

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 and remotely starting at 7:00 PM on the above date.

Mayor Prupis 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 Town Hall and remotely at 7:00 PM on June 15, 2021.

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

Upon call of the roll, the following Committee members were recorded present: Maggee Miggins, Tara B. Prupis, Dianne Thall Eglow, Richard J. Wasserman and Sanjeev Vinayak.

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

Approval of Agenda

Mayor Prupis advised that Resolutions 21-174 and 21-183 were removed from the agenda for consideration and asked for a motion to approve the revised agenda. The motion was offered by Mr. Wasserman and seconded by Mr. Vinayak.

Vote: All Ayes

Minutes

Mayor Prupis asked for a motion to approve the March 23, 2021 regular meeting minutes. The motion was made by Ms. Miggins and seconded by Ms. Thall Eglow.

Vote: All Ayes

Proclamation

Mr. Wasserman brought forth a Proclamation promoting the police community and neighborhood camaraderie with the celebration of National Night Out. Mr. Wasserman noted while he presented the proclamation that residents were urged to engage and join the Township Watch Association and the Police Department for National Night Out on August 3rd.

Personnel Resolutions

Resolution 21-166

Police Chief Brian Gilfedder provided a background on the officers being recommended for promotion. Mayor Prupis acknowledged the recommended promotions of two Police Officers via Resolution 21-166 and asked for a motion to approve the resolution. A motion to approve the resolution was made by Mr. Wasserman and seconded by Ms. Miggins.

Roll Call: All Ayes

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Township Clerk, Ms. Gatti, proceeded with the Oath of Office for the Police Officers being prompted.

Mayor Prupis called for a brief recess.

**RESOLUTION 21-166
CONFIRM POLICE DEPARTMENT PROMOTIONS**

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

WHEREAS, Gilbert Tavares 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 Sergeant; and

WHEREAS, Peter Smeraldo has met the criteria set-down for Police Sergeant 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 Gil Tavares and Peter Smeraldo.

Reports

Mayor Prupis reported that the Sign Ordinance Review Subcommittee finalized the community survey for residents and it would be mailed out Friday, June 18th. She stated that the Taylor Park Revitalization Subcommittee had continued to work to finalize the landscaping architect RFP. She review the registration details for *Tour de Millburn* event scheduled for September 12th. She announced that the township posted a public information ZOOM webinar meeting scheduled for June 16th at noon. She advised that the goal was to provide information as to what redevelopment was needed and what studies for the redevelopment were required. She added that anyone who wished to participate in the webinar must register in advance. She announced that a party celebrating the dedication and hard work of volunteers would be hosted on Tuesday, June 22nd. She reminded residents that anyone who wanted to meet with her during her scheduled hours was welcome to do so by sending her an email to schedule a meeting.

Ms. Thall Eglow reported that the Pride Flag event had a great turnout and thanked the community for supporting the event. She further acknowledged the inaugural class of five young girls who attained the rank of Eagle Scout, which had only been available to young boys for over 100 years. She announced the Troop 19 inaugural class of Eagle Scouts and congratulated them.

Ms. Miggins congratulated Troop 19's inaugural class.

Ms. Miggins reported that the Shade Tree Advisory Board had their arboretum meeting and noted that the Forester reported a positive outlook on the botanical collection in the township as it provided signs of a good ecosystem. She stated that several openings for the 4 year old summer program had opened for residents looking to register children. She reported that the cost to the township to replace the arboretum sign was estimated anywhere from \$5,000 to \$7,000. She stated that the Historic Preservation Commission inquired about several old records that were needed for a survey from the Historic Society and they were not collaborating. She asked Mr. McDonald follow up and advise if a person who served on the Historical Society could also perhaps serve on the Historic Preservation Commission.

Mr. Wasserman noted that the Police Department promotions had brought the department to a full staff department. He reported that the sculpture, "We are All Together Now" was almost complete. Explore Millburn Short Hills was working on a social media project "Meet the Merchants. He reminded residents of the summer concerts in town.

Mr. Vinayak reported that the Board of Recreation had been working hard on raising funds for the library field lights.

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Mr. Falcon provided an update on the contract documents being reviewed for the library renovation project and advised that the project would be halted due to Election Day and expected it to continue after. He informed the Committee that mediation had continued and would provide additional updates once available.

Mr. McDonald provided a brief reminder of the events scheduled for July 4th in the Township. He advised the community of the closure of Main Street beginning June 24th. He reported that the preemptive light system was now completed and was working downtown for emergency vehicles. He advised that the Township Committee meeting would resume full in-person meetings as of August 11th.

Mayor Prupis commented on an incident that occurred over the weekend of June 5th. She stated that Mr. Jeffery Feld, an attorney who resides in the township, issued an email to various members of the community and state and spoke on the health and wellbeing of certain Township Committee members. She voiced her discontent with his insensitive remarks and stated that the Township Committee was appalled by the statement made. Further, this invasion of privacy was targeted, callous and made with incredibly poor taste.

Presentations

Whittingham Triangle Pollinator Garden and Website Update, Millburn Creative Collective by Mr. Mark Robison

Mr. Mark Robison, Chair of Creative Collective, provided a brief report on the triangle pollinator garden. He stated that the efforts were led by a volunteer subcommittee of the Millburn Township Green Team with the goal of using empty green space and with community collaboration to create an artistic vibrancy, cultural diversity, economic health, and environmental wellbeing area. He reviewed the plans of planting in the triangle area and stated that funds for the project had come from grant-approved funding. Lastly, he informed the community of a planting day for June 26th.

Mr. McDonald advised that the announcements would be posted on the township website.

Mayor Prupis thanked Mr. Robinson for his hard work on the Triangle Pollinator Garden.

Mr. Robinson advised the community that Creative Collective launched a website. He stated that the Millburn Creative Collective would post events around Millburn and anyone with creative events were encouraged to join. He thanked the Governing Body for their support and funding of the Creative Collective projects.

Public Comment – Consent Agenda

Mayor Prupis asked if there were any comments or questions from the Committee regarding items on the Consent Agenda Resolutions.

Ms. Miggins questioned the vendors obtaining the liquor licenses by resolutions which were reviewed.

No other comments or questions were presented.

Mayor Prupis stated that Resolutions 21-172, 21-173, and 21-184 will be considered separately from the consent agenda and asked for a motion to approve Resolution 21- 167 through 21-185 with the noted amendment. A motion to approve consent agenda was made by Ms. Miggins and seconded by Mr. Wasserman.

Roll Call: All Ayes

Consent Agenda

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

Roll Call Vote: All Ayes

**RESOLUTION 21-167
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 June 15, 2021, in the following accounts:

| | | |
|----------------------------------|----|------------|
| General Fund | \$ | 669,635.40 |
| Capital Fund | | 49,885.00 |
| Parking Utility - Operating Fund | | 9,041.07 |
| Dog Fund Trust | | 208.50 |
| Escrow Trust Fund | | 6,549.50 |
| Police Off Duty Trust Fund | | 49,128.00 |
| PATFA II | | 1,109.00 |

**RESOLUTION 21-168
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> |
|---|--|---------------|
| Brach Eichler LLC & Justin & Alexandra Freedman 101 Eisenhower Parkway Roseland, NJ 07068 Block 2205 Block 10 82 Knollwood Road | Tax Appeal 2019 taxes (\$1,746.65) 2020 taxes (\$1,261.53) | \$3,008.18 |
| Spiotti & Associates, P.C. & Youxun Shen 271 US Highway 46 Ste. F105-106 Fairfield, NJ 07004 Block 4202 Lot 5 17 Fenton Drive | Tax Appeal 2019 taxes (\$2,949.04) 2020 taxes (\$2,942.93) | \$5,891.97 |
| Timothy B. Middleton Esq. & Stephen & Suzanne Loughrey 2517 Highway 35 Building K – Suite 101 Manasquan, NJ 08736 Block 1502 Lot 18 71 Hillside Ave | Tax Appeal 2017 taxes (\$8,344.58) 2018 taxes (\$8,551.39) 2019 taxes (\$8,677.28) | \$25,573.25 |

