

July 13, 2021

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 the Town Hall and remotely at 7:00 PM on July 13, 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 (remotely, via Zoom arrived at 7:03pm)

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 Ordinance 2580-21 was removed from the agenda for consideration and was adjourned to the August 17, 2021 Township Committee Meeting. Mr. Wasserman pointed out that the adjournment was due to several residents who requested to meet prior to the ordinance being considered for adoption. Mayor Prupis asked for a motion to approve the agenda as revised. The motion was offered by Ms. Thall Eglow and seconded by Mr. Wasserman.

Vote: All Ayes

Minutes

Mayor Prupis asked for a motion to approve the March 30, 2021 Special Meeting Minutes; the motion was made by Ms. Thall Eglow and seconded by Mr. Wasserman.

Vote: All Ayes

Mayor Prupis asked for a motion to approve the April 6, 2021 Regular Meeting Minutes; the motion was made by Ms. Miggins and seconded by Mr. Wasserman.

Vote: All Ayes

Reports

Ms. Thall Eglow reported that she has received letters concerning the rose garden entrance at Taylor Park. She advised that Resolution 21-194 was removed from the agenda to further review the matter

Millburn Township Committee Meeting Minutes

with the subcommittee to review the language in the request for proposals. She requested that Assistant Administrator, Mr. Moehlman, provide additional information on the matter for the public.

Mr. Moehlman stated that the Township Committee established a subcommittee to review the gateway to Taylor Park including the rose garden entrance. He informed the Township Committee that the subcommittee had been interested in hiring a landscape architect for the project to create a landscape design. He added that a Perkins Eastman architect had created a conceptual design for the township to review; however, the township was not obligated to hire them. He stated that a language in the request for proposals would be reviewed.

Ms. Miggins reported that the Library was close to finding a pop-up location while the building undergoes renovations. She thanked everyone that had been working on the project. She advised that the Historic Preservation Commission and the Historic Society met and were currently working great together. She acknowledged the 4th of July parade and thanked everyone that supported the event and acknowledged the wonderful outcome of the community. She also thanked everyone that worked on putting the parade together on such short notice.

Mr. Wasserman reported that the Millburn-Short Hills Garden Club had been in communication concerning the changes in the garden and he advised residents that all concerns had been heard and they made sure to address them. He continued to report that Explore Millburn Short Hills had a new website that is user friendly where events would be announced.

Mr. Falcon reported that Judge Gardner convened a case management meeting on Affordable Housing and extended the township's Immunity to July 31, 2021. He advised that there had been a substantial amount of meetings to bring the mediation to a conclusion by the deadline. He noted that information as it becomes available will be shared with the public.

Mr. Wasserman stated that he had been working with Committee Member Miggins and Fair Share Housing. He advised that Beth McManus, a specialist in fair share housing, had been hired to provide insight on the best options for the Township of Millburn in regards to affordable housing obligations.

Ms. Miggins indicated that Fair Share Housing was working really hard to make sure the work was done to assure the best decision possible for the Township of Millburn. She added that at the present time, information was available for release but she stated that residents should be aware that the Township Committee was cleaning a mess of previous years to the best of their ability. She pointed out that the Township of Millburn hadn't had one unit of affordable housing in forty years.

Mayor Prupis stated that a lot of the information from the mediation information will stay confidential; however, whatever information as it becomes available would be shared with the public.

Ms. Miggins reminded residents that affordable housing is the law and Millburn has to have it.

Millburn Township Committee Meeting Minutes

Mayor Prupis announced that the *Tour de Millburn* event would be held on September 12, 2021 at 5 p.m. at Taylor Park, additional information would be provided in the coming weeks. She reported that the Township Committee was looking to create Request for Proposals for different projects. She announced that National Night out would be held on August 3, 2021 at Taylor Park. She advised that the August Township Committee meetings would return to be in-person and Zoom meetings are not scheduled to continue.

Lt. Tavares provided an overview of what residents could expect during the National Night Out event.

Mr. McDonald reported that a new audio system in the courtroom had been placed and apologized for the inconveniences during the transition phase. He reported that the cell tower site was being evaluated and a bid document was being drafted as requested by the Township Committee. The bid would be for a land lease for a cell tower. He advised that he was currently working on the requested analysis of the composting site and would provide the information once it's available. He advised that parking lots 3 and 7 had changed and now provided all day parking by using the pay station. He reported that the zoning code was being examined and once recommended revisions were available they would be shared with the Township Committee. He stated that the Finance Committee Sub Committee was reviewing if it would be cost effective to share court services with a nearby town and additional information would be provided once available. He advised that a loading and unloading area regulations were being analyzed. He reported that the resolution for privatization of crossing guards would be presented and members of the PTOC were present to speak on the matter further.

Mara Epstein, member of PTOC, provided a brief speech in regards to shortage of crossing guards and voiced her support for using an outside vendor to provide crossing guard services in the township.

Gaston Hauptert, Co-Chair of PTOC Safety and Pedestrian Safety Advisory Board (PSAB), thanked Ms. Epstein for her speech. He stated that the shortage of crossing guards caused the Police Officers to stand on corners to provide safe crossing for students. He voiced his support for outsourcing and privatizing the crossing guard service in order to provide coverage for crossing guards and allow the Police Department to utilize Officers in other areas.

Mr. Wasserman thanked the PTOC members for their support of the resolution.

Ms. Epstein stated that for several years Police Officers had been forced to provide coverage in corners due to shortage of crossing guards.

Mr. Wasserman asked if the administration of PTOC supported the resolution.

Ms. Epstein stated that yes, the PSAB and the Police Department support the resolution as currently twenty-five percent of posts did not have crossing guards.

Millburn Township Committee Meeting Minutes

Mr. Vinayak asked who was responsible for the hiring of crossing guards in the Township of Millburn. Ms. Epstein informed Mr. Vinayak that the Police Department was in charge of hiring crossing guards and training crossing guards.

Lt. Travares advised that he is in the Traffic Bureau and would be available to answer any questions pertaining to the matter at any time.

Ms. Miggins stated that various questions and concerns had been submitted to the Police Chief. She questioned how an outside company would handle the shortage of crossing guards in the township and questioned if the shortage of crossing guards applicants was due to management. She questioned how a company on the different coast would be available to hire crossing guards in the township. She asked why the township has had a difficult time hiring. She stated that the township should prioritize and not privatize. She voiced her opposition to the resolution and privatizing the crossing guards and noted that she would vote against it.

Lt. Tavares spoke to the shortage of crossing guards. He stated that the department had tried various ways to advertise the openings with unsuccessful outcomes.

Sgt. Smeraldo reviewed his discussions with Westfield Township pertaining to the shortage of crossing guards. He noted that Westfield Township also had a twenty-five percent shortage which the township and was able to fill through the private company.

Mr. Wasserman noted the importance of the company properly training crossing guards to ensure the safety of our children.

Mr. McDonald stated the bid specification stated that if a position was not filled, the company would not get compensated. He added that the company would make a local resident crossing guard manager to provide local assistance. He emphasized that the financial incentive for the company to make sure that all posts were filled is that they will not get paid for any open position.

Mr. Wasserman asked if any current crossing guards would lose their jobs. Mr. McDonald stated that no, everyone will be offered employment with the private company.

Consent Agenda

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

Ms. Thall Eglow noted that Resolution 21-202 would be funded by the township and additional private donations would be requested to assist with the cost.

No other comments or questions were presented.

Millburn Township Committee Meeting Minutes

Consent Agenda

Mayor Prupis asked for a motion to approve items 21- 191 through 21-210 as listed on the agenda; a motion to approve consent agenda resolutions was made by Ms. Miggins and seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

**RESOLUTION 21-191
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 July 13th, 2021, in the following accounts:

| | |
|----------------------------------|-----------------|
| General Fund | \$ 1,655,385.26 |
| Capital Fund | 41,295.86 |
| Parking Utility - Operating Fund | 9,488.20 |
| Dog Fund Trust | 382.80 |
| Donation Trust Fund | 9,834.61 |
| Escrow Trust Fund | 2,342.50 |
| Police Off Duty Trust Fund | 48,482.00 |
| SUI Trust Fund | 801.73 |
| Waste Recycling Trust Fund | 2,251.75 |
| PATFA II | 2,218.00 |

**RESOLUTION 21-192
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 I. Schneck, Trustee & Felix & Gail Raytsin 301 South Livingston Ave Ste. 105 Livingston, NJ 07039 Block 4506 Lot 11 9 Eliot Place | Tax Appeal 2020 taxes | \$3,578.51 |
| Valerie Hofer Esq. Attorney Trust Account & David & Fiona Weiss P.O. Box 787 Montville, NJ 07045 Block 1205 Lot 6 | Tax Appeal 2019 taxes (\$1,167.65) 2020 taxes (\$2,128.23) | \$3,295.88 |

Millburn Township Committee Meeting Minutes

16 Midhurst Rd.

Valerie Hofer Esq.
 Attorney Trust Account &
 Desiderio Barrios & Laura Feldman
 P.O. Box 787
 Montville, NJ 07045
 Block 3607 Lot 1
 6 Keats Road

Tax Appeal \$1,426.50
 2018 taxes

Valerie Hofer Esq.
 Attorney Trust Account &
 Moussa K. Brookhim
 P.O. Box 787
 Montville, NJ 07045
 Block 4206 Lot 13
 18 Dorison Dr.

