jimmy Homsy will be managing this initiative for the Township. Interested students should send their resumes to Administrator@Millburntp.org . We anticipate a minimum of 5-8 hours per week initially which will increase during the summer months. Students will be paid \$11. Per hour--Opportunity is open to current—MHS SOPHOMORES and Juniors. We had tremendous success with our intern last year—award winning for our Recycling video. It is a great opportunity for a student to get to know the inner working of Municipal Government.

Medical Marijuana- All Committee members met last year with representatives from a company that is interested in coming to Millburn to establish a Medical Marijuana dispensary – At this juncture, the Committee will need to establish a formal procedure if there is support to move forward with this kind of facility. I will defer to Brad Carney—our legal counsel who can shed more light on this subject.”

Mr. Carney spoke about the need for the Township Committee to come up with a procedure regarding this circumstance. He spoke about strict regulations for medical marijuana centers and strongly suggested that the township offer internal procedures for how town hall would handle medical marijuana dispensaries.

Millburn Township Committee Meeting Minutes

Ms. Burstein spoke about the Library Board meeting. She announced that they will be hosting a Spring Museum night. She advised that the book sale will be held on April 25th and 26th. She stated that the book donations will be accepted beginning March 31st.

Ms. Prupis advised that PSAB (Pedestrian Safety Advisory Board) met on January 8th. She reported that the town has applied for a walkability study and is awaiting a response. She pointed out that they are looking at the middle school drop off procedure to see if improvements can be made. She advised that they are also considering traffic calming measures for the Wyoming School area. She stated that the Board of Education and township liaisons met and discussed getting a school resource officer, CEDA and internship program and keeping the lines of communication open between the Board of Education and Town Hall. Ms. Prupis advised that the Environmental Commission is looking at how greenhouse gasses can be reduced. She said they are also considering a resolution to oppose the proposed construction for the Turtle Back Zoo. She announced an upcoming meeting for the businesses in town regarding the single use plastic ban. Ms. Prupis spoke about a meeting held with the merchants regarding the PACTS recommendations. She spoke about a survey that was distributed to the merchants and how the township would like to reach out to the merchants in a variety of ways.

Ms. Thall Eglow provided the following report:

“Approximately 6 months ago the township was approached by GTI, Green Thumb Industries, who are interested in opening up a “Medical” Marijuana Dispensary. Medical Marijuana only, which is Legal in NJ. They are a premier Multi-state Level 1-3 Operator, meaning they have never had a violation in the 12 states they are licensed and operating in. Currently they have a cultivation and “medical”, dispensary in Paterson, NJ. This license allows them to open 1 additional satellite “medical” marijuana dispensary in NJ. They have leased the former liquor store on Morris Ave across from Bed & Bath. The Township would receive a 2% tax revenue off total sales. No other industry allows for that. Not the Short Hills Mall, nor the Millburn Deli. This money could be ear marked for specific use as determined by the Committee. GTI has requested a letter of zoning determination is required to be presented to the Board of Health before the application can move forward. This letter would show support for this use and determine that GTI meets all the necessary qualifications at that location, retail to retail use allowed within the zoning, a permitted use and parking requirements. Devra a Principle at GTI, who we have all met with, said they would be readily available to make a public presentation and to follow whatever guidelines determined by the Committee. This would give the township the ability to allow a medical marijuana dispensary in town.

Ms. Thall Eglow mentioned an upcoming event being held on February 29, 2020 between 11:00 AM and 12:30 PM at the Millburn Library. The event is being hosted by Moms Demand Action and Brady and is focusing on gun violence prevention. The goal of the event is to educate residents regarding activities at the local, state and federal level to reduce gun violence.

Mr. Wasserman spoke about the meeting with the Board of Education as the township’s liaison. He thinks good conversation is going on. He added that the Board of Education is going to clean up the bridge at the Middle School. Mr. Wasserman commended the Police Department for their traffic enforcement initiative. He said he is happy to see enforcement against aggressive driving. Mr. Wasserman stated that he felt the merchants meeting was an open and positive discussion.