BE IT FURTHER RESOLVED that the following tax appeals be processed between the 45th and 60th day from the date of judgment;

| | | |
|--|--|------------|
| Wolf Vespasiano LLC Attorney Trust Account & Slava & Inna Manevich 331 Main Street Chatham, NJ 07928 Block 1001 Lot 1 C001 69A Mechanic Street | Tax Appeal 2019 taxes (\$482.50) 2020 taxes (\$385.20) | \$867.70 |
| Wolf Vespasiano LLC Attorney Trust Account & | Tax Appeal 2020 taxes | \$2,804.26 |

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Jason Pereira & Anita Ahuja
 331 Main Street
 Chatham, NJ 07928
 Block 1901 Lot 14
 300 Taylor Road North

Wolf Vespasiano LLC
 Attorney Trust Account &
 Dhanya Anand & Anand Ramachandran
 331 Main Street
 Chatham, NJ 07928
 Block 2207 Lot 9
 94 Highland Ave

Tax Appeal
 2020 taxes
 \$3,254.94

Wolf Vespasiano LLC
 Attorney Trust Account &
 David A. Kiken
 331 Main Street
 Chatham, NJ 07928
 Block 2502 Lot 5.01
 270 Old Short Hills Rd

Tax Appeal
 2019 taxes
 (\$5,118.36)
 2020 taxes
 (\$7,033.75)
 \$12,152.11

Wolf Vespasiano LLC
 Attorney Trust Account &
 Mahesh Sinkar & Nivaskar Shilpa
 331 Main Street
 Chatham, NJ 07928
 Block 3605 Lot 5
 69 Falmouth Street

Tax Appeal
 2018 taxes
 (\$4,199.62)
 2019 taxes
 (\$6,191.44)
 2020 taxes
 (\$6,178.61)
 \$16,569.67

Wolf Vespasiano LLC
 Attorney Trust Account &
 Sung Jin Lee
 331 Main Street
 Chatham, NJ 07928
 Block 3802 Lot 20
 29 Lee Terrace

Tax Appeal
 2018 taxes
 (\$1,603.39)
 2019 taxes
 (\$1,626.99)
 \$3,230.38

Wolf Vespasiano LLC
 Attorney Trust Account &
 Sandra Mariannelli
 331 Main Street
 Chatham, NJ 07928
 Block 2801 Lot 55
 11 Wildwood Dr.

Tax Appeal
 2017 taxes
 (\$436.16)
 2018 taxes
 (\$1,397.97)
 2019 taxes
 (\$1,418.55)
 2020 taxes
 (\$1,415.61)
 \$4,668.29

Wolf Vespasiano LLC
 Attorney Trust Account &
 Michal & Izabela Ostrowski
 331 Main Street
 Chatham, NJ 07928
 Block 1301 Lot 3
 17 Hillside Way

Tax Appeal
 2020 taxes
 \$3,185.60

Wolf Vespasiano LLC
 Attorney Trust Account &
 Edward & Lily Maguire
 331 Main Street
 Chatham, NJ 07928
 Block 211 Lot 8

Tax Appeal
 2019 taxes
 \$324.24

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23 Bailey Rd.

Jennifer R. Jacobus Trustee & Zhiyuan Wang & Xiaoluo Yuan 201 Littleton Rd Ste. 100 Morris Plains, NJ 07950 Block 2111 Lot 11 8 Wyndham Rd.

Tax Appeal 2020 taxes

\$2,642.47

RESOLUTION 21-169 AUTHORIZE THE REFUND OF SEWER OVERPAYMENTS

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

Table with 3 columns: Make check payable to, Type, Amount. Row 1: Wei Lu, 2021 Sewer Payment error Sewer Overcollection, \$176.82

RESOLUTION 21-170 AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the Municipal Tax Sale held on November 24, 2015, a lien was sold on Block 906 Lot 27 Qualifier C542A, Tax Sale Certificate No. 2015-002 also known as 206 Main St. C542A, Millburn, NJ 07041 and assessed to Alan Hirschfeld for 2014 delinquent taxes and;

WHEREAS, this lien was sold to Robcyn Holding Corp. for 0% interest on the certificate and a \$22,000.00 premium; and

WHEREAS, Howard J. Wasserman of Wasserman & Associates, LLC has requested redemption on behalf of Alan Hirschfeld;

NOW, THEREFORE BE IT RESOLVED, that the treasurer of Millburn Township be authorized to issue two checks in the amounts of \$48,291.07 for redemption of the lien and \$22,000.00 for the return of the premium. Each check payable to Robcyn Holding Corp.;

Treasurer's Note: 1099: \$17,279.31

RESOLUTION 21-171 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MYRTLE AVENUE ROAD IMPROVEMENTS FROM GLEN AVE. TO THE MAPLEWOOD TOWN LINE

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the 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-2022-Millburn Township - Myrtle Avenue Road Improvements to the New Jersey Department of Transportation on behalf of the Township of Millburn;

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

RESOLUTION 21-175

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REQUESTING APPROVAL OF
ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Millburn in the County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 20212 in the sum of \$42,298.83 which is now available from the State of New Jersey Solid Waste Administration FY 2021 Clean Communities;

BE IT FURTHER RESOLVED, that the like sum of \$42,298.83 is hereby appropriated under the caption State of New Jersey Solid Waste Administration FY 2021 Clean Communities;

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Solid Waste Administration FY 2021 Clean Communities in the amount of \$42,299.83.

**RESOLUTION 21-176
AUTHORIZING ADVERTISEMENT OF BIDS -
RESURFACING OF SLAYTON TENNIS COURTS**

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:

Resurfacing of Slayton Tennis Courts

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 21-177
TEMPORARY AND EXTENDED CLOSURE OF
A SECTION OF MAIN STREET**

WHEREAS, the COVID-19 Global Health Pandemic has and continues to have a significant negative economic impact on restaurants and eateries located in the Township of Millburn; and

WHEREAS, by Resolution No. 20-137, approved on June 16, 2020, the Township Committee temporarily expanded outdoor dining to help the Township’s restaurants and eateries during this difficult time; and

WHEREAS, the Millburn Township Committee understands the positive economic and community impact resulting from the closure of Main Street; and

WHEREAS, the Township Committee authorizes the closure of a section of Main Street between Millburn Avenue and Essex Street from June 24, 2021 through August 30, 2021; and

WHEREAS, the purpose of the closure is to offer restaurants and eateries additional space to set up tables and chairs for outdoor dining and create a vibrant atmosphere to attract patrons for all downtown businesses;

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NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLBURN:

- 1.) Main Street shall be closed to vehicular traffic between Millburn Avenue and Essex Street from June 24, 2021 through August 30, 2021.
2.) During the temporary closure of Main Street, the detour routes shall be along the municipal roadways of Millburn Avenue, Lackawanna Pl. and Essex Street.
3.) The Township Business Administrator has worked with the Police Department to prepare a plan to minimize any traffic issues that may result from the closure including all proper notifications to emergency personnel.
4.) Restaurants and eateries located on Main Street who wish to utilize outdoor dining must apply for and receive a café license from the Township.
5.) Restaurants and eateries with a liquor license must also have a valid COVID-19 Expansion of Premises Permit as required by the New Jersey Division of Alcoholic Beverage Control.
6.) The Township Business Administrator shall have the discretion to create additional standards as appropriate to maintain order, enhance public safety and to help the Township's restaurants and eateries that are financially impacted by the COVID-19 Global Health Pandemic.
7.) The Township Engineer shall notify the New Jersey Department of Transportation and Essex County Engineering Office of the closure.
8.) The Township will reopen Main Street at any time prior to the stated closure date of August 30, 2021 should the closure no longer prove effective in assisting impacted business or for any other safety or traffic issues that may arise.