Tax Appeal \$5,820.81
 2018 taxes (\$2,889.14)
 2019 taxes (\$2,931.67)

Valerie Hofer Esq.
 Attorney Trust Account &
 Eric & Jenna Zemachson
 P.O. Box 787
 Montville, NJ 07045
 Block 1206 Lot 7
 26 Hawthorne Rd.

Tax Appeal \$3,574.66
 2020 taxes

Irwin & Heinze. P.A.
 Attorney Trust Account &
 Aaron & Mandi Silverman
 383 Main Street Ste 101
 Chatham, NJ 07928
 Block 3002 Lot 10
 25 Joanna Way

Tax Appeal \$1,172.93
 2020 taxes

Fedora Baloiu
 c/o Skoloff & Wolfe P.C.
 293 Eisenhower Parkway Ste. 390
 Livingston, NJ 07039
 Block 2102 Lot 7
 275 Hobart Ave

Tax Appeal \$25,433.31
 2017 taxes (\$5,798.14)
 2018 taxes (\$9,745.85)
 2019 taxes (\$9,889.32)

Marisa Chung
 c/o Skoloff & Wolfe P.C.
 293 Eisenhower Parkway Ste. 390
 Livingston, NJ 07039
 Block 3903 Lot 14

Tax Appeal \$6,220.39
 2019 taxes

July 13, 2021

Millburn Township Committee Meeting Minutes

38 Mohawk Rd

Walter & Pamela Konops
 c/o Skoloff & Wolfe P.C.
 293 Eisenhower Parkway Ste. 390
 Livingston, NJ 07039
 Block 2602 Lot 11
 29 Fairfield Terr.

Tax Appeal
 2019 taxes
 \$3,811.75

Oikias Partners LLC
 c/o Skoloff & Wolfe P.C.
 293 Eisenhower Parkway Ste. 390
 Livingston, NJ 07039
 Block 2002 Lot 2
 276 Hobart Ave

Tax Appeal
 2018 taxes
 (\$3,657.55)
 2019 taxes
 (\$3,711.39)
 \$7,368.94

Mary Anna Hou
 c/o Skoloff & Wolfe P.C.
 293 Eisenhower Parkway Ste. 90
 Livingston, NJ 07039
 Block 4206 Lot 9
 40 Dorison Dr.

Tax Appeal
 2019 taxes
 \$6,901.68

Jack & Tracy Leventhal
 c/o Skoloff & Wolfe P.C.
 293 Eisenhower Parkway Ste. 390
 Livingston, NJ 07039
 Block 3704 Lot 47
 296 Hartshorn Dr.

Tax Appeal
 2019 taxes
 (\$5,560.33)
 2020 taxes
 (\$9,400.81)
 \$14,961.14

Wolf Vespasiano LLC
 Attorney Trust Account and
 John M. Sutton & Kimberly Lambert
 331 Main Street
 Chatham, NJ 07928
 Block 2111 Lot 27
 20 Knollwood Rd.

Tax Appeal
 2016 taxes
 \$1,326.86

Wolf Vespasiano LLC
 Attorney Trust Account and
 Richard & Debra Rieder
 331 Main Street
 Chatham, NJ 07928
 Block 3704 Lot 12
 270 Dale Dr.

Tax Appeal
 2019 taxes
 (\$4,153.36)
 2020 taxes
 (\$4,144.75)
 \$8,298.11

Millburn Township Committee Meeting Minutes

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|--|---|--------------------|
| <p>Jennifer R Jacobus Trustee & Gaurav & Pooja Katariya 201 Littleton Road Ste. 100 Morris Plains, NJ 07950 Block 2406 Lot 6 125 Farley Rd.</p> | <p>Tax Appeal 2020 taxes</p> | <p>\$2,773.44</p> |
| <p>Jennifer R Jacobus Trustee & Jason & Tamara Gold 201 Littleton Road Ste. 100 Morris Plains, NJ 07950 Block 5103 Lot 6 170 Tennyson Dr.</p> | <p>Tax Appeal 2019 taxes (\$2,883.42) 2020 taxes (\$2,877.44)</p> | <p>\$5,760.86</p> |
| <p>Jennifer R Jacobus Trustee & Anurag Kadyan & Shrutie Malik 201 Littleton Road Ste. 100 Morris Plains, NJ 07950 Block 1504 Lot 10 24 Sherwood Rd</p> | <p>Tax Appeal 2020 taxes</p> | <p>\$4,967.15</p> |
| <p>Jennifer R Jacobus Trustee & Anjali Shah & Suresh Nirmal 201 Littleton Road Ste. 100 Morris Plains, NJ 07950 Block 5109 Lot 19 38 Browning Road</p> | <p>Tax Appeal 2020 taxes</p> | <p>\$348.61</p> |
| <p>Jennifer R Jacobus Trustee & Alexandre Santos & Mariana Janela 201 Littleton Road Ste. 100 Morris Plains, NJ 07950 Block 3406 Lot 3 1 West Rd</p> | <p>Tax Appeal 2020 taxes</p> | <p>\$3,655.55</p> |
| <p>Rita Tannenbaum 47 Island Circle Sarasota, FL 34242 Block 507 Lot 66 6 River Lane</p> | <p>Tax Refund 2021 taxes Homestead rebate credit Overcollection</p> | <p>\$812.20</p> |
| <p>Stephen N. Severud Esq. IOLTA Attorney Trust Acct. & Karthik Paladugu 40 Baldwin Road Ste. 5 Parsippany, NJ 07054</p> | <p>Tax Appeal 2019 taxes (\$5,983.00) 2020 taxes (\$5,970.60)</p> | <p>\$11,953.60</p> |

Millburn Township Committee Meeting Minutes

Block 4506 Lot 22
7 Lawrence Dr.

| | | |
|--|--------------------------|------------|
| Michael I. Schneck Trustee & Kenneth & Gina Mandelbaum 301 South Livingston Ave Ste. 105 Livingston, NJ 07039 Block 3006 Lot 11 9 Shore Edge Lane | Tax Appeal 2020 taxes | \$3,297.31 |
|--|--------------------------|------------|

| | | |
|---|--|------------|
| Michael I. Schneck Trustee & Marc & Amy Rosenberg 301 South Livingston Ave Ste. 105 Livingston, NJ 07039 Block 3005 Lot 3 65 Lake Road | Tax Appeal 2019 taxes (\$5,774.56) 2020 taxes (\$3,836.59) | \$9,611.15 |
|---|--|------------|

| | | |
|--|--------------------------|------------|
| Michael I. Schneck Trustee & Scott & Sarah Pollack 301 South Livingston Ave Ste. 105 Livingston, NJ 07039 Block 2503 Lot 21 21 Alan Drive | Tax Appeal 2020 taxes | \$2,018.45 |
|--|--------------------------|------------|

| | | |
|---|--------------------------|------------|
| Michael I. Schneck Trustee & Yakov & Irina Burakovsky 301 South Livingston Ave Ste. 105 Livingston, NJ 07039 Block 4305 Lot 6 37 Kean Road | Tax Appeal 2019 taxes | \$5,155.03 |
|---|--------------------------|------------|

| | | |
|--|--------------------------|------------|
| Michael I. Schneck Trustee & Ronald Dvorsky & Jackie Stein 301 South Livingston Ave Ste. 105 Livingston, NJ 07039 Block 4305 Lot 6 37 Kean Road | Tax Appeal 2020 taxes | \$5,144.35 |
|--|--------------------------|------------|

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

| | | |
|--|--|-------------|
| Wolf Vespasiano Attorney Trust Account & Sonja Klein | Tax Appeal 2017 taxes (\$4,023.81) | \$11,951.35 |
|--|--|-------------|

Millburn Township Committee Meeting Minutes

331 Main Street
Chatham, NJ 07928
Block 2203 Lot 2
74 Taylor Road North

2018 taxes
(\$7,927.54)

Wolf Vespasiano
Attorney Trust Account &
Anders G. & Amanda M. Nemeth
331 Main Street
Chatham, NJ 07928
Block 3006 Lot 14
62 Lake Road

Tax Appeal
2019 taxes
\$6,791.67

Valerie Hofer, Esq.
Attorney Trust Account &
Albert & Ornella Bergeron
P.O. Box 787
Montville, NJ 07045
Block 2503 Lot 19
1 Alan Dr.