Resolution

Mayor Lieberberg brought forth Resolution 20-051, speaking about female leadership in Millburn. Mayor Lieberberg asked for a motion. Ms. Burstein made a motion to approve Resolution 20-051, which was seconded by Ms. Prupis.

Roll Call Vote: All Ayes

Millburn Township Committee Meeting Minutes

RESOLUTION 20-051

SUPPORT FOR THE CELEBRATION OF THE 100TH ANNIVERSARY OF WOMEN'S SUFFRAGE

WHEREAS, the year 2020 marks the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, guaranteeing and protecting women's right to vote; and

WHEREAS, this centennial offers an opportunity to commemorate a milestone of democracy; that the right of citizens of the United States to vote shall not be denied or abridged by the federal or state governments on account of gender; and

WHEREAS, New Jersey has had a long, storied history in the suffrage movement with New Jersey women playing a crucial role in pursuing the rights of women to vote; and

WHEREAS, in 1776 women property owners were enfranchised under the New Jersey State Constitution, which was unique in the nation at the time. However, in 1807, the New Jersey Legislature eliminated the property requirement for voting rights and limited the ballot to white males; and

WHEREAS, in 1867 New Jersey residents Lucy Stone and Harry Blackwell organized the New Jersey Woman Suffrage Association (NJWSA), devoted to gaining women's suffrage; and

WHEREAS, in 1909 New Jersey's first open air suffrage rallies were held in Orange and Newark, led by Dr. Emma O. Gantz and Martha Klatshchken with NJWSA collecting 5,000 signatures for a petition in support of the federal amendment guaranteeing and protecting women's constitutional right to vote; and

WHEREAS, although the 1912 state referendum on woman's suffrage was soundly defeated in the New Jersey Legislature a corner was turned for the New Jersey suffrage movement; and

WHEREAS, in 1913 an automobile rally led by "General" Rosalie Jones traveled through New Jersey on the way to Washington, D.C., in a Suffrage Parade of over 8,000 marchers with many New Jersey women including event organizer Alice Paul; and

WHEREAS, in 1915 a second suffrage constitutional referendum was pursued in New Jersey, New York, Pennsylvania, and Massachusetts with active campaigns by many suffrage organizations, including the "Passing of the Torch of Liberty" via tug boats on the Hudson River from New York to New Jersey, but was defeated in all four states October 1915; and

WHEREAS, in 1917 New Jersey suffragists Allison Turnbull Hopkins, Julia Hulburt, Beatrice Reynolds Kinkead, and Minnie D. Abbott picketed in front of the White House as part of the Silent Sentinels and subsequently were arrested and imprisoned; and

WHEREAS, on June 4, 1919 Congress passed the 19th Amendment guaranteeing all American women the right to vote; and

WHEREAS, on February 9, 1920, New Jersey became the 29th state to ratify the 19th Amendment granting women the right to vote; and

WHEREAS, shortly after the ratification of the 19th Amendment Margaret Laird and Jennie Van Ness were the first two women elected to the New Jersey Assembly in 1921 and in 1925 Rebecca Estelle Bourgeois Winston of Estell Manor was New Jersey's first woman mayor;

NOW, THEREFORE, BE IT RESOLVED, in honor of the 100th Anniversary of the Ratification of the 19th Amendment the Township of Millburn will light the municipal building in purple, one of the colors of the New Jersey Suffrage movement, for the week of February 10;

BE IT FURTHER RESOLVED that the Township of Millburn supports the efforts of New Jersey's Suffrage Centennial NJ Women Vote and strongly encourages local celebrations of this historic milestone;

BE IT FURTHER RESOLVED, a copy of this resolution will be forwarded to the Governor, Secretary of State and New Jersey League of Municipalities.

Millburn Township Committee Meeting Minutes

Reports

Mayor Lieberberg returned to the reports portion of the agenda.

George Serio, Essex County Representative, came forward and provided a brief update on Essex County events and spoke about the importance of the 2020 census.