RESOLUTION 21-178
RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE APPLICATION FOR
INACTIVE LICENSE RENEWAL

WHEREAS, an application has been made to the State of New Jersey and the Township of Millburn for a Distribution License Renewal for Four Star Group, Inc., License #0712-44-008-005, in a timely manner, for the year beginning July 1, 2021 and ending June 30, 2022 accompanied by a statutory fees and municipal fee; and

WHEREAS, the application appears to be in order and all conditions and requirements have been complied with and no objections have been filed in the Municipal Clerk's Office and the Millburn Township Departments of Police, Health, Fire and the Municipal Clerk have recommended approval of the application seeing that all legal formalities have been met; and

NOW, THEREFORE, BE IT RESOLVED that Distribution License Renewal Four Star Group, Inc., License #0712-44-008-005, be approved as an inactive license for the 2021-2022 license term and that the Township Clerk shall issue a certified copy of this resolution to the Director of Alcoholic Beverage Control of the State of New Jersey;

BE IT FURTHER RESOLVED that License #0712-44-008-005 has been inactive since March 2020 and a Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control under NJSA 33:1-12.39 is not required until the 2022-2023 licensing term.

RESOLUTION 21-179
RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE APPLICATION FOR
INACTIVE LICENSE RENEWAL

WHEREAS, an application has been made to the State of New Jersey and the Township of Millburn for a Plenary Retail Consumption License Renewal for JGIL Millburn LLC, License #0712-33-004-010, in a timely manner, for the year beginning July 1, 2021 and ending June 30, 2022 accompanied by a statutory fees and municipal fee; and

WHEREAS, the application appears to be in order and all conditions and requirements have been complied with and no objections have been filed in the Municipal Clerk's Office and the Millburn Township Departments of Police, Health, Fire and the Municipal Clerk have recommended approval of the application seeing that all legal formalities have been met; and

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NOW, THEREFORE, BE IT RESOLVED that Plenary Retail Consumption License Renewal for JGIL Millburn LLC, License #0712-33-004-010, be approved as an inactive license for the 2021-2022 license term and that the Township Clerk shall issue a certified copy of this resolution to the Director of Alcoholic Beverage Control of the State of New Jersey;

BE IT FURTHER RESOLVED that License #0712-33-004-010 has been inactive since October 2018 and a Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control under NJSA 33:1-12.39 has been granted and received by the Municipal Clerk as required for the 2021-2022 licensing term.

RESOLUTION 21-180
RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE APPLICATION FOR
INACTIVE LICENSE RENEWAL

WHEREAS, an application has been made to the State of New Jersey and the Township of Millburn for a Plenary Retail Consumption License (Broad Package Privilege) Renewal for Taub-Co License LLC, License #0712-32-001-015, in a timely manner, for the year beginning July 1, 2021 and ending June 30, 2022 accompanied by a statutory fees and municipal fee; and

WHEREAS, the application appears to be in order and all conditions and requirements have been complied with and no objections have been filed in the Municipal Clerk's Office and the Millburn Township Departments of Police, Health, Fire and the Municipal Clerk have recommended approval of the application seeing that all legal formalities have been met; and

NOW, THEREFORE, BE IT RESOLVED that Plenary Retail Consumption License Renewal for Taub-Co License LLC, License #0712-32-001-015, be approved as an inactive license for the 2021-2022 license term and that the Township Clerk shall issue a certified copy of this resolution to the Director of Alcoholic Beverage Control of the State of New Jersey;

BE IT FURTHER RESOLVED that License ##0712-32-001-015 has been inactive since August 2018 and a Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control under NJSA 33:1-12.39 has been granted and received by the Municipal Clerk as required for the 2021-2022 licensing term.

RESOLUTION 21-181
RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSES FOR 2021-2022

WHEREAS, there have been filed applications for various Alcoholic Beverage Control License Renewals for the year July 1, 2021 to June 30, 2022; and

WHEREAS, the applications appear to be in order and all conditions and requirements have been complied with and no objections have been filed in the Clerk's Office and the Millburn Township Departments of Police, Health, Fire and the Township Clerk have recommended approval of the issuance of said licenses as applied for;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millburn, Essex County, that License Renewals for the year July 1, 2021 to June 30, 2022 pursuant to their applications, be issued to:

Table with 2 columns: License Holder Name and License Number. Rows include Millburn Standard LLC (0712-33-005-007), The Millburn Supper Club (0712-33-007-013), and SAM & RY Enterprises LLC (0712-44-011-013).

in the Township of Millburn in the County of Essex, New Jersey, and that the Township Clerk be and is hereby authorized to issue and deliver such licenses in accordance with Chapter 3, Section 3-1-11 of the Code of the Township of Millburn, New Jersey.

RESOLUTION 21-182
CONFIRM POLICE DEPARTMENT APPOINTMENT

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WHEREAS, the Township of Millburn is in need of a Police Officer; and

WHEREAS, Michael Reid has met the criteria set-down for Police Officer and he 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 appointment of Michael Reid to the position of police officer, effective June 22, 2021.

**RESOLUTION 21-185
APPROVE RAFFLE LICENSES**

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

WHEREAS, the Police Department is in receipt of a copy of the application per the regulation of the Legalized Games of Chance Control Commission.

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

- Saint Barnabas Medical Center (Off-Premise)
- Saint Barnabas Medical Center (On-Premise)

Resolution 21-172 - AWARD CONTRACT FOR PROFESSIONAL ANIMAL CONTROL SERVICES

Mayor Prupis brought forth Resolution 21- 172. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-172.

Ms. Miggins questioned the current animal services provided by Millburn Township. Mr. McDonald provided a brief description of the services provided for animal services through the township and noted that veterinarians hold and provide services for animals found on the street.

Ms. Miggins reviewed her concerns and noted that she would like the service to include that if an animal is found the owner can pick it up locally. Mr. Vinayak reviewed the proposed cost which would be the same to the owner. Mr. Wasserman stated that this was reviewed and recommended by the Finance Sub Committee.

Ms. Thall Eglow asked how pet owners would locate lost pets and asked in regard to the services. Mr. McDonald stated that expected delays on locating lost pets were expected but hoped the process would improve once it commenced.

No additional comments or questions were presented.

Mayor Prupis asked for a motion to approve Resolution 21-172. A motion to approve Resolution 21-172 was made by Mr. Wasserman and seconded by Mr. Vinayak.

Roll Call: Ayes: Mayor Prupis, Ms. Thall Eglow, Mr. Vinayak, Mr. Wasserman
Nays: Ms. Miggins

**RESOLUTION 21-172
AWARD CONTRACT FOR PROFESSIONAL ANIMAL CONTROL SERVICES**

WHEREAS, the Township of Millburn (“the Township”), solicited receipt of competitive proposals through a Request for Proposal process (RFP) for a contract entitled “Professional Animal Control Services”; and

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WHEREAS, the following proposal was received in accordance with the duly published RFP on June 3, 2021:

Animal Control Solutions, LLC, 2 Marshall Drive, Flemington, NJ 08822
July 1, 2021 – December 31, 2021) - \$15,300.00 plus vet and kenneling costs

WHEREAS, based on RFP submitted, the Millburn Township Business Administrator has recommended that a contract be awarded to Animal Control Solutions, LLC, 2 Marshall Drive, Flemington, NJ 08822, for Millburn Township Animal Control Services;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Millburn, County of Essex and the State of New Jersey on this 15th day of June, 2021 as follows:

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a contract in a form subject to the approval of the Township Attorney with Animal Control Solutions, LLC, 2 Marshall Drive, Flemington, NJ 08822 for Animal Control Services as detailed in their submitted proposal from July 1, 2021 through December 31, 2021.
2. The Township Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Township of Millburn within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

Resolution 21-173 - AUTHORIZING EXECUTION OF CONTRACT FOR MILLBURN TOWNSHIP CROSSING GUARD SERVICES (One year contract with one (1) one (1) year renewal option)

Mayor Prupis brought forth Resolution 21- 173. She asked if there were any comments or questions regarding Resolution 21-173.