Tax Appeal
2019 taxes
(\$3,016.59)
2020 taxes
(\$3,010.34)
\$6,026.93

Wolf Vespasiano
Attorney Trust Account &
Marc & Lori Cooperman
331 Main Street
Chatham, NJ 07928
Block 4002 Lot 13
20 Wildwood Dr.

Tax Appeal
2018 taxes
(\$3,204.87)
2019 taxes
(\$3,252.05)
2020 taxes
(\$3,245.31)
\$9,702.23

**RESOLUTION 21-193
AUTHORIZE THE REFUND OF TAX OVERPAYMENT**

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

BE IT FURTHER RESOLVED, the Department of Veteran Affairs has found that Mr. Samuel Kim is permanently and totally disabled as the result of service connected disabilities;

BE IT FURTHER RESOLVED, that tax exemption has been granted by the Tax Assessor on Block 5102 Lot 10, 84 Canoe Brook Rd, Short Hills, effective April 27, 2021 and as such the pro-rated second quarter tax refund is as follows:

| <u>Make check payable to:</u> | <u>Type</u> | <u>Amount</u> |
|-------------------------------|----------------------|---------------|
| Mr. Samuel Kim | Veteran Exemption | \$6,728.27 |
| 84 Canoe Brook Rd | pro-rated 2021 Taxes | |
| Short Hills, NJ 07078 | Overcollection | |

Millburn Township Committee Meeting Minutes

Block 5102 Lot 10
84 Canoe Brook Rd

BE IT FINALLY RESOLVED, that the Tax Collector be authorized to cancel the remaining 2021 taxes and preliminary 2022 taxes as they are billed.

RESOLUTION 21-195

DESIGNATING A \$3,138,000 PARKING UTILITY BOND ANTICIPATION NOTE, DATED JUNE 11, 2021 AND PAYABLE JUNE 10, 2022, 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") intends to issue a \$3,138,000 Parking Utility Bond Anticipation Note, dated June 11, 2021 and payable June 10, 2022 (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 Internal Revenue Code of 1986, as amended (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 Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said 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 2021.

SECTION 3. It is further determined and stated that the Township has, as of the date hereof, issued the following tax-exempt obligations (other than the Note) during the calendar year 2021:

| <u>Amount</u> | <u>Dated – Due</u> |
|-----------------|--------------------|
| \$6,515,522 BAN | 1/29/21 - 1/28/22 |

SECTION 4. 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, said Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. 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 2021 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.

Millburn Township Committee Meeting Minutes

**RESOLUTION 21-197
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;

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 2021 in the sum of \$454.40 which is now available from the State of New Jersey Alcohol Ed Rehab Fund – DWI;

BE IT FURTHER RESOLVED, that the like sum of \$454.40 is hereby appropriated under the caption State of New Jersey Alcohol Ed Rehab Fund - DWI;

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Alcohol Ed Rehab Fund - DWI in the amount of \$454.40.

RESOLUTION 21-198

AUTHORIZE PARTICIPATION OF THE TOWNSHIP OF MILLBURN IN THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS, ESTABLISHED BY THE AMERICAN RESCUE PLAN ACT OF 2021, TO APPLY FOR, AND RECEIVE FUNDS TO APPLY TO ACUTE PANDEMIC RESPONSE NEEDS, FILL REVENUE SHORTFALLS, CREATED BY THE COVID 19 CRISIS

WHEREAS, the American Rescue Plan Act of 2021 (ARPA) (P.L. 117-2) was signed into law by President Biden on March 11, 2021, the latest in a series of Coronavirus Disease 2019 (COVID-19)-related relief and economic stimulus legislation; and

WHEREAS, , the American Rescue Plan Act of 2021 established the Coronavirus State and Local Fiscal Recovery Funds, designed to deliver \$350 billion to state, local, territorial, and Tribal governments to bolster their response to the COVID-19 emergency and its economic impacts; and

WHEREAS, of the \$130.2 billion allotted for local governments, the County of Essex has been allocated \$2,101,744.58 that will be provided in two tranches, with 50% provided beginning in 2021 and the balance delivered approximately 12 months later; and

WHEREAS, funds may only be used to cover costs incurred during the period beginning March 3, 2021 and ending December 31, 2024. Funds not obligated by December 31, 2024 and any funds not expended to cover such obligations by December 31, 2026, must be returned; and

Millburn Township Committee Meeting Minutes

WHEREAS, the Coronavirus State and Local Fiscal Recovery Funds may be used for purposes, including, but not limited to the following:

- Supporting public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
- Addressing negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
- Replacing lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
- Providing premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
- Investing in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Millburn that participation in the Coronavirus State and Local Fiscal Recovery Funds, is in the best interests of the public; and

BE IT FURTHER RESOLVED that the Township Administrator, Township Clerk, CFO Treasurer/CFO, and their respective designees, are hereby authorized and directed to sign and file, or cause to be filed, on behalf of the Township, the Request for Funding, together with any such other certificates, documents, instruments or notices as may be necessary, or as any such authorized official may deem necessary or desirable, in order to effectuate or carry out the purposes and intent of the this Resolution, and that all such actions heretofore taken by any one or more of the authorized officials in order to effectuate or carry out the purposes and intent of the foregoing Res

**RESOLUTION 21-199
AUTHORIZING THE AWARD OF A CONTRACT FOR PLANNING CONSULTANT SERVICES [KYLE +
MCMANUS ASSOCIATES]**

WHEREAS, there exists a need for Professional Planning Consultant Services related to affordable housing planning for the Township of Millburn; and

WHEREAS, the Millburn Township Committee has determined that those services shall be performed by Elizabeth McManus, PP, AICP, LEED AP, of Kyle + McManus Associates, P.O. Box 236, 2 East Broad Street, 2nd Floor, Hopewell, NJ 08525; and

Millburn Township Committee Meeting Minutes

WHEREAS, Kyle + McManus Associates can provide such specialized consultant services and has provided the Business Entity Disclosure Certification in accordance with the N.J.S.A. 19:44A-20.8 and completed Political Contribution Disclosure Form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the payment of such professional fees, without competitive bidding must be publicly advertised;

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

- 1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute a professional services agreement, in a form subject to the approval of the Township Attorney, with Elizabeth McManus, PP, AICP, LEED AP, of Kyle + McManus Associates, P.O. Box 236, 2 East Broad Street, 2nd Floor, Hopewell, NJ 08525 for this professional service.
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. Fees for services are authorized as per their proposal dated July 6, 2021 and the Chief Financial Officer has certified funds in the estimated maximum amount of \$25,000.00.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

RESOLUTION 21-200

AUTHORIZING EXECUTION OF CONTRACT FOR CYPRESS STREET ROAD IMPROVEMENTS

WHEREAS, the Township of Millburn (the "Township") received seven sealed bids on July 2, 2021 in response to its advertisement for the receipt of bids for the "Cypress Street Road Improvements" project; and

WHEREAS, the bid prices for the bids received on July 2, 2021 for the "Cypress Street Road Improvements" project are as follows:

Table with 2 columns: Bidder and Total Bid Amount. Lists 7 bidders and their respective bid amounts, with A.J.M. Contracting Inc. having the lowest bid.

WHEREAS, A.J.M. Contracting Inc. is the lowest responsible bidder as determined by the Millburn Township Engineer and is in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

Millburn Township Committee Meeting Minutes

WHEREAS, the CFO has certified that funds are available for the award of the aforementioned contract to A.J.M. Contracting Inc. in the bid amount of \$246,327.50.

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 13th day of July 2021 as follows:

- 1. The Township hereby awards the Contract for "Cypress Street Road Improvements" to A.J.M. Contracting Inc., having a business address of 300 Kuller Road, Clifton, New Jersey 07011, as the lowest responsible bidder, in the amount not-to-exceed \$246,327.50 and the Mayor and Municipal Clerk are authorized to execute said Contract in a form acceptable by the Municipal Attorney.
2. The Business Administrator and staff are authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. With the exception of the bid security for the lowest three bidders, the Municipal Clerk is authorized to release the bid security submitted by the other bidders. Within three days, Sundays and holidays excepted, after the awarding and full execution of the Contract and the approval of the required bonds for A.J.M. Contracting Inc., the bid security of the remaining unsuccessful bidders shall be returned to them.
4. A copy of this Resolution shall be kept on file at the offices of the Township.
5. This Resolution shall take effect immediately.