Mr. McDonald advised that the township is having a study done to analyze proper staffing level for the police department. He announced that a professional service agreement will be awarded to IMS, who will be conducting a road analysis throughout town and will provide a GIS layover. He stated that he is working with the County to try to reduce the speed on upper Millburn Avenue and to have signage posted. He advised that the township is looking into a resident shopper permit. Mr. McDonald announced that the township is applying for a \$150,000 open space grant from Essex County, stating that the intended use would be to repair the bridges in Taylor Park.

Presentation

Essex County District 4 Freeholder Leonard Luciano on South Mountain Reservation / Turtle Back Zoo Enhancements

Mayor Lieberberg welcomed Leonard Luciano, District 4 Freeholder of the Essex County Board of Chosen Freeholders, who was present to discuss the plan for Turtle Back Zoo Enhancements in the South Mountain Reservation. Mr. Luciano provided a history of his background and work with the Essex County Freeholder Board. He reviewed the proposed plans to enhance the Turtle Back Zoo, which would include the removal of 100 mature trees in order to construct an amphitheater alongside the current zoo property. The purpose of the amphitheater is to accommodate the demand for additional educational space. Mr. Luciano explained that approximately 500 saplings would be planted to replace the trees that would be cut down for the project in an effort to minimize the environmental impact. Mr. Luciano also stated that the County has applied for and received a \$4 million dollar grant from the State that they will use toward the project. He advised that the receipt of the money has motivated the County to go out to bid.

Mr. Luciano addressed questions from the Township Committee. He responded to Ms. Thall Eglow's question regarding flooding in the South Mountain neighborhood by discussing the difficulty in predicting flooding issues. He spoke about a rain garden as part of the project, which may mitigate flooding issues. Ms. Burstein asked where the replacement trees would be going and was advised that they would be placed around the facility and spread throughout the reservation. Mr. Wasserman commented that people have concerns with a limited amount of open space and development of that space makes people nervous. He asked for assurance that there would not be additional development. Mr. Luciano replied that as far as he knows it is the last major zoo project.

Mayor Lieberberg opened the floor to public comment and questions.

Judy Rosenthal, of 97 Main Street, expressed her opposition to the project based on a number of factors that she outlined for Mr. Luciano.

Virginia Lamb Faulkner, a resident of Maplewood, expressed her opposition stating it violates the master plan.

Phil Kirsch, of 93 Cedar Street, expressed his opposition to the plan base on his concerns regarding continuing development.

Carol Kirsch, of 93 Cedar Street, concurred with the previous statements opposing the project and expressed concerns for the animals on display and light pollution.

Millburn Township Committee Meeting Minutes

Joyce Ruden, of West Orange, spoke about the original intentions for the park and expressed opposition based on it being an inappropriate environment for the animals and suggested it will cause climate destruction.

Sally Malanga, of West Orange, spoke about her opposition to the project noting the increased traffic from events and the expansion.

Odarka Stockert, of 29 Norwood Terrace, asked about the timeline of the project and calculations of rate of pave over of the reservation.

No other comments or questions were presented. Mayor Lieberberg thanked Mr. Luciano for attending the meeting.

Public Comment – Consent Agenda

Mayor Lieberberg asked if there were any comments or questions regarding items on the Consent Agenda. Ms. Thall Eglow asked for clarification regarding Resolution 20-059, which was provided by Mr. McDonald. No other comments or questions were presented.

Consent Agenda

Mayor Lieberberg asked for a motion to approve the items on the consent agenda. Mr. Wasserman made a motion to approve the consent agenda which was seconded by Ms. Burstein.