Ms. Miggins asked what E-10 stood for and asked for the resolution to provide that information. She questioned the rates for service and stated that it appears we are paying more. She stated that it appears we are privatizing a lot and is there really a savings. She inquired about the 33 posts held by current crossing guards and stated that the resolution did not provide enough information to proceed with the approval. She voiced her concerns and opposition to this contract and privatizing this service.

Mr. McDonald addressed the questions pertaining to Resolution 21-173 and advised that due to the lack of ability to fill open positions for crossing guards especially for the safety of school children, the township saw the need to outsource the service. He stated that the township had reviewed the transitions and strategies as well as the advantages for the township and current crossing guards. He reviewed the terms and advised that he will provide the additional requested information.

Ms. Miggins voiced her concern about crossing guards' hours getting cut and stated her opposition on considering the resolution and contract without all the information.

Mr. Wasserman voiced his concern of the current crossing guards losing jobs and maintaining the hourly wage.

Mr. McDonald advised that the reason for outsourcing was to lessen the burden of using law enforcement due to the shortage of crossing guards and reminded the Township Committee that the contract would be for one year.

Ms. Thall Eglow stated that the PTOC wrote a letter asking for a turn to speak.

Mr. Vinayak asked for the contract to state that the hourly rate and cost would remain the same and asked for an allowance to review the contract again prior to moving forward with approval.

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Mayor Prupis asked Mr. McDonald if holding the resolution for the July meeting, would create a timing issue. Mr. McDonald stated he did not believe holding the resolution until the July meeting would create a timing issue but advised the Committee might incur billing costs for 15 days as the specification of the contract states the starting date of July 1, 2021.

No additional comments or questions were presented.

Mayor Prupis advised that Resolution 21-173 would not be considered for approval this evening and the matter would be back before the Committee for consideration at the upcoming July Township Committee meeting.

Resolution 21-184 CONFIRM PERMITTING THE DISPLAY OF FIREWORKS AT CANOE BROOK COUNTY CLUB

Mayor Prupis brought forth Resolution 21- 184. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-184. No comments or questions were presented. Mayor Prupis asked for a motion to approve Resolution 21-184. Motion to approve Resolution 21-184 was made by Ms. Thall Eglow which was seconded by Mr. Wasserman.

Roll Call: All Ayes, except Miggins who abstained

**RESOLUTION 21-184
CONFIRM PERMITTING THE DISPLAY OF FIREWORKS AT
CANOE BROOK COUNTY CLUB**

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

1. The permit submitted to the Township Fire Chief is hereby granted as per the recommendation from the Fire Marshall to Canoe Brook Country Club to conduct a display of fireworks, as part of a July 4th Celebration, to be held at Canoe Brook Country Club, Short Hills, New Jersey, commencing at 9:00 p.m. on Saturday, June 26, 2026, with a rain date of Sunday, June 27, 2021.
2. The applicant shall comply with all the requirements set forth in the Millburn Township Code 3-30 titled "Fireworks – Possession, Use of and Public Display".
3. The handling of the display to be authorized by the permit aforesaid shall be conducted only by Pyrotecnico, which the Chiefs of Police and Fire Departments of said Township of Millburn, approved as a competent operator thereof, and the delivery to the site will be approximately 2:00 pm – set up will take approximately 4 to 6 hours at Canoe Brook Country Club, and all displays will comply with all the requirements as set forth in NJAC 5:70-F3100 and NFPA.1123, NFPA1125 and NFPA1126.
4. This resolution shall take effect immediately, but nothing herein contained, nor the permit hereby authorized, shall relieve the applicant therefor, nor the operator of said display from any liability created by law which may arise or be incurred by the storage, handling or use of fireworks in said Township.

Resolution 21-186 Transferring Liquor License

Mayor Prupis brought forth Resolution 21- 186. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-186. No comments or questions were presented. Mayor Prupis asked for a motion to approve Resolution 21-186. Motion to approve Resolution 21-186 was made by Mr. Wasserman which was seconded by Mr. Vinayak.

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Roll Call: All Ayes

RESOLUTION 21-186
AUTHORIZING LIQUOR LICENSE TRANSFER
(PERSON TO PERSON TRANSFER –
KINGS SUPER MARKETS, INC. TO ACME MARKETS, INC.)

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Distribution License [current License No. 0712-44-012-009], heretofore issued to Kings Super Markets, Inc.; and

WHEREAS, the applicant, ACME Markets, Inc. is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current licensed term; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millburn, in the County of Essex, State of New Jersey does hereby approve, effective June 16, 2021, subject to all documents being provided and approved by ABC, the person to person transfer of the aforesaid Plenary Retail Distribution License from Kings Super Markets, Inc. to ACME Markets, Inc., located at 778 Morris Turnpike, Short Hills, NJ, and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership, License Number 0712-44-012-010, as follows: "This license, subject to all its terms and conditions, is hereby transferred to ACME Markets, Inc., effective June 16, 2021".

ORDINANCE / SECOND READING AND CONSIDERATION OF ADOPTION

Ordinance 2577-21

Mr. Wasserman brought forth and reviewed Ordinance 2577-21 for consideration of adoption. Paul Phillips, Township Planner, provided a brief overview of the Ordinance.

Mayor Prupis declared the public hearing open.

Patricia Morale, of 1 Claremont Drive, voiced her opposition to Ordinance 2577-21 and asked for the Township Committee to stop the current zoning ordinance being presented.

Jay Morale, of 1 Claremont Drive, stated that residents living in the B-3 District would be negatively impacted. He added that all would benefit from additional impact studies of the area. He further stated that FAQ provided was incorrect and the Committee should step back and stop any changes on zoning regulations. He asked that any members of the Committee being business owners within that district to recuse themselves.

Mr. Vinayak stated that if a petition provided one hundred signatures of residents asking for reconsideration of the ordinance, they would. However, only seventy were submitted, and he had a sit-down session with members to discuss the impacts.

Elaine Becker, of 257 Brookhaven Way, provided a brief history of the zoning code and voiced her opposition to Ordinance 2577-21 as the current regulations had protected residents for 28 years.

Pat Driscoll, of 20 Main Street, acknowledged the serious concerns of parking in the downtown district of Millburn and stated that people did not want to visit Millburn due to the lack of parking. He voiced his excitement for anything that would make downtown better.

Mike Shepherd, of 7 Canterbury Lane, voiced his opposition to Ordinance 2577-21 and stated that over seventy people signed a petition against the ordinance and asked the Committee to pause the process

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of the ordinance until a meeting was held with the residents in the nearby area to obtain an impact study and review the impacts the changes would have on property values.

Ann Marie Shepherd, of 7 Canterbury Lane, voiced her opposition to Ordinance 2577-21 and spoke about her concerns in regard to the impact the ordinance would have on the quality of life for nearby residents if passed.

Ronald and Elizabeth Deblis, of 10 Rawley Place, voiced their opposition to Ordinance 2577-21 and hoped the Committee would vote no to the ordinance.

Peter Steck, Planning Consultant, shared his concern with the language of the ordinance and various changes and recommended the language on the ordinance be changed to reflect the proper changes to the zone. He noted a memo was submitted stating the concerns to Mr. Phillips.