RESOLUTION 21-201
AUTHORIZE EXECUTION OF CONTRACT FOR
RESURFACING OF TENNIS COURTS AT SLAYTON FIELD

WHEREAS, the Township of Millburn (the "Township") received two sealed bids on July 7, 2021 in response to its advertisement for the receipt of bids for the "Resurfacing of Tennis Courts at Slayton Field" project; and

WHEREAS, the bid prices for the bids received on July 7, 2021 for the "Resurfacing of Tennis Courts at Slayton Field" project are as follows:

Table with 2 columns: Bidder, Total Bid Amount. Rows include Halecon, Inc. (\$44,500.00) and DiMilia, Inc. (\$47,856.00).

WHEREAS, Halecon, Inc., 136 Billian Street, Bridgewater, NJ, 08807, is the lowest responsible bidder, as determined by the Millburn Township Recreation Director and Project Engineer, M. Disko

Millburn Township Committee Meeting Minutes

Associates, and the submitted bid is in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the CFO has certified that funds are available for the award of the aforementioned contract to Halecon, Inc. in the amount of \$44,500.00;

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 13th day of July 2021 as follows:

1. The Township hereby awards the Contract for “Resurfacing of Tennis Courts at Slayton Field” to Halecon, Inc., 136 Billian Street, Bridgewater, NJ, 08807, as the lowest responsible bidder, in the amount not-to-exceed \$44,500.00 and the Mayor and Municipal Clerk are authorized to execute said Contract in a form acceptable by the Municipal Attorney.
2. The Business Administrator and staff are authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. With the exception of the bid security for the lowest three bidders, the Municipal Clerk is authorized to release the bid security submitted by the other bidders. Within three days, Sundays and holidays excepted, after the awarding and full execution of the Contract and the approval of the required bonds for Halecon, Inc., the bid security of the remaining unsuccessful bidders shall be returned to them.
4. A copy of this Resolution shall be kept on file at the offices of the Township.
5. This Resolution shall take effect immediately.

**RESOLUTION 21-202
AUTHORIZING THE EXECUTION OF AN
AGREEMENT BETWEEN THE TOWNSHIP OF MILLBURN AND
SARAH LANGSAM TO ALLOW INSTALLATION OF ARTWORK IN CRESCENT PARK IN SHORT HILLS**

WHEREAS, the Township seeks to honor the first responders who performed heroic acts during and following the events of September 11, 2001, as well as the sacrifice made by members of the Millburn community; and

WHEREAS, as part of its efforts to honor these events during the 20th anniversary of these events, on September 11, 2021, the Township solicited Expressions of Interest (EOI) from prospective artists to design, fabricate and install artwork for placement in Crescent Park in Short Hills; and

WHEREAS, the Township of Millburn (“the Township”), solicited receipt of competitive proposals through a Request for Proposal process (RFP) for a contract entitled “September 11th Memorial at Crescent Park, Short Hills, New Jersey”; and

WHEREAS, Sarah Langsam expressed interest and provided a proposal that was desirable to the

Millburn Township Committee Meeting Minutes

Township for the design and installation of artwork (the "ARTWORK") on June 21, 2021:

Sarah Langsam, 475 South Jefferson St, Suite 206, Orange, NJ 07050
July 14, 2021 – September 8, 2021 - \$40,000.00

WHEREAS, the Township finds that it is necessary and desirable to enter into an Agreement to provide for the installation of the Artwork, which Agreement expressly sets forth the respective rights, duties, and obligations of the parties ("Artwork Agreement");

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in the Township of Millburn in the County of Essex and the State of New Jersey on this 13th July, 2021 as follows:

1. The Mayor and/or her designee is authorized to execute the Artwork Agreement between the Township of Millburn and Sarah Langsam in a form acceptable by the Municipal Attorney.
2. This Resolution shall take effect immediately.

RESOLUTION 21-203
REJECTING BIDS RECEIVED FOR
"ROAD IMPROVEMENTS FOR SLAYTON DRIVE FROM WHITE OAK RIDGE ROAD TO HARTSHORN DRIVE"

WHEREAS, the Township of Millburn (the "Township") received seven sealed bids on June 8, 2021 in response to its advertisement for the receipt of bids for the "Road Improvements for Slayton Drive from White Oak Ridge Road to Hartshorn Drive" project; and

WHEREAS, the amounts of the bids received for the "Road Improvements for Slayton Drive from White Oak Ridge Road to Hartshorn Drive" project are set forth as follows:

| <u>Bidder</u> | <u>Bid Amount</u> |
|--------------------------|-------------------|
| D.L.S. Contracting, Inc. | \$219,082.50 |
| AJM Contractors, Inc. | \$222,236.60 |
| J. A. Alexander, Inc. | \$225,234.97 |
| PM Construction Corp. | \$226,989.00 |
| Fischer Contracting Inc. | \$230,173.90 |
| 4 Clean-Up Inc. | \$234,254.00 |
| Crossroads | \$257,579.00 |

WHEREAS, the Township Engineer has recommended the rejection of all bids seeing the Township of Millburn will need to substantially revise the specifications for the goods or services for the project in order to comply with the grant award from the NJDOT;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-13.2, permits the rejection of bids for the reason listed;

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

Millburn Township Committee Meeting Minutes

1. The Township Committee hereby rejects the received bids for the “Road Improvements for Slayton Drive from White Oak Ridge Road to Hartshorn Drive” project because the Township of Millburn will be substantially revising the specifications for the goods or services for the project in order to comply with the grant award from the NJDOT.
2. The Township of Millburn is authorized and directed to forward notice of rejection to all bidders who submitted proposals and return their respective bid securities.
3. The Township’s staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

**RESOLUTION 21-204
REJECTING BIDS RECEIVED FOR
“FURNISHING AND DELIVERING OF STREETScape TREE PLANTERS AND SOLAR POWERED
LANDSCAPE LIGHTING”**

WHEREAS, the Township of Millburn (the “Township”) received one sealed bid on July 1, 2021 in response to its advertisement for the receipt of bids for the “Furnishing and Delivering of Streetscape Tree Planters and Solar Powered Landscape Lighting” project; and

WHEREAS, the amounts of the bids received for the “Furnishing and Delivering of Streetscape Tree Planters and Solar Powered Landscape Lighting” are set forth as follows:

| <u>Bidder</u> | <u>Bid Amount</u> |
|--|-------------------|
| The Farm at Green Village 403 Green Village Road Green Village, NJ 07935 | \$49,959.28 |

WHEREAS, the bid of The Farm at Green Village was deemed not responsive; and

WHEREAS, the bid had multiple deficiencies, including not providing bid pricing on two of the requested items, did not furnish a bid bond or consent of surety; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-13.2, permits the rejection of bids for the reasons listed;

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

1. The Township Committee hereby rejects the bid of The Farm at Green Village for the “Furnishing and Delivering of Streetscape Tree Planters and Solar Powered Landscape

Millburn Township Committee Meeting Minutes

Lighting” because the bid was not responsive because all the required paperwork was not submitted.

2. The Business Administrator is authorized and directed to forward notice of rejection to The Farm at Green Village and return their respective bid securities, if applicable.
3. The Township’s staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately.

RESOLUTION 21-206

AUTHORIZE INSTALLATION OF TRAFFIC CALMING MEASURE ON RIDGEWOOD ROAD IN THE VICINITY OF IVY TERRACE

WHEREAS, the Millburn Police Department Traffic Bureau conducted volume and speed counts on Ridgewood Road between Undercliff Road and Beech Terrace; and

WHEREAS, the Township asked for further evaluation from its on call traffic engineer, Colliers Engineering, to evaluate the data, perform a site visit and speak with concerned residents; and

WHEREAS, Colliers Engineering has made a recommendation to install two (2) speed humps across Ridgewood Road on both the east and west side of its intersection with Ivy Terrace; and

WHEREAS, speed hump installation is in compliance with all guidelines set forth in the Manual for Uniform Traffic Control Devices and the Traffic Issues Management Policy for the installation of a speed hump;

NOW, THEREFORE, BE IT RESOLVED that the Business Administrator is hereby authorized to cause two (2) speed humps to be installed on Ridgewood Road as prescribed in a memorandum from Colliers Engineering dated May 17, 2021 and all speed humps shall be constructed in accordance with the Township’s Traffic Issues Management Policy including all proper signage and roadway markings.