Roll Call Vote: All Ayes

**RESOLUTION 20-052
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 4th, 2020, in the following accounts:

General	\$	559,616.88
Capital Fund		270.00
Parking Utility - Operating Fund		7,521.11
Dog Trust Fund		143.10
Donation Trust Fund		1,400.00
Escrow Trust Fund		11,665.81
Police Off Duty Trust Fund		20,668.00
Waste Recycling Trust		8,062.50

**RESOLUTION 20-053
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;

<u>Make check payable to:</u>	<u>Type</u>	<u>Amount</u>
Michael & Katherine Becker and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 3002 Lot 9 27 Joanna Way	Tax Appeal 2018 taxes (\$1,843.04) 2019 taxes (\$3,800.17)	\$5,643.21
Howard & Stephanie Vogel and	Tax Appeal	\$9,412.60

Millburn Township Committee Meeting Minutes

Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 4701 Lot 9 492 White Oak Ridge Rd.	2018 taxes (\$4,195.81) 2019 taxes (\$5,216.79)	
Yong Cai & Yun Fan and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 4206 Lot 2 890 South Orange Ave.	Tax Appeal 2017 taxes (\$3,634.05) 2018 taxes (\$7,528.12) 2019 taxes (\$11,498.94)	\$22,661.11
James & Kathleen Pellicane and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 3301 Lot 29 23 Hemlock Rd.	Tax Appeal 2018 taxes (\$3,708.90) 2019 taxes (\$3,763.50)	\$7,472.40
Douglas & Valerie Wilde and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 5005 Lot 35 39 Briarwood Dr.	Tax Appeal 2019 taxes	\$7,999.85
Charles & Rosemary Ellinwood and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 2207 Lot 9 94 Highland Ave	Tax Appeal 2016 taxes	\$8,148.58
Laurie Leitner and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 3704 Lot 2 16 Robert Drive	Tax Appeal 2015 taxes (\$6,003.46) 2016 taxes (\$6,143.21)	\$12,146.67
Lynn V. Chang and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 2104 Lot 15 31 Forest Drive North	Tax Appeal 2018 taxes (\$5,148.71) 2019 taxes (\$8,119.51)	\$13,268.22
Ravi & Manuja Mattu and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 3001 Lot 10 125 Stewart Rd	Tax Appeal 2016 taxes (\$9,059.72) 2018 taxes (\$4,161.58) 2019 taxes (\$4,222.84)	\$17,444.14

Millburn Township Committee Meeting Minutes

Michael & Sara Kotlarz and Michael Vespasiano Attorney Trust Account 331 Main Street Chatham, NJ 07928 Block 4004 Lot 12 102 Hartshorn Drive	Tax Appeal 2018 taxes (\$5,504.39) 2019 taxes (\$5,585.42)	\$11,089.81
Law Office of Jason S. Lustbader LLC & Jennifer Chalsty 14 Pine Street, Suite 5 Morristown, NJ 07960 Block 2103 Lot 10 24 Taylor Rd	Tax Appeal 2018 taxes (\$17,106.59) 2019 taxes (\$21,218.42)	\$38,325.01
Jennifer R. Jacobus Trustee and Eray Donmez 201 Littleton Rd. 1 st FL. Morris Plains, NJ 07950 Block 1604 Lot 36 21 The Crescent	Tax Appeal 2019 taxes	\$4,521.99
Jennifer R. Jacobus Trustee and Rita Singh 201 Littleton Rd. 1 st FL. Morris Plains, NJ 07950 Block 4903 Lot 46 389 Long Hill Drive	Tax Appeal 2019 taxes	\$3,817.54
Victor & Marjon Dean Stansberry 42 Whitney Rd Short Hills, NJ 07078 Block 1207 Lot 30 42 Whitney Rd	Tax Appeal 2019 taxes Added assmt.	\$17.37
KC Gaurau & Shilpika Dhakal C/o Valerie Hofer Esq. Trust Account 120 Lebbie Lane Fairless Hills PA 19030 Block 1201 Lot 4 22 Hobart Ave	Tax Appeal 2018 taxes	\$296.71
BE IT FURTHER RESOLVED that the following tax appeals be processed between the 45 th and 60 th day from the date of judgment;		
Stephen & Lisa Angelson and McCarter & English LLP Four Gateway Center 100 Mulberry Street Newark, NJ 07102 Block 3503 Lot 23 115 Hemlock Rd.	Tax Appeal 2019 taxes	\$3,198.01
Giselle Realty LLC by CB Restaurants Inc. C/O Zipp & Tannenbaum LLC 280 Raritan Center Pkwy Edison, NJ 08837 Block 1212 Lot 12 35 Main St.	Tax Appeal 2018 taxes	\$2,090.30
Law Office of Jason S. Lustbader LLC & Michael & Jill Solomon 14 Pine Street Suite 5	Tax Appeal 2019 taxes	\$8,299.00

Morristown, NJ 07960
Block 2801 Lot 12
9 West Beechcroft Rd.