Mayor Prupis asked the audience to not distribute the meeting.

Kenneth Mandelbaum, of 9 Shore Edge Lane, thanked the Township Committee for trying to make a change and applauded the initiative of helping the business owner feel welcome in Millburn.

Oyin Owolabi, of 46 Maple Street, voiced her opposition to Ordinance 2577-21 and asked for an impact analysis. She further asked Committee members who owned a business to recuse from participating in the discussion of Ordinance 2577-21.

Dave Honeysett, of 92 Meadowbrook Road, voiced concerns and issues for property owners near the businesses in question of Ordinance 2577-21. He voiced his discontentment with the lack of law enforcement asking businesses to follow regulations for the protection of nearby residents and stated his opposition with Ordinance 2577-21 and presented changes.

Charles Mullens, of 3 Claremont Drive, voiced his opposition to Ordinance 2577-21 and asked for an impact study for residents. He further asked for the Township Committee to consider the concerns of residents voicing their opposition.

Jean Pasternak, of 342 Hobart Avenue, read various emails sent to the Township Committee and Administrator pertaining to various restaurants operating without following the proper protocol in the zoning area being discussed in Ordinance 2577-21 and voiced her opposition with the changes being presented. She questioned if the process for the ordinance should start all over since Ms. Miggins did not recuse herself from the first reading of the ordinance.

Jeff Feld, of 11 Alexander Lane, asked the Committee to consider redrafting the ordinance and make the necessary changes as it would be beneficial for the nearby residents. He asked to consider the concerns presented by the residents and asked for law enforcement to enforce the laws on businesses.

Harold Pollack, of 16 Hickory Road, voiced his opposition to the ordinance changes presented by Ordinance 2577-21 as it would personally impact the value of his property.

Nancy Stone, of 266 Essex Street, questioned the need to change the ordinance currently in place which had protected and served well businesses and nearby residents. She asked for the Committee to put the township and its residents first. She applauded Ms. Miggins for her recusal and voiced her opposition to Ordinance 2577-21.

Saraswat Mayank, of 68 Meadowbrook Road, opposed Ordinance 2577-21 and recommended an impact study for residents prior to consideration of approving the changes.

SanJay Agrawal, of 9 Birchwood Drive, stated opposition to Ordinance 2577-21 and asked for an impact study before continuing with the ordinance.

Monisha Amaral, of 24 Short Hills Avenue, questioned if investigation of the rental properties in question and reassessments of the properties had occurred and voiced her concerns and disapproval of Ordinance 2577-21.

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Carey Heller, of 343 Millburn Avenue, asked for Ordinance 2577-21, part 607.4, to be addressed and changed to protect residents in the B-3 zone. He voiced his understanding of the businesses need but also stated his concern with the proposed changes and the impact it will have on B-3 District residents.

Asaw, of 60 Meadowbrook Road, asked for additional impact studies for residents in the B-3 District and stated opposition to Ordinance 2577-21.

Anjali, 1 Beech Terrace, voiced her appreciation for the dedication of residents that had stood together and voiced opposition to Ordinance 2577-21. She further asked for additional impact studies of the area.

Bonnie Adams, of 94 Meadowbrook Road, voiced her opposition of Ordinance 2577-21 and asked the Township Committee to consider voting no as the impact of restaurants closer to residential properties will damage the homes and the value of life.

Jennifer Bathena, of 64 Great Hills Road voiced her opposition to ordinance 2577-21 and asked the governing body to consider voting no.

Mayor Prupis called for a five minutes recess. Township Committee reconvened at 9:22pm

Mr. Phillips stated that the comments presented appeared to be concerns and not questions. He reviewed the conditions and standard requirements under Ordinance 2577-21 for businesses in the B-4 District. He further reviewed the language currently in the ordinance and advised that he would review the language and make the necessary adjustments should any be needed upon request for the Committee. He stated that he did not receive the memo from Planner, Mr. Steck, but stated that he disagreed with Mr. Steck’s comments. Mr. Phillips noted that any parking changes require additional studies and recommendations for the future.

Mr. Falcon reviewed conditional use on a permitted area and stated that the ordinance did not misrepresent any facts as previously stated by Ms. Pasternak.

Mr. Vinayak asked Mr. Phillips if the 125ft requirement stood for businesses, and if the additional requirements would also be needed to go before the Planning Board for approval.

Mr. Phillips noted that yes, the 125ft would be a requirement for businesses and applicants would still be required to go before a Planning Board prior to obtaining a permit for business use properties in accordance with the Municipal Land Use Law.

Mr. Vinayak review the process of consideration and advised that the required studies and analysis had been done.

Mr. Wasserman declared the public hearing closed. Mr. Wasserman made a motion to approve the ordinance on final reading, which was seconded by Ms. Thall Eglow.

Roll Call Vote: Alle Ayes, except Ms. Miggins who abstained

ORDINANCE 2577-21

ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP OF MILLBURN DEVELOPMENT REGULATIONS AND ZONING ORDINANCE

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 6 “Zoning Provisions”, Section 606 “Zone Requirements”, is hereby amended and supplemented as follows (additions are underlined and deletions appear as ~~strike-throughs~~).

606.6 Highway Business B-2

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b. Permitted Principal Uses

2. Offices, including co-working or shared work space, and financial institutions.

11. Restaurants, fast food restaurants, retail food establishments, brewpubs and eating and drinking places provided the closest part of any structure so used, exclusive of parking and loading areas, is not less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District, except that no such requirement shall apply where said lot line is separated by a street or railroad right-of-way. Drive-up windows shall not be permitted.

d. Conditional Uses. Restaurants, fast food restaurants, retail food establishments, brewpubs and eating and drinking places provided where the closest part of the structure is not less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District, except that no such requirement shall apply where said lot line is separated by a street or railroad right-of-way. Drive-up windows shall not be permitted. This Section 606.6d shall apply only to lots abutting on primary and secondary roadways as shown in the Traffic Circulation Plan Element of the Master Plan. The following conditional use standards shall apply:

1. All refuse shall be stored either within the building or within an enclosed area that is screened from view of adjacent residential dwellings by landscaping, fencing or both and is located outside of a required buffer area. Any refuse stored outside of the building shall be enclosed in durable containers with a latching or locking mechanism.

2. Development shall comply with the buffer requirements established under §609.3 herein.

3. Commercial grade air filtration/odor reduction devices shall be employed to minimize odors from on-premises cooking/frying. Hoods shall be designed in accordance with the International Mechanical Code (IME), Chapter 507 and shall be designed to capture and confine cooking vapors and residues through a filtering device.

4. Site lighting shall not be located within a required buffer and shall be designed to avoid up-lighting or a halo effect with fixtures incorporating shields/cut-offs to prevent spillage on to adjacent residential properties.

5. The customer entrance shall be from the front of the building (i.e., facing the street).

6. No outdoor seating shall be permitted in the rear of the building.

606.6.1 Neighborhood Business B-

3

b. Permitted Principal Uses

8. Restaurants, fast food restaurants, retail food establishments and eating and drinking places provided the closest part of any structure so used, exclusive of parking and loading areas, is not less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District, except that no such requirement shall apply where said lot line is separated by a street or railroad right-of-way. This Section shall apply only to lots abutting on primary and secondary roadways as shown in the Traffic Circulation Plan Element of the Master Plan. Drive-up windows shall not be permitted.