RESOLUTION 21-207

AUTHORIZE EXECUTION OF STORM SEWER INDEMNIFICATION AGREEMENTS

NOW, THEREFORE BE IS RESOLVED that the Millburn Township Mayor and Township Clerk are hereby authorized to execute the Indemnification Agreements for Storm Sewer Connections for 10 Arden Place, Block: 5004, Lot: 7 and 105 South Terrace, Block: 3304, Lot: 1, as per the recommendation of the Superintendent of Public Works.

RESOLUTION 21-208

AUTHORIZE EXECUTION OF STORM SEWER INDEMNIFICATION AGREEMENTS TO APPROVE A RELEASE AND HOLD HARMLESS AGREEMENT BETWEEN ADVANCED ACCELERATOR APPLICATIONS AND THE TOWNSHIP OF MILBURN

Millburn Township Committee Meeting Minutes

WHEREAS, the Millburn Township Planning Board approved the application of Advanced Accelerator Applications for preliminary and file site plan approval in connection with property commonly known at 45 and 57 East Willow Street in the Township on March 31, 2021; and

WHEREAS, the Resolution of Approval contained a requirement that Advanced Accelerator Applications enter into a Release and Hold Harmless Agreement with the Township concerning the construction of certain improvements within a stormwater easement held by the Township on the said property, such improvements being as depicted upon the approved plans including pavement, curbing, landscaping, fencing and communication conduits; and

WHEREAS, the proposed from of Agreement has been reviewed and approved by the Township Attorney, the Planning Board Attorney and that the Township Engineer as required by the terms of the said Resolution; and

WHEREAS, the aforesaid officials find the Agreement to be in appropriate form and substance and recommend execution on behalf of the Township.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millburn in the County of Essex and State of New Jersey on this 13th day of July 2021 as follows:

- 1.) The Mayor is authorized to execute the Agreement on behalf of the Township of Millburn in the from annexed hereto following execution by the duty authorized officials of Advanced Accelerator Applications USA, Inc. and 57 East Willow Street, LLC, the current titleholders prior to the consolidation of Lots 84 and 85 in Block 507.
- 2.) The Agreement shall be filed by Advanced Accelerator Applications in the Office of the Essex County Register and a filed copy thereof shall be returned to the Township Clerk for filing in the permanent records of the Township.
- 3.) This Resolution shall take effect as provided by law.

**RESOLUTION 21-209
AUTHORIZING THE ADVERTISING OF BIDS –
TYPE 13 & SOLID WASTE & RECYCLING COLLECTION**

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

**Type 13
Solid Waste (Type 10) & Recycling Collection**

Millburn Township Committee Meeting Minutes

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 21-210
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:

Millburn High School PTO

Resolution

Mayor Prupis stated that Resolutions 21- 196 and 21-205 were removed from the consent agenda to consider separately.

Resolution 21-196

Mayor Prupis asked if there were any comments or questions regarding Resolution 21-196.

Ms. Thall Eglow questioned why additional funds were being awarded to the 2-way traffic studies and asked if \$25,000 would be enough to finalize the study. She questioned whether the study should be postponed for next year.

No additional comments or questions were presented.

Mayor Prupis asked for a motion to approve Resolution 21-196 A motion to approve was made by Ms. Miggins and seconded by Mr. Wasserman.

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

Nay: Ms. Thall Eglow

**RESOLUTION 21-196
AUTHORIZING AMENDMENT TO THE
PROFESSIONAL SERVICES CONTRACT WITH COLLIER ENGINEERING & DESIGN FOR THE
PERFORMANCE OF TRAFFIC ENGINEERING CONSULTING SERVICES
(Formerly known as Maser Consulting, P.A.)**

Millburn Township Committee Meeting Minutes

WHEREAS, the Township of Millburn entered into a professional service contract by Resolution 21-027 approved by the Millburn Township Committee on January 5, 2021 with Maser Consulting, P.A., consultant now known as Colliers Engineering and Design, for “On-Call Traffic Engineering Services” and they are qualified in training and experience to perform such services; and

WHEREAS, the Township Committee wishes to add to the original scope of services which was in the total not to exceed amount of \$49,960.00 to include the additional traffic engineering services in the additional amount of \$25,000.00; and

WHEREAS, the Township continues to reserve the right to terminate this contract at any time, providing the contractor is given thirty (30) days written notice;

NOW, THEREFORE, BE IT RESOLVED that the Millburn Township Committee hereby authorizes the amendment to the contract of January 5, 2021 to include additional for “On-Call Traffic Engineering Services” in the additional amount of \$25,000.00 for an amount not to exceed \$74,960.00 for 2021 with Colliers Engineering and Design in a form approved by the Township Attorney;

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute the amendment to the agreement, in a form subject to the approval of the Township Attorney, with Colliers Engineering and Design, 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 for this professional through December 31, 2021.
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. Fees for all services are authorized and the Chief Financial Officer has certified funds in an amount not to exceed \$74,960.00 for 2021.
4. A copy of this resolution shall be published in The Item of Millburn Short Hills as required by law, within ten (10) days of its passage.

Resolution 21-205

Mayor Prupis brought forth Resolution 21- 205. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-205

Mr. Vinayak asked what the amount of legal fees would be to set for the committee prior to the approval of the resolution.

Ms. Miggins reviewed the elements of the committee and what their responsibilities would be. She reminded the Township Committee that the committee would be run by volunteers.

Millburn Township Committee Meeting Minutes

Mayor Prupis stated that no cost of legal fees would be applied unless legal representation was required. Ms. Falcon informed Mr. Vinayak that the committee would not incur legal fees.

Ms. Miggins pointed out that people would be invited to voice concerns.

Mr. McDonald stated that funds had already been allocated for the review of the Master Plan which would be reviewed by the committee.

Ms. Thall Eglow stated that the committee would be reviewing historical sites that could impact residents or owners of the properties.

Mayor Prupis noted that the process was just starting.

No additional comments or questions were presented.

Mayor Prupis asked for a motion to approve Resolution 21-205. Motion to approve Resolution 21-205 was made by Ms. Miggins which was seconded by Mr. Wasserman.

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

Nay: Ms. Thall Eglow

RESOLUTION 21-205

PROVIDE FOR THE OPERATION OF A STEERING COMMITTEE TO ACT IN CONNECTION WITH A REEXAMINATION OF THE HISTORIC PRESERVATION ELEMENT OF THE TOWNSHIP OF MILLBURN MASTER PLAN AND TO APPOINT INDIVIDUALS TO THE STEERING COMMITTEE POSITIONS IDENTIFIED FOR SERVICE ON SAID COMMITTEE

WHEREAS, the Township is currently undertaking a reexamination of the Historic Preservation element of the Township’s Master Plan; and

WHEREAS, the Township desires to appoint a Steering Committee (“Committee”), to oversee the progress of planning, public engagement and to further support these efforts of the Historic Preservation Committee; and

WHEREAS, the Committee will act in an advisory capacity to the Township Committee in connection with monitoring the progress of the reexamination efforts and by providing updates to the Township Committee as necessary; and

WHEREAS, the Committee shall continue as a subsidiary instrumentality which will be involved in progress meetings, review of draft materials provided by the appointed planning firm and charged with ensuring that the scope of work and timeline of the Township’s contract are adhered to; and

Millburn Township Committee Meeting Minutes

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

- 1) The Historic Preservation Master Plan element steering committee shall act as herein described and continue to carry out the following duties:
 - a) Participate in meetings, monitor progress and otherwise assist the Township Committee in its effort to receive a complete and comprehensive examination of the document as outlined in its contract with the professional planning firm, agreed upon scope of work and submitted timeline.
 - b) Receive and review copies of draft materials and progress reports, participate in and support public engagement pertaining to said Millburn Master Plan.
 - c) Make periodic reports to the Township Committee as necessitated.
 - d) Formulate any recommendations to the Township Committee concerning scope of work changes, deadline changes or other pertinent topics as it relates to the project.