RESOLUTION 20-054

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 AND DESIGNATING A \$5,403,022 BOND ANTICIPATION NOTE, DATED JANUARY 30, 2020 AND PAYABLE JANUARY 29, 2021, 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 \$5,403,022 Bond Anticipation Note, dated January 30, 2020 and payable January 29, 2021 (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;

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.

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 Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" 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 2020.

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 Note) during the calendar year 2020.

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 Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2020 dated as of the date of delivery of the Note.

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

Millburn Township Committee Meeting Minutes

RESOLUTION 20-055

**AUTHORIZING THE AWARD OF A CONTRACT FOR INFRASTRUCTURE ASSET MANAGEMENT SERVICES
[INFRASTRUCTURE MANAGEMENT SERVICES, LLC]**

WHEREAS, the Township of Millburn requires the performance of professional infrastructure asset management services for conducting a street network inventory and GIS integration system for use by the Township; and

WHEREAS, the Township is in receipt of a proposal from Infrastructure Management Services, LLC dated December 19, 2019 for a “Infrastructure Asset Management Program”; and

WHEREAS, the services to be rendered require the performance of professional services which are authorized to be awarded by Contract pursuant to N.J.S.A. 40A:11-5(1)(a);

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

1. The Township Committee hereby awards a Professional Services Contract to Infrastructure Management Services, LLC, 36 Haverhill Road, Amesbury, Massachusetts 01913, to perform the services described in the Proposal dated December 19, 2019. All of the above, including all terms related to the provision of services, shall be as set forth in an Agreement in a form approved by the Township Attorney.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. The Mayor and Township Clerk are authorized and directed to execute an Agreement with Infrastructure Management Services, LLC as above set forth.
4. The Township Clerk is authorized and directed to publish notice of this action in accordance with N.J.S.A. 40A:11-5(1)(a)(i).
5. This Resolution shall take effect as provided by law.

RESOLUTION 20-056

**AUTHORIZING AND AWARDED A PROFESSIONAL SERVICES CONTRACT WITH MASER CONSULTING PA
FOR THE PERFORMANCE OF TRAFFIC ENGINEERING CONSULTING SERVICES**

WHEREAS, the Township of Millburn requires the performance of a professional Traffic Engineering Consultant; and

WHEREAS, the Township is in receipt of a proposal from Maser Consulting P.A. dated January 17, 2020 for a “On-Call Traffic Engineering Services”; and

WHEREAS, the services to be rendered require the performance of professional services which are authorized to be awarded by Contract pursuant to N.J.S.A. 40A:11-5(1)(a);

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

1. The Township Committee hereby awards a Professional Services Contract for Traffic Engineering Services to Maser Consulting P.A., 1000 Waterview Drive, Suite 201, Hamilton, NJ 08691, to perform the services described in the Proposal dated January 17, 2020. All of the above, including all terms related to the provision of services, shall be as set forth in an Agreement in a form approved by the Township Attorney.
2. This contract is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because of the qualitative nature of the service provided.
3. The Mayor and Township Clerk are authorized and directed to execute an Agreement with Infrastructure Management Services, LLC as above set forth.
4. The Township Clerk is authorized and directed to publish notice of this action in accordance with N.J.S.A. 40A:11-5(1)(a)(i).
5. This Resolution shall take effect as provided by law.