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d. Conditional Uses. Restaurants, fast food restaurants, retail food establishments and eating and drinking places ~~provided where~~ the closest part of the structure is ~~not~~ less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District except that no such requirement shall apply where said lot line is separated by a street or railroad right-of-way. This Section 606.61d shall apply only to lots abutting on primary and secondary roadways as shown in the Traffic Circulation Plan Element of the Master Plan. Drive-up windows shall not be permitted. The following conditional use standards shall apply:

1. All refuse shall be stored either with the building or within an enclosed area that is screened from view of adjacent residential dwellings by landscaping, fencing or both and is located outside of a required buffer area. Any refuse stored outside the building shall be enclosed in durable containers with a latching or locking mechanism.
2. Development shall comply with the buffer requirements established under §609.3 herein.
3. Commercial grade air filtration/odor reduction devices shall be employed to minimize odors from on-premises cooking/frying. Hoods shall be designed in accordance with the International Mechanical Code (IME), Chapter 507 and shall be designed to capture and confine cooking vapors and residues through a filtering device.
4. Site lighting shall not be located within a required buffer and shall be designed to avoid up-lighting or a halo effect with fixtures incorporating shields/cut-offs to prevent spillage on to adjacent residential properties.
5. The customer entrance shall be from the front of the building (i.e., facing the street).
6. No outdoor seating shall be permitted in the rear of the building.

606.7 Central Business B-4

b. Permitted Principal Uses

4. Offices, including co-working or shared work space, but not on the street level. For the purposes of this restriction, travel agency, opticians, local newspaper offices substantially serving Township residents, and real estate sales and insurance offices shall not be considered offices and are permitted to locate on the street-level floor.
9. Restaurants, fast food restaurants, retail food establishments, brewpubs and eating and drinking places provided the closest part of any structure so used, exclusive of parking and loading areas, is not less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District, except that no such requirement shall apply where said lot line is separated by a street or railroad right-of-way. Drive-up windows shall not be permitted.

10. Theaters

11. Museums

d. Conditional Uses. Restaurants, fast food restaurants, retail food establishments brewpubs and eating and drinking places ~~provided where~~ the closest part of the structure is ~~not~~ less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District except that no such requirement shall apply where said lot line is separated by a street or railroad right-of-way. Drive-up windows shall not be permitted. ~~This Section 606.6d shall apply only to lots abutting on primary and secondary roadways as shown in the Traffic Circulation Plan Element of the Master Plan.~~ The following conditional use standards shall apply:

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1. All refuse shall be stored either with the building or within an enclosed area that is screened from view of adjacent residential dwellings by landscaping, fencing or both and is located outside of a required buffer area. Any refuse stored outside the building shall be enclosed in durable containers with a latching or locking mechanism.
2. Development shall comply with the buffer requirements established under §609.3 herein.
3. Commercial grade air filtration/odor reduction devices shall be employed to minimize odors from on-premises cooking/frying to adjacent properties. Hoods shall be designed in accordance with the International Mechanical Code (IME), Chapter 507 and shall be designed to capture and confine cooking vapors and residues through a filtering device.
4. Site lighting shall not be located within a required buffer and shall be designed to avoid up-lighting or a halo effect with fixtures incorporating shields/cut-offs to prevent spillage on to adjacent residential properties.
5. The customer entrance shall be from the front of the building (i.e., facing the street).
6. No outdoor seating shall be permitted in the rear of the building.

607.4 ~~Waiver of Parking Requirements in the B-4 District. In the B-4 district, where the number of off-street parking spaces does not satisfy the requirements established under Section 607.2 herein and there is a change of occupancy or use but no physical expansion of the building, there shall be no requirement to provide additional off-street parking spaces above what already exists on the lot. there shall be no requirement to provide off-street parking spaces for any use of land or building legally existing on the date of adoption of this amendment or for a change use which would not result in any increased off-street parking requirement in accordance with the standards set forth above; provided, however, that existing parking spaces on such premises are maintained or alternate parking spaces are established to replace them subject to Planning Board or by Zoning Board of Adjustment approval. Any existing requirements for the provision of off-street parking spaces including requirements to purchase municipal parking permits, which may have been previously approved by the Board having jurisdiction, shall continue in full force and effect unless modified by the parties thereto. For the purpose of this requirement, any existing floor space which may be vacant on the date of the adoption of this amendment shall be considered to have been in use for the purpose for which it has last been used prior to becoming vacant. If the use of any existing premises is changed in such a way as to increase the minimum number of required off-street parking spaces in accordance with the standards as set forth herein, the applicant shall be required to purchase municipal parking permits for such increased number of required off-street parking spaces.~~

Ordinance 2579-21

Ms. Thall Eglow brought forth and reviewed Ordinance 2579-21 for consideration of adoption and Mr. McDonald provided a brief overview of the Ordinance. Mayor Prupis declared the public hearing open.

Jeffrey Feld, of 11 Alexander Lane, stated his concerns on Ordinance 2579-21. He offered several recommendations to the Committee for consideration. He voiced his concern of the removal of flex parking and asked if the Committee members who owned businesses in the area, where the flex parking was located, could vote on the ordinance in question.

Mayor Prupis declared the public hearing closed.

Mr. Vinayak asked if the ordinance is just the appropriation to spend the exact amount in the ordinance.

Mr. McDonald stated that the ordinance just provided approval for spending the money on the proposed project.

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Ms. Thall Eglow made a motion to approve the ordinance on final reading, which was seconded by Mr. Wasserman.

Roll Call: All Ayes

ORDINANCE NO. 2579-21

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF MILLBURN, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$855,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT OR FULLY FUND AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Millburn, in the County of Essex, State of New Jersey (the "Township") is hereby authorized to make various public improvements in, by and for said Township, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the Capital Improvement Fund moneys (either to make a down payment or fully fund an appropriation) appropriated by this ordinance. It is anticipated that a \$305,000 grant from the New Jersey Department of Transportation shall be received by the Township to finance the cost of the improvement of Short Hills Avenue authorized in Section 4.B hereof. Said grant funds shall be applied as set forth in Section 12 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the appropriation from the Capital Improvement Fund hereinafter made to either fully fund the appropriation or to provide a down payment, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Installation of a 9-11 memorial at Crescent Park.

| | |
|---------------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 50,000 |
| Capital Improvement Fund Appropriated | \$ 50,000 |
| Period of Usefulness | 15 years |

B. Reconstruction of Short Hills Avenue (from the Springfield border to Hobart Avenue). It is hereby determined and stated that said road being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

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| | |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 330,000 |
| Down Payment Appropriated | \$ 16,500 |
| Bonds and Notes Authorized | \$ 313,500 |
| Period of Usefulness | 10 years |

C. Removal of flex parking along Millburn Avenue.

| | |
|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 475,000 |
| Down Payment Appropriated | \$ 23,750 |
| Bonds and Notes Authorized | \$ 451,250 |
| Period of Usefulness | 10 years |

| | |
|---|-----------|
| Aggregate Appropriation and Estimated Cost | \$855,000 |
| Aggregate Capital Improvement Fund | |
| Appropriated either as a Down Payment or to Fully Fund an Appropriation | \$ 90,250 |
| Aggregate Amount of Bonds and Notes Authorized | \$764,750 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$110,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$90,250, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$90,250 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$764,750 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$764,750 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who

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is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of the purposes to be financed with bonds or notes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$764,750 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Essex, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Section 4 of this bond ordinance (except for Section 4.A). If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Ordinance 2574-21

Mr. Wasserman brought forth and reviewed Ordinance 2574-21 for consideration of adoption and Mr. McDonald provided a brief breakdown of the Ordinance. Mayor Prupis declared the public hearing open.

Jeffrey Feld, of 11 Alexander Lane, questioned the source of financial funding available for Ordinance 2574-21 and how the allocation of the funding had been created to make sure funding was available.

Mr. Wasserman declared the public hearing closed. Mr. Wasserman made a motion to approve the ordinance on final reading, which was seconded by Mr. Vinayak.