- 2) The individuals to serve on the Committee shall be:
 - a) Committeewoman Maggee Miggins; Historic Preservation Commission liaison
 - b) Alison Canfield; Historic Preservation Commission Chair
 - c) Beth Zall or Planning Board Designee, Planning Board Chair
 - d) Joe Steinberg or Board of Adjustment Designee, Board of Adjustment Chair
 - e) Zach Davis, Historic Preservation Commission Vice-Chair
 - f) Mary Esquivel, Historic Preservation Commission Member
 - g) Mary McNett, Millburn-Short Hills Historical Society

- 3) These individuals shall serve until the later of the following: Conclusion of the project and delivery of a final product to the Township Committee, unless a vacancy shall occur by virtue of a person leaving office or being otherwise unavailable to serve, in which event, the Township Committee shall appoint a substitute.

Resolution 21-211

Mayor Prupis brought forth Resolution 21- 211. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-211.

Millburn Township Committee Meeting Minutes

Ms. Thall Eglow stated that several comments were posted that were not accurate. Several letters had been submitted voicing concerns and oppositions; however, the need of crossing guards had been noticeable and the need to privatize had become a solution. She informed the public that the principal of the school near her has had to direct traffic for students. She mentioned that substitute teachers were managed by a contracted company and it worked very well for them.

Mr. Vinayak stated that the comments that were made by Ms. Epstein and Mr. Hauptert had been noted by him. However, he felt that outsourcing was not the answer. He voiced his opposition and asked the Committee to hold the resolution for one year to privatize.

Mr. Wasserman asked Mr. McDonald if the company was not successful in filling all current open crossing guards' positions, could the township eliminate privatization.

Mr. McDonald stated that no, privatization can be canceled only at time or renewal or by Township Committee members' vote.

No additional comments or questions were presented.

Mayor Prupis asked for a motion to approve Resolution 21-211. Motion to approve resolution 21-211 was made by Ms. Thall Eglow which was seconded by Mr. Wasserman.

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

Nays: Ms. Miggins, Mr. Vinayak

**RESOLUTION 21-211
AUTHORIZING EXECUTION OF CONTRACT FOR
MILLBURN TOWNSHIP CROSSING GUARD SERVICES
(One year contract with one (1) one (1) year renewal option)**

WHEREAS, the Township of Millburn (the "Township") received one sealed bid on June 3, 2021 in response to its advertisement for the receipt of bids for the "Crossing Guard Services for Township School Posts for Millburn Police Department"; and

WHEREAS, the bid price for the bid received on June 3, 2021 for the "Crossing Guard Services for Township School Posts for Millburn Police Department" is as follows:

All City Management Services
10440 Pioneer Boulevard, Suite 5
Santa Fe Springs, CA 90670

Bid Amount: July 1, 2021 through June 30, 2022 - \$798,188.00 (based on 180 school days/24,750 hours billed)

Millburn Township Committee Meeting Minutes

(Option #1*) July 1, 2022 through June 30, 2023 - \$798,188.00 (based on 180 school days/24,750 hours billed

*option year #1 to renew is at the discretion of the Township of Millburn

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

WHEREAS, All City Management Services is a responsible bidder as determined by the Millburn Township Business Administrator and their documents were submitted in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the CFO has certified that funds are available for the award of the aforementioned contract to All City Management Services in the bid amount of \$798,188.00.

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 13th day of July, 2021 as follows:

1. The Township hereby awards the Contract for “Crossing Guard Services for Township School Posts for Millburn Police Department” to All City Management Services, having a business address of 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, CA 90670, as the responsible bidder, in the amount not-to-exceed \$798,188.00 and the Mayor and Municipal Clerk are authorized to execute said Contract in a form acceptable by the Municipal Attorney.
2. The Business Administrator and staff are authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. This Resolution shall take effect immediately.

Resolution 21- 212

Mayor Prupis brought forth Resolution 21- 212. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-212.

Mr. McDonald advised that the two options for the removal of flex parking would be during daytime or during the nighttime.

Mayor Prupis asked if the closure of Main Street would impact the removal of flex parking if the Committee decided to do the work during the day.

July 13, 2021

Millburn Township Committee Meeting Minutes

Mr. McDonald stated that if the work was completed during the day, one lane would require closing and that would determine if Main Street would be required to be open.

Ms. Miggins asked if the opening of Main Street now would be best for the project.

Ms. Thall Eglow stated that the noise during nighttime would severely impact residents and voiced her support for the work to be done during the day. Ms. Miggins agreed with Ms. Thall Eglow.

Mayor Prupis asked if Main Street could be open during the weekend.

Mr. McDonald stated that the start date for the project would be August 1, 2021 and the expected end date would be August 31, 2021.

Mr. Wasserman agreed that the work should be done during the daytime and opening Main Street if needed.

Mr. McDonald stated that the project would be managed and would advise if Main Street required opening.

Mr. Wasserman stated that he enjoyed Main Street and would like to wait to open Main Street to traffic completely.

Mr. Vinayak stated he would like to open Main Street during the flex parking removal.

Mr. Wasserman asked if a project manager would be hired for the project and would the project manager be onsite to assist business owners with any questions or concerns. Mr. McDonald stated that yes, a project manager would be hired and would be onsite during the work.

No additional comments or questions were presented.

Mayor Prupis asked for a motion to approve Resolution 21-212. Motion to approve resolution 21-212 was made by Ms. Thall Eglow which was seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

**RESOLUTION 21-212
AUTHORIZING EXECUTION OF CONTRACT FOR MILLBURN AVENUE RECONSTRUCTION (REMOVAL OF
FLEX PARKING)**

Millburn Township Committee Meeting Minutes

WHEREAS, the Township of Millburn (“the Township”), publicly advertised for the receipt of bids, in accordance with N.J.S.A. 40A:11-1 et seq., for a Contract entitled “Contract for Millburn Avenue Reconstruction”; and

WHEREAS, sealed bids were received and publicly opened in accordance with the duly published Notice to Bidders on July 7, 2021; and

WHEREAS, at the time of bid opening, the following bids and the amounts thereof were announced:

1. A.J.M. Contracting Inc.
Base Bid: \$154,866.60
Alternate “A” Amount: \$159,866.60
(\$5,000.00 additional cost to perform milling & paving during nighttime working hours)
Alternate “B” Amount: \$164,866.60
(\$10,000.00 additional cost to perform all contract items of work during nighttime working hours)

2. Diamond Construction
Base Bid: \$389,157.00
Alternate “A” Amount: \$404,157.00
(\$15,000.00 additional cost to perform milling & paving during nighttime working hours)
Alternate “B” Amount: \$404,157.00
(\$15,000.00 additional cost to perform all contract items of work during nighttime working hours)

WHEREAS, A.J.M. Contracting Inc. is the lowest responsible bidder in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the CFO has certified that funds are available for the performance of this Contract.

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 13th day of July 2021 as follows:

1. The Township hereby awards the Contract for “Millburn Avenue Reconstruction” to A.J.M. Contracting Inc., having a business address of 300 Kuller Road, Clifton, New Jersey 07011, as the lowest responsible bidder, in the amount not-to-exceed \$159,866.60 (for base bid plus Alternate “A”) and the Mayor and Municipal Clerk are authorized to execute said Contract in a form acceptable by the Municipal Attorney.

2. The Business Administrator and staff are authorized and directed to execute any other necessary documentation and to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

Millburn Township Committee Meeting Minutes

- 3. Within three days, Sundays and holidays excepted, after the awarding and full execution of the Contract and the approval of the required bonds for A.J.M. Contractors, Inc., the bid security of the unsuccessful bidder shall be returned.
- 4. A copy of this Resolution shall be kept on file at the offices of the Township.
- 5. This Resolution shall take effect immediately.

Resolution 21- 213

Mayor Prupis brought forth Resolution 21- 213. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-213. No comments or questions were presented. Mayor Prupis asked for a motion to approve Resolution 21-213; a motion to approve Resolution 21-213 was made by Ms. Miggins which was seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

**RESOLUTION 21-213
AUTHORIZING LIQUOR LICENSE TRANSFER
(PLACE TO PLACE TRANSFER – SAM & RY ENTERPRISES t/a UnWined Boutique)**

WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Distribution License [current License No. 0712-44-011-013], issued to SAM & Ry Enterprises LLC t/a UnWined Boutique heretofore located at 345 Millburn Avenue, Millburn, NJ 07041; 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, SAM & Ry Enterprises LLC t/a UnWined Boutique 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;

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 July 14, 2021, the place-to-place transfer of the aforesaid Plenary Retail Consumption licensed premises, from its former location at 345 Millburn Avenue, Millburn, NJ 07041, to its new location at 313 A Millburn Avenue, Millburn, NJ 07041, and does hereby direct the Municipal Clerk/A.B.C. Board Secretary to endorse the license certificate to, License Number 0712-44-011-014, as follows: "This license, subject to all its terms and conditions, is hereby transferred to premises located at 313 A Millburn Avenue, Millburn, NJ 07041 effective July 14, 2021".