Millburn Township Committee Meeting Minutes

RESOLUTION 20-057

AUTHORIZATION FOR THE TOWNSHIP OF MILLBURN TO APPLY FOR AND ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2019 OF DEPARTMENT OF LAW AND PUBLIC SAFETY FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO CERTIFY THE AVAILABILITY OF FUNDS

WHEREAS, the Township of Millburn, Office of Emergency Management has been awarded Emergency Management Performance Grant, Emergency Management Agency Assistance (EMAA) #FY19-EMPG-EMAA-0712, CDFA#: 97.042 from the New Jersey Department of Law and Public Safety Office of the Attorney General and the Subgrant, consisting of a total amount of up to \$21,264.29, including up to \$10,000.00 Federal Award and up to \$11,264.29. Local Matching Funds, is for the purpose of enhancing the Township of Millburn’s Emergency Management Program and that the funds will be used for Emergency Management purposes; 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 Department of Law and Public Safety Office of the Attorney General, has submitted an Application for Subgrant Award that has been required by the said New Jersey Department of Law and Public Safety Office of the Attorney General; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of up to \$11,264.29 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 Township Committee of the Township of Millburn accepts the award of the FFY19 Emergency Management Performance Grant, Emergency Management Agency Assistance (EMAA) Grant Program Subgrant in the amount of up to \$10,000.00 Federal Funds; and

BE IT FURTHER RESOLVED that the like sum of up to \$11,264.29 is hereby appropriated under the caption FFY19 Emergency Management Performance Grant, Emergency Management Agency Assistance (EMAA) Grant and the sub-award period of the grant shall be from July 1, 2019 to June 30, 2020; 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 20-058

APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE ESSEX COUNTY RECREATION AND OPEN SPACE TRUST FUND ADVISORY BOARD – 2020 LOCAL AID PROGRAM

BE IT RESOLVED that the Township Committee of the Township of Millburn, in the County of Essex, New Jersey does hereby approve the submission of a grant application to the Essex County Recreation and Open Space Trust Fund Advisory Board – 2020 Open Space Local Aid Program for renovation projects in Taylor Park including bridge repair and resurfacing located at 100 Main Street in Millburn Township;

BE IT FURTHER RESOLVED that the appropriate Township Officials are hereby authorized to submit the grant application on behalf of the Township of Millburn.

Millburn Township Committee Meeting Minutes

**RESOLUTION 20-059
AUTHORIZING ADVERTISEMENT OF BIDS -
OPEN AIR CAFE**

BE IT RESOLVED by the Township Committee 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:

Open Air Café

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 20-060
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,

Millburn Township Committee Meeting Minutes

Cranford Police Cooperative Pricing Council, and The Educational Services County Commission of Morris County shall be from January 1, 2020 to December 31, 2020.

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 ECSNJ Contract 18/19-02
	W.B. Mason	MCCPC Contract # 30 (paper)
	The Office Concepts Group	MCCPC Contract # 16
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
Electrician Services	MTB Electric	MRESC Contract #15/16-24
Technology Supplies & Services Connection		State Contract #MNWNC-117 #MNWNX-115 #MNWNG-119
	Johnston Communications	State Contract #88766
	Dell	State Contract #88796
Police Vehicles	Beyer Ford	MCCPC - # 15-A CPCPS - #19-01
Sporting Goods-Clothing	RnR Trophy & Sporting Goods	Co-op Contract # 20-A
Vehicles, Passenger Vans	Mall Chevrolet	State Contract # 88229 CPCPS - #19-01
Bullets	Eagle Point Gun	State Contract # 17DPP00046
Street Signs/Cones	Garden State Highway	MCCPC # 28
Police Vehicles	Hertrich Fleet Service	State Contract # a88729
Copier Services	Ricoh	State contract # A40467
Firefighter Equipment	Firefighter One	State Contract # 17-Fleet-00807
Firefighter Equipment	Lion First Responder	State Contract # 17-Fleet-00837
Firefighter Equipment	Morning Pride Manufacturing	State Contract # 17-Fleet-00810
Records Management	File Bank	Ed. Data Services - # 9172
Records Management	File Bank	Ed. Data Services - # 9172
Police Equipment	Triangle Communications	State contract # 81343, 83976, 81335, 81375 MCCPC # 41
Police Equipment	Life Savers	State Contract # 84689
Police Vehicles & Equipment	Major Automotive	MCCPC # 41
Police Equipment	Watch Guard	State Contract # 00793

Millburn Township Committee Meeting Minutes

BE IT FURTHER RESOLVED that this resolution replaces Resolution 20-031 adopted by the Millburn Township Committee on January 7, 2020.