Roll Call Vote: All Ayes

**ORDINANCE NO. 2574-21
CAPITAL ORDINANCE OF THE TOWNSHIP OF MILLBURN, IN THE COUNTY OF ESSEX, NEW JERSEY
AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND
FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$1,624,700 AND PROVIDING THAT**

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SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP

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

Section 1. The Township of Millburn, in the County of Essex, New Jersey (the "Township") is hereby authorized to make the following public improvements and acquisitions in, by and for the Township, including all work, materials and appurtenances necessary and suitable therefor:

(A) Fire Department

(i) Acquisition of new fire apparatus and a new automotive vehicle, including original apparatus and equipment, consisting of (a) a tower ladder truck (partial funding) and (b) an SUV and (ii) acquisition of new additional or replacement equipment and machinery consisting of turnout gear.

Estimated Cost: \$341,000

(B) Department of Public Works ("DPW")

Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of dump trucks with plows and spreaders.

Estimated Cost: \$320,000

(C) Police Department

(i) Undertaking of communication system upgrades, (ii) acquisition of new additional or replacement equipment and machinery consisting of body cameras and related equipment, (iii) acquisition of new information technology equipment consisting of a computer server and (iv) acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of an SUV.

Estimated Cost: \$210,000

(D) Recreation

Replacement of an awning and pool chairs at the Millburn Township Municipal Pool.

Estimated Cost: \$17,200

(E) General Improvements

Undertaking of streetscape improvements in the business districts, including, but not limited to, installation of planters (with trees) and decorative lighting.

Estimated Cost: \$100,000

(F) Engineering

Resurfacing, reconstruction, seal coating and/or micro-paving of various roads, as set forth on a list hereby approved and placed on file with the Township Clerk and available for public inspection during normal business hours. Additions to or deletions from said list may be made by resolutions adopted by the Township Committee and placed on file with the Township Clerk.

Estimated Cost: \$406,500

(G) Engineering

Undertaking of drainage and sanitary sewer improvements at various locations.

Estimated Cost: \$230,000

Section 2. The sum of \$1,624,700 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund of the Township,

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as hereinafter provided. The sum of \$1,624,700 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Ordinance 2578-21

Ms. Thall Eglow brought forth and reviewed Ordinance 2574-21 for consideration of adoption and provided a brief overview of the ordinance. Mayor Prupis declared the public hearing open. Since comments or questions were not presented, Mayor Prupis declared the public hearing closed. Ms. Thall Eglow made a motion to approve the ordinance on final reading, which was seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

ORDINANCE NO. 2578-21

ORDINANCE SUPPLEMENTING CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLBURN TO INCLUDE AN ORDINANCE TO CONTROL THE PRESENCE OF RODENTS AND OTHER VERMIN AT RETAIL FOOD ESTABLISHMENTS

WHEREAS the Township Committee determined that there is need to require certain actions by food handling establishments in the Township to mitigate the presence of rodents and other vermin that could affect public health; and

WHEREAS the Township Committee believes that providing an amendment to the police powers is the most advantageous way to achieve the goal of eliminating public health issues stemming from the presence of rodents and other vermin; and

NOW, THEREFORE, Be Ordained by the Township Committee of the Township of Millburn in the County of Essex and State of New Jersey as follows:

SECTION 1 Chapter III "Police Regulations" of the Revised General Ordinances of the Township of Millburn is here by amended, supplemented and revised to include Section 3-3 hereby entitled "Control of Rodents and Other Vermin by Retail Food Establishments" which shall state as follows:

Each and every retail food establishment which has been licensed by the Township Board of Health to operate in the Township shall annually file with the Health Officer a plan for the control of rodents and other vermin together with a copy of a current contract with a licensed exterminator requiring at least monthly inspections and provisions for the prompt implementation of control measures in the event of evidence of infestation or a public health problem. The plan shall also provide that if the exterminator is called upon to abate or control a rodent or vermin problem the exterminator must contact the Health Officer to ensure that the

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methods conducted by the exterminator are adequate to abate the problem. Failure to comply with these requirements shall, to the maximum extent permitted by law, result in the revocation or suspension of the establishment’s license pursuant to the Board of Health ordinance (BH:4-2.5) entitled “Revocation or Suspension of License; Grounds” as well as the imposition of fines upon conviction of violations, and such other orders and penalties as are applicable.

SECTION 2 Repeal of Inconsistent Provisions

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or parts of ordinances now existing or in effect; unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3 Severability

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this ordinance, which shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4 Effective Date

This Ordinance shall take effect immediately after passage and publication as provided by law.

Ordinance 2576-21

Mr. Vinayak brought forth and reviewed Ordinance 2574-21 for consideration of adoption. A brief overview of the ordinance was provided by Mr. McDonald. Mayor Prupis declared the public hearing open.

Jeffrey Feld, of 11 Alexander Lane, asked if the program was an opt-out program and asked if the prices were going to be less. He also asked if a property changed ownership did the new owners have the option to opt-out of the program.

Richard Futter, of 333 Millburn Avenue, advised the Township Committee that the company was not regulated by BPU and advised the Committee that he would opt-out of the program.

Priya Patel, of 9 Hardview Road, asked the Committee to authorize and support Choice Aggregation Partnership. She addressed the advantages of the program and the availability of more choices for residents with better rates while including green energy.

Ms. Thall Eglow thanked Ms. Patel for comments.

Ms. Miggins asked how residents could opt-out of the programs. Mr. McDonald advised that the website provided the opt-out information which was accessible at all times to residents.

Mayor Prupis declared the public hearing closed.

Mr. Vinayak made a motion to approve the ordinance on final reading, which was seconded by Ms. Thall Eglow.

Roll Call Vote: All Ayes

**ORDINANCE NO. 2576-21
AN ORDINANCE OF THE TOWNSHIP OF MILLBURN, COUNTY OF ESSEX,
STATE OF NEW JERSEY, AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT ENERGY
AGGREGATION PROGRAM**

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market; and

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WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

WHEREAS, the Millburn Township Committee is interested in ensuring that a greater percentage of energy provided by the Program comes from renewable energy sources, and will therefore include provisions for the inclusion of renewable energy in the proposals for energy aggregation services; and

WHEREAS, the purchase of renewable energy will reduce the dependence on fossil fuels and under the aggregation process the residential and non-residential ratepayers will likely receive a direct reduction in their electric bills; and

WHEREAS, the realization of energy cost savings is in the interests of the health, safety and welfare of the residents and non-residents of the Township of Millburn ("Township"); and

WHEREAS, the Township Committee hereby finds that it is in the best interests of residential and non-residential ratepayers for the Township to create the opportunity for them to enter into an aggregation agreement in order to seek savings on electric rates.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Millburn in the County of Essex and the State of New Jersey, duly assembled in public session, as follows:

1. The Township publicly declares its intent to become an aggregator of electric power on behalf of its residential users of electricity pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
2. The Mayor and Township Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
4. If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
5. This ordinance shall be effective immediately upon adoption and publication in accordance with law.