Resolution 21- 214

Mayor Prupis brought forth Resolution 21- 214. Mayor Prupis asked if there were any comments or questions regarding Resolution 21-214. No comments or questions were presented. Mayor Prupis asked

Millburn Township Committee Meeting Minutes

for a motion to approve Resolution 21-214. Motion to approve Resolution 21-214 was made by Ms. Miggins which was seconded by Mr. Wasserman.

Roll Call Vote: All Ayes

**RESOLUTION 21-214
AUTHORIZING LIQUOR LICENSE TRANSFER
(PERSON TO PERSON AND PLACE TO PLACE TRANSFER,
TAUB-CO LICENSE LLC TO RCSH OPERATIONS, LLC)**

WHEREAS, an application has been filed for a person-to-person transfer and place to place transfer of Plenary Retail Consumption License w/Broad Package Privilege [current License No. 0712-32-001-015], heretofore issued to Taub-Co License LLC currently held in pocket as an inactive license; 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, RCSH Operations, LLC (*trade name: Ruth's Chris Steak House*), 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 applicant has disclosed and the Millburn Township Police Department, 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;

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 July 14, 2021, the person to person and place to place transfer of the aforesaid Plenary Retail Consumption License from Taub-Co License LLC currently an inactive license to RCSH Operations, LLC, licensed at 1200 Morris Turnpike, Suite A-119, Short Hills, NJ 07078, and does hereby direct the Municipal Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership, License Number 0712-32-001-016, as follows: "This license, subject to all its terms and conditions, is hereby transferred to RCSH Operations, LLC effective July 14, 2021".

ORDINANCE / SECOND READING AND CONSIDERATION OF ADOPTION

Ordinance 2580-21

Mr. Wasserman brought forth Ordinance 2580-21 and asked for a motion to adjourn Ordinance 2580-21 to August 17, 2021 for public hearing. Mr. Wasserman made a motion to approve the adjournment of Ordinance 2580-21 to the August 17, 2021 Committee meeting which was seconded by Ms. Miggins.

Roll Call Vote: All Ayes

Millburn Township Committee Meeting Minutes

OLD BUSINESS

Zoning Accessory Use Revisions

Mr. McDonald provided a draft zoning ordinance for the loading, unloading and rooftop decks with the help of the Township Planner, Paul Philips. H advised that 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. The draft also reviewed the prohibition of rooftop decks and the language in the prohibitions under regulation 609.13. He noted that the Township Committee has asked for the draft ordinance to be provided to the public for review and input.

Mr. Vinayak voiced his discontent of using the Woodland area as a loading and unloading zone and opposed cutting curb.

Mayor Prupis advised that a public session would be scheduled in the near future for further discussion and consideration.

No other old business was presented.

New Business

Prohibition of the Public Consumption of Cannabis or Alcoholic Beverages in Public Places

Mr. McDonald provided a brief explanation of the prohibitions of public consumption of cannabis and alcoholic beverages and whether the Township Committee would like to create an ordinance with the prohibitions.

Mr. Vinayak asked if alcoholic beverages were allowed in public places. Mr. Falcon reviewed the regulations.

Ms. Thall Eglow asked if smoking a cigarette was prohibited on public streets. She further asked why it would be prohibited. She recommended the language of the ordinance be changed.

Ms. Miggins stated that the main concern was people smoking marijuana in public.

Mr. McDonald stated that the draft ordinance was to bring up a concern and language should be discussed and considered by the Committee as to what is acceptable.

Ms. Thall Eglow stated that the draft ordinance required changing and further discussions.

Mr. Vinayak stated his opposition to smoking marijuana in public areas for recreational use.

Ms. Miggins agreed additional discussions are needed with additional research.

Mr. Wasserman asked that the draft ordinance focus on cannabis and not over reaching citizens' rights.

Mr. Falcon reviewed the regulations of the free air act and recommendation for the ordinance.

Millburn Township Committee Meeting Minutes

Mayor Prupis asked for additional information to be presented and the draft be reworded and presented at a future meeting.

Proposed Ordinance on Bamboo and Other Invasive Species

Mr. McDonald stated that due to residents planting bamboo and the plant spreading to nearby neighbors it is being recommended that an ordinance be considered to protect residents and control the growth of bamboo in the township as the plant spread quickly.

Ms. Thall Eglow voiced her opposition to the ordinance.

Mr. Miggins voiced her support for the ordinance and stated that bamboo growth in the township was a real problem that required attention.

Mayor Prupis asked for a 5 minute recess.

The meeting resumed at 8:40 p.m.

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 Owalabj, of 46 Maple Street, stated that she was against the cancelation of public comments during the consent agenda. She further voiced her opposition to Mayor Prupis and questioned various litigation matters. She asked the Township Committee to consider maintaining Zoom access for the residents. In reference to the Rose Garden, she asked not to change the garden.

Rajesh Sharma, of 17 Minnisink Road, recommended moving public comments to an earlier time. He voiced his opposition to privatization of crossing guards and stated that outsourcing was not the

Millburn Township Committee Meeting Minutes

solution. He further recommended creating a survey for the public to submit their concerns regarding cannabis and public drinking for the drafting of an ordinance. He voiced support for structuring an ordinance to control bamboo in the township.

Sean Perry, of 28 Rosedale Avenue, questioned the cost of privatizing crossing guards and asked the Township Committee not to change the rose garden. He stated that marijuana was not the same as alcohol and voiced the need for an ordinance.

Jeffery Feld, of 11 Alexander Lane, stated he submitted an email complaining against the removal of public comments during the consent agenda. He reviewed Resolution 21-198. In reference to the crossing guards, he stated that an OPRA request was submitted. He questioned the various discrepancies in regard to flex parking bids.

Lisa Gadsden, of 15 Mountainview Road, read and submitted the following statement:

“Good evening and thank you for this opportunity share some information with you regarding the Short Hills Garden Club and The Wallbridge Rose – Garden. I am a Millburn Township resident since 1987, my husband and mother grew up here, as well. I am a Short Hills Garden club member since 1994 and a past president. I currently serve as the Chairman of the Garden History & Design Committee of the Garden Club of America (national organization). The Short Hills Garden Club, a volunteer organization, was established by local residents in 1906 and is a member of The Garden Club of America.

Its mission is to stimulate the knowledge and love of gardening and to restore, improve, and protect the quality of the environment. The Short Hills Garden Club has had a long and successful relationship with Millburn Township as stewards of the Township’s parks and public spaces for the enjoyment of residents and visitors of all ages. The Short Hills Garden Club maintains several ongoing civic projects including;

- the Wallbridge Rose Garden in Taylor Park
- the Millburn/Short Hills Community Garden on Church Street
- the Cora Hartshorn Arboretum

Recently, The Short Hills Garden Club partnered with the Millburn Township Green Team in the establishment of a Pollinator Garden in the traffic triangle on Whittingham Road.

Past projects throughout the Township include;

- the planting of native plants in the deer enclosure of the South Mountain Reservation,
- the establishment planting of the stream bed garden in Old Short Hills Park,
- the Millennium Garden at Short Hills Train Station parking lot,
- and many others

Short Hills Garden Club Members were instrumental in establishing and supporting

- the Cora Hartshorn Arboretum
- and the Township Beautification League.

The Short Hills Garden Club established the Wallbridge Rose Garden in Taylor Park using a gift donated to the club by a former member— an original member of the Shade Tree Commission.

Millburn Township Committee Meeting Minutes

- With Township Committee approval another garden club member (also a member of the Shade Tree Commission), conceived and accomplished the beautification of the Millburn Avenue entrance to Taylor Park with a gazebo and four-quadrant rose garden – gifted to the Township.
- Since that time, the club has maintained and enhanced the rose beds, along with many of the perimeter plantings, including the installation of the sprinkler system. The club's ongoing commitment to the garden includes pruning, weeding, replacing diseased/dead plantings and general clean-up of the garden and surrounding area.

The Short Hills Garden club has completed documentation of the Wallbridge Rose Garden for the Smithsonian Institution Archives of American Gardens. The Short Hills Garden club has initiated research to find the original landscape plans for Taylor Park. The SHGC will continue to support Millburn Township's parks and open spaces well into the future for the benefit and enjoyment of its residents and visitors. The SHGC is in the process of planning to donate new shade trees in Taylor Park to commemorate the anniversary of the birth of Frederick Law Olmsted – regarded as the father of American landscape architecture.