New Business

Mayor Lieberberg asked if anyone had new business to present. Ms. Thall Eglow made and provided the following statement:

“I attended the NJ Planning Conference in New Brunswick. I attended several sessions about revitalization of Downtowns. There were presentations by Maplewood’s Mayor Frank McGhee and the executive directors of Cranford and Highland Park’s Downtown/ Special Improvement Districts. (SID/BID). What we knew as Millburn’s DMDA. These towns are all excellent examples of progressive thinking by continuing to bring new and exciting ideas and innovations that invite people INTO their downtowns. They stressed the importance of having buy in from all 3 sectors; the PUBLIC (merchants and commercial property owners), PRIVATE (residents) & CIVIL (the governing body).

The importance of Paint and Cones before anything permanent, start with small projects. Many great ideas do not cost thousands of dollars. Volunteers are vital! These improvement districts, by any name, help brand and advertise the town, create excitement and buzz and generate traffic. There were so many examples. Races, pie contests, painting on store windows, parades, Murals on the sides of buildings, painted cross walks for safety, visibility and FUN!

I have spoken to Mr. McDonald about the silicon wraps that you see in many towns that decorate and beautify the utility boxes, I think we have 20 (?) in town. This can be an art contest, or perhaps they can be purchased from a vendor. We spoke about the Paper Mill, which is owned by the town using one to promote the theater. I have asked the Business Administrator if it would be possible to keep the light poles wrapped downtown with the white holiday lights. Highland Park did this not for the holidays, but to actually help brighten their main street.

The Organization Main Street America will be a great resource if Millburn would like to reestablish its Special Business Improvement District. I believe this is an important first step in the revitalization of our downtown. The merchant’s and property owner’s support will be paramount. It will take a lot of discussion, and then time for the town Attorney to create a resolution and then of course more discussion. This will take time, but is there interest? I am asking the other Committee members to start this conversation if there is still interest.”

Ms. Burstein said she thinks it is an interesting concept and said she would like further information.

Public Comment

Mayor Lieberberg opened the floor to public comment.

Ed Mazer, of Greenwood Drive, asked for clarification on the resolutions regarding the bond anticipation notes, the infrastructure survey and the traffic engineer. Mr. McDonald clarified the resolutions for Mr. Mazer.

Judy Rosenthal, of 97 Main Street, spoke about and provided a copy of a sample resolution to oppose the Reservation project.

Richard Futter, of 333 Millburn Avenue, asked for clarification regarding Ms. Thall Eglow’s statement regarding the downtown improvement group. He suggested looking at a variety of different avenues if any group was going to be formed regarding the downtown.

Cary Heller, of 56 Byron Road and 343 Millburn Avenue, questioned why there is public comment on the agenda as opposed to a public discussion. He presented a number of questions and made comments regarding a variety of issues and concerns throughout the town.

February 4, 2020

Millburn Township Committee Meeting Minutes

Mayor Lieberberg asked if anyone else had a public comment. Seeing none, she moved forward with the meeting.

Old Business

Mr. McDonald spoke about issues with the timing of the lights in the downtown. He asked if he had consensus from the Committee to task the traffic engineer with looking at the timing to see if it will impact traffic flow. The Committee agreed for Mr. McDonald to move forward with tasking the traffic engineer to work on this project.

Ms. Thall Eglow asked when Mazer would be coming to discuss the PACTS recommendations. Mr. McDonald advised that he is working on scheduling them for one of the upcoming meetings.

Adjournment

Mayor Lieberberg asked if anyone has any remaining comments or questions. Receiving none, she called for a motion to close the public session of the meeting, which was offered by Mr. Wasserman and seconded by Ms. Prupis. The meeting was adjourned at 9:45 PM. Vote: All Ayes

Christine A. Gatti, RMC
Township Clerk

Approved: March 3, 2020