Resolution 21- 187

Mayor Prupis asked for a motion to approve Resolution 21-187. Ms. Thall Eglow made a motion to approve Resolution 21-187 which was seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

**RESOLUTION 21-187
AUTHORIZING THE SIGNING OF GOVERNMENT ENERGY AGGREGATION PROGRAM
AGREEMENTS**

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric and natural gas utility markets; and

WHEREAS, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-93.1 et seq. ("Act") and the New Jersey Board of Public Utilities'

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implementing rules at *N.J.A.C. 14:4-6.1 et seq.* ("Rules") will increase competition for the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

WHEREAS, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third-party energy supplier; and

WHEREAS, pursuant to Ordinance #2576-21 adopted by the Committee of the Township of Millburn on June 15, 2021, the Township of Millburn publicly declared its intent to commence a GEA Program; and

WHEREAS, the Borough of Califon is the Lead Agency for the Hunterdon Area Energy Cooperative (HAEC) and shall accept or reject pricing on behalf of the Cooperative and its participant members; and

WHEREAS, the Township of Millburn wishes to be a participating member of the HAEC and hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Borough of Califon accept pricing, which provides a savings on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the Borough of Califon appointed Commercial Utility Consultants, Inc. (CUC) and Concord Engineering Group dba Concord Energy Services (CES) for the HAEC to serve as the Energy Agents to assist and administer the GEA program at no cost to the Borough of Califon or HAEC or its participating members; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Millburn, in the County of Essex, New Jersey, duly assembled in public session, as follows:

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
2. The Township of Millburn, as a participating member of the HAEC, hereby agrees to proceed with the program by signing the Supplier Agreement should the Borough of Califon accept pricing which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program.
3. The Mayor, Chief Financial Officer, Treasurer or other municipal officer is hereby authorized and directed to execute on behalf of the Township of Millburn any documents necessary to carry out the purpose of this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

OLD BUSINESS

JFK Parkway Cell Tower

Mr. McDonald provided a CAD drawing of the area where the cell tower could be placed. He advised the Committee that he had been in communication with Verizon to evaluate the possible areas where the cell antenna could be placed if approved by the Committee. He stated that the next step would be to go out to bid for the project and utilize the services of professionals.

Mr. Vinayak inquired about the additional information regarding composting in the area.

Mr. McDonald stated that the information currently available is for the cell tower

Mr. Wasserman stated that the township would like to review various companies for the cell towers

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Ms. Thall Eglow stated the cell tower would be beneficial for emergency response services and provide residents with better service. She voiced her support for moving forward with the cell tower.

Mr. Vinayak asked Mr. McDonald to provide the composting information.

Mayor Prupis approved moving forward with drafting of the bid's specifications for the cell tower and looking into additional information for composting sites.

Zoning Accessory Use Revisions

Mr. McDonald reviewed a proposed draft zoning ordinance referring to loading zones and regulating rooftop deck with the help from the Township Planner, Mr. Philips. The loading and unloading areas were being reviewed for multi-family homes with double dwelling to have loading and unloading on site under regulation 607.1. He noted that the draft also reviewed the prohibition of rooftop decks and the language in the prohibitions under regulation 609.13.

Mr. Vinayak asked for the ordinance to state that trucks were included in the new regulations and asked for the specifications of loading and unloading. Mr. McDonald informed Mr. Vinayak that the regulation stated the requested matter.

Ms. Miggins asked about property having side decks Mr. McDonald reviewed the proposed regulations.

Mayor Prupis asked the Committee if a public hearing would be recommended prior to moving forward with the changes. Mr. Vinayak asked what the time frame was to have a public hearing as he would like the process of the ordinance to move fast. Mr. McDonald advised that a month would be adequate time for ordinance introduction and public hearing as the ordinance also had to be presented to the Planning Board.

Mayor Prupis and the Committee agreed to review the ordinance at first reading in July with a public hearing in August.

No other old business was presented.

Public Comment

Mayor Prupis made the following statement: "When invited to speak, please come to the lectern, clearly state your name and address, and speak loudly so that your comments may be understood by all and properly recorded. There was a properly noticed remote option for those who could not attend the meeting in person. If you called in and would like to comment please press *6 now. If you are attending by computer or electronic device please click raise hand button. All members of the public wishing to speak will be put into the queue to address the Committee. Whenever an audience or Committee member reads from a prepared statement, please email a copy to the Township Clerk's Office at townclerk@millburntwp.org. To help facilitate an orderly meeting and to permit all to be heard, speakers are asked to limit their comments to one 3 minute session. You will be prompted when there is 30 seconds remaining. This is a business meeting and please do not address professionals or staff directly and please direct all comments to me. Each individual will be given one opportunity to make their public comment. Please be patient and we will address each member of the public that wishes to speak."

Mayor Prupis opened the public comment period.

Oyin Owalabi, of 46 Maple Street, voiced her displeasure with the approval and passing of Ordinance 2577-21 after residents asked for the ordinance not to pass.

Jay Morale, of 1 Carmont Drive, voiced opposition to Ordinance 2577-21 and stated his displeasure with the Committee approving the ordinance after several residents came forward against it.

Richard Futter, of 333 Millburn Avenue, stated that he met with the previous mayor and Mr. Wasserman pertaining to dumpster problems on his property since 2018. He voiced his opposition to Ordinance 2577-21 and questioned the affordable housing in Millburn Township.

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Jeffery Feld, of 11 Alexander Lane, voiced his disapproval of the Township Committee decision to hear the public before legal action is taken as the federal constitution in the United States allows it. He voiced his discontent with the decision to approve Ordinance 2577-21 after residents came forward to oppose it. He questioned capital spending. Pertaining to the closing of Main Street, he asked if a survey was done prior to the closing of Main Street and the cost of the closure to the Township of Millburn. He questioned the use of taxpayer's funds and how the township is utilizing it.

Bebe Shear, of 101 Oakview Terrace, voiced her concern of the curb cut on Woodland Road. She asked the Township Committee to advise the developers working on Woodland Road that cutting the curb in that area is not feasible. She thanked Mayor Prupis for responding to her email and her concern.

Monisha Amaral, of 24 Short Hills Avenue, voiced her opposition to Ordinance 2577-21 and did not understand why the Committee approved the ordinance after residents raised many concerns.

Thomas Hildner, of 10 Exeter Road, stated that his disappointment with the Committee. He voiced his concern with the way the meeting ended on June 1st. He questioned why the SID matter did not go to mediation. He asked why there was a 3 minute time limit for professionals providing information to the public and asked for that to change as that is not adequate. He asked if the Mayor had a conflict of interest with Ordinance 2577-21.

Jean Pasternak, of 342 Hobart Avenue, congratulated the newly promoted Police Officers and thanked them for their hard work. She acknowledged Ms. Miggins for standing up for people's interest and thanked her for showing good character. She reviewed her concerns of individuals who abused their power pertaining to a Police Officer at a party and a Township Committee member. She questioned why two resolutions were removed from the agenda for approval (Resolutions 21- 183 and 21-174). Lastly, she asked the Township to stop using the word free when taxpayers fund all activities in the township.

Dominique Urso, of 514 Millburn Avenue, voiced her opposition to the SID and asked for the SID ordinance to be reconsidered as a lot of residents were against the SID and some merchants were not even aware of the SID. She questioned two payments to Mr. Falcon for litigation pertaining to the SID and she asked why mediation was not considered when it would have been cost effective for the township. She stated that as a lifelong Millburn resident, she would continue to fight for the Township of Millburn and asked for the township to treat residents with respect.

Nancy Stone, of 266 Essex Street, congratulated the newly promoted Police Officers and thanked them for their services. She asked about the status of the 501c3 letter from the IRS for the SID. She asked if the township meeting location was posted. She asked about the seventeen parking spots by the clock and asked if they could be moved as a safety precaution. She questioned why the Mayor did not mention her name and others on the statement she made pertaining to Mr. Feld.

Mayor Prupis closed public comment.

Mr. Wasserman stated that the 501c3 was currently pending as the IRS is behind but will advise once it's received.

Mr. McDonald reviewed the capital improvement ordinance process and reviewed funding procedures. He informed the public that Lot 1 would be open and resume parking on Tuesday for the Farmer's Market.

Mr. Vinayak stated that the curb cut on Woodland Road was approved by the Planning Board. He also stated that the mediation and litigation could not be discussed at the present time. He reiterated his support of the SID.

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Adjournment

Mayor Prupis asked if anyone had any remaining comments or questions. Receiving none, she asked for a motion to adjourn the meeting which was offered by Mayor Prupis and seconded by Ms. Thall Eglow. The meeting was adjourned at 10:45pm. Vote: All Ayes

Christine A. Gatti, RMC
Township Clerk

Approved: 9/21/2021