- We have already collaborated with the Township Forester on the landscape plan and had voted to spend funds on the project. Our hope is that we will be able to proceed with the project in Spring 2022.

The Short Hills Garden Club would very much like to collaborate with the landscape architect selected for designing the gateway section of Taylor Park with the Wallbridge Rose Garden in its current location. Our access to public parks and nature has never been more valued by Americans than it is today. Thank you for your time and consideration.”

Susan Van Tassel, of 54 Hillside Avenue, voiced her support for conserving the rose garden and asked the township to consider not changing the rose garden as it's a focal point in the township.

Shannon Perry, 28 Rosedale Avenue, voiced her support for maintaining and conserving rose garden and. She questioned why Police Officers were not able to hire crossing guards or assist in assuring the children cross streets safely. Lastly, she questioned the budget utilized to prohibit public consumption.

Dave Cosgrove, 99 Oakview Terrace, informed the Township Committee that the audio was not functioning well. He advised that the report of Mr. Falcon was heard. He voiced his opposition to the privatization of crossing guards and questioned how public comments occurred after resolutions have been approved. He questioned Mr. McDonald's reports on the approved curb cutting. He asked for an explanation pertaining to Resolution 21-199 and asked if the proposed contract could be accessible to residents. He asked for additional information on Resolutions 21-213 and 21-214. He voiced his support for a marijuana ordinance in the Township of Millburn.

Dominique Urso, of 514 Millburn Avenue, questioned the procedure of closing roads. She voiced her concern of residents not being informed of road closures prior to the occurrence. She voiced her opposition to Zoom meeting removal and stated that businesses owners were not able to attend in-person and Zoom allowed residents to participate and voice their concerns. She asked for information

Millburn Township Committee Meeting Minutes

on the local channel that showed the Township Committee Meeting. Lastly, she asked for reconsideration of the SID to be stopped and voiced support of rose garden to stay as is.

Bebe Shear, 101 Oakview Terrace, voiced her concerns with the structure of drafting of loading and unloading zones in the Township of Millburn. She questioned the need of the Township to get involved in providing a loading area.

Perri Urso 514 Millburn Avenue, read and submitted the following statement: "My 1st comments to Miss Mayor Prupis as you stated at the last TC meeting that there are two objectors to the contested SID, well that's incorrect. I will tell you, me just like yourself in 2018 rallying merchants and property owners to dissolve the DMDA. Two years forward here I am doing the very same thing. And I currently have 17 property owners NOT 2, throughout your five districts that are in objection of the SID...absolutely NO Buy-in. Committeeman Vinayak you clearly and passionately stated that the TC will not mediate but quote "litigate to the end 'cause you can". You failed your campaign promise you & committeewoman Miggins lied to your constituents by using taxpayers money to fund & fight to defend the existence of the contested SID.

Miss Eglow has aligned herself with the rest of the TC members and now voting in favor for something she voted against in August 2020.

Mr. Wasserman you have continued to fail the districts within the contested SID your continued arrogance and you are unworthy of any loyalty from the stakeholders. You have falsely given accurate information. Are you overseeing the newly hired Executive Director?

Under his direction things are being done backwards...the old Italian saying you don't buy the cart before you buy the donkey. His presentation discussed vacancy rates that contradicted all prior statements. He continued to state that Downtown makes up 47% of the businesses within the SID, therefore 53% is amongst the other 4 districts which is subsidizing them w/o any recognition...so it takes me back to the one of my original concerns "TAXATION w/o REPRESENTATION" I ask this board to please resend the SID, which there are NO legal opinions supporting it's validity."

Oksana Sysoyeva, 44 Rolling Place, stated that Wallbridge Rose Garden is a gem for the Township of Millburn and hoped the Township Committee would vote against the removal of it.

Dave Boyko, 30 Farmstead Road, stated that audio during the meeting has not worked correctly. He asked for public comments to move to an earlier part of the meeting. He thanked the Township Committee for their work and effort in trying to make the best decision for the town even when residents do not agree with all the decisions made.

Jean Cosgrove, 99 Oakview Terrace, corrected a statement made by Mr. McDonald pertaining to the Silverman Site parking area. She informed Mr. McDonald that the site provided public parking, permit parking and asked the Committee to think of what the township would be giving up prior to voting on a resolution.

Shreyas S., 15 Greenwood Drive, voiced concern pertaining to public comments occurring after resolutions have been passed. He asked for the rose garden not to be moved and lastly, he questioned why residents would want to subsidize if taxes would increase.

Millburn Township Committee Meeting Minutes

Regina Truitt, 385 Hartshorn Drive, asked for public comments to be extended. She asked for public comments to be moved to an earlier time during the meeting and gave a brief history on democracy. She asked for Zoom meetings to continue to allow people unable to attend in person to voice their concerns.

Nancy Stone, 10 Fielding Road, voiced support for the rose garden to stay. She voiced support to what Regina Truitt requested for public comments. She voiced her opposition to privatization of crossing guards. She asked for Zoom meetings to continue for residents unable to attend to be able to participate. She voiced her opposition to Mayor Prupis and asked for public comments to be moved to an earlier time at the meeting.

Sarah Sherman, 42 Greenwood Drive, thanked the Township Committee for their hard work and being accessible to residents. She voiced her support for outsourcing of crossing guards. She noted that she was opposed to extending public comment time.

Sandy Murphy, 28 Claremont Drive, stated that rose garden should be maintained as it is a very meaningful space for residents. She asked for public comments to be allowed prior to resolutions to be approved and she thanked the Township Committee for serving and trying to make the best decisions for the Township.

Malgorzata Gapinska, 11 Meeker Place, echoed the sentiments of allowing public comments prior to making decisions. She stated that crossing guards outsourcing should be reviewed prior to making a final decision. She asked for Zoom to continue and voiced her support to keep rose garden.

Carey Heller, of 343 Millburn Avenue, voiced his support for flex parking removal during the day and maintaining Main Street closed as long as possible. He asked for residents and business owners to be provided updates of the project. He asked for trees that have been previously removed to be put back.

Mayor Prupis closed public comment.

Mayor Prupis stated that the tree at Taylor Park entrance was not going to be removed. She stated that she was accessible to anyone wishing to meet and discuss any topic. Pertaining to the crossing guard's resolution, she stated that the difference on privatization is \$5,000 but that's for two new positions. She thanked Amy Laurence, a resident and volunteer, for her dedication and hard work as a volunteer. She reviewed the process of the Township Committee meeting and informed residents that the crossing guard's resolution had been discussed and residents had enough time to voice their concerns and oppositions. She stated that all boards and commissions would resume in-person meetings and that includes the Township Committee.

Mr. McDonald stated that the loading and unloading zone regulation had not been presented to the Township Committee.

Mayor Prupis asked Mr. McDonald to review the process of road closures. Mr. McDonald reviewed the closure of roads on upper Millburn Avenue and encouraged residents to sign up for SWIFT911.

July 13, 2021

Millburn Township Committee Meeting Minutes

Mayor Prupis stated that all Township Committee members were all volunteers and accessible.

Mr. Wasserman stated that the crossing guard resolution also a concern of safety if the township was understaffed. He noted that privatization would be tried for one year and if the township was not content, other options would be reviewed. He stated that the contract had been reviewed by himself as he wanted to confirm that crossing guards were taken care off. He thanked the Garden Club for their input.

Mayor Prupis stated that the Township Committee would make sure that crossing guards are properly staffed.

Ms. Miggins reviewed the history of the rose garden and voiced her opposition to moving any roses. She stated the overgrown bushes and the fence should be removed and additional research should be made before making any changes on rose garden. Lastly, she thanked the volunteers for their hard and amazing work.

Mr. Vinayak thanked Mayor Prupis for her great explanation of the transparency of the Township Committee. He stated that the SID was going to be paid by businesses and voiced his support for the SID. He stated that taxes had not increased for 2021 and stated that taxes for 2022 had not been discussed and an increase will not be made unless necessary.

Ms. Miggins asked Mr. McDonald about the status of the share services options he had reviewed and asked if the information can be provided.

Ms. Thall Eglow stated that members of the Committee always learned, evolved and changed opinions in the process of evolving. However, she reminded everyone that the Committee had an open mind and were willing to listen.

Mr. Falcon stated that the Silverman curb cut resolution was still pending before the Planning Board. He reviewed the contract award of flex parking and stated that with any open bids, the award should go to the lowest bidder.

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 Ms. Miggins and seconded by Ms. Thall Eglow. The meeting was adjourned at 10:00PM. Vote: All Ayes

Christine A. Gatti, RMC
Township Clerk

Approved: October 5, 2021