



BOROUGH COUNCIL
Borough of Florham Park
Thursday, August 13th, 2026

Regular Meeting Minutes

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Acting Mayor Carpenter called the Regular Meeting of the Borough Council to order at 6:30 p.m.

COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The Borough Clerk stated that all requirements of the Open Public Meetings Act have been met.

ROLL CALL

Acting Mayor Carpenter asked Borough Clerk Danielle Lewis to call the roll of the governing body:

Governing Body	Present	Absent
Carpenter	✓	
Malone	✓	
Santoro	✓	
Marchal	✓	
Cicarelli	✓	
Johnstone	✓	
Mayor Taylor		✓

Additional Borough Officials present were Borough Clerk Danielle Lewis and Borough Attorney Joseph Bell.

APPOINTMENT TO VOLUNTEER FIRE DEPARTMENT

Councilman Marchal made a motion to appoint Joshua Dubner to the Volunteer Fire Department. The motion was seconded by **Councilman Malone**.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

Borough Clerk Danielle Lewis administered the Oath of Office to Joshua Dubner.

POLICE DEPARTMENT PROMOTION

Councilman Johnstone stated that the Resolution to promote Joseph Rega to Sergeant in the Patrol Division is on tonight's Consent Agenda.

Borough Clerk Danielle Lewis administered the Oath of Office to Joseph Rega.

MINUTES FOR APPROVAL AND ADOPTION

Councilman Malone made a motion to approve the Minutes of the May 7, 2026 Council Work Session. The motion was seconded by **Councilman Marchal**.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

ORDINANCES FOR PUBLIC HEARING & ADOPTION

Councilman read **Ordinance #26-17** by title as follows:

#26-17 An Ordinance of the Mayor and Borough Council of the Borough of Florham Park in the County of Morris, State of New Jersey, Amending Chapter 229 "Trees" of the Code of Ordinances of the Borough of Florham Park

Acting Mayor Carpenter opened the public hearing on Ordinance #26-17. No one wished to be heard.

Councilman Malone moved for the adoption of **Ordinance #26-17** as read by title on second reading. The motion was seconded by **Councilwoman Santoro**.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

Councilman Malone read **Ordinance #26-18** by title as follows:

#26-18 An Ordinance of the Mayor and Borough Council of the Borough of Florham Park in the County of Morris, State of New Jersey, Amending Chapter 238 "Vehicles and Traffic", Section 238-33 "Speed Limits" and Section 238-37 "Handicapped Parking" of the Code of Ordinances of the Borough of Florham Park

Acting Mayor Carpenter opened the public hearing on Ordinance #26-18. No one wished to be heard.

Councilman Malone moved for the adoption of **Ordinance #26-18** as read by title on second reading. The motion was seconded by **Councilman Marchal**.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

Councilman Johnstone read **Ordinance #26-19** by title as follows:

#26-19 An Ordinance of the Mayor and Borough Council of the Borough of Florham Park in the County of Morris, State of New Jersey, Amending the Code of Ordinances of the Borough of Florham Park to Provide for Licensing and Regulation of Massage, Bodywork and Somatic Therapy Establishments

Acting Mayor Carpenter opened the public hearing on Ordinance #26-19. No one wished to be heard.

Councilman Johnstone moved for the adoption of **Ordinance #26-19** as read by title on second reading. The motion was seconded by **Councilwoman Santoro**.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

Councilman Johnstone read **Ordinance #26-20** by title as follows:

#26-20 An Ordinance of the Mayor and Borough Council of the Borough of Florham Park in the County of Morris, State of New Jersey, Amending the Code of Ordinances of the Borough of Florham Park to Regulate Electronic Smoke Devices/Vape Shops/Edibles Psychoactive Substances and Drugs

Acting Mayor Carpenter opened the public hearing on Ordinance #26-20. No one wished to be heard.

Councilman Johnstone moved for the adoption of **Ordinance #26-20** as read by title on second reading. The motion was seconded by **Councilman Marchal**.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

CONSENT AGENDA – RESOLUTIONS FOR APPROVAL

Councilman Cicarelli made a motion to approve the presented Resolutions via a single motion of the Council. The motion was seconded by Councilwoman Santoro.

- #26-185** AUTHORIZING PROMOTION OF JOSEPH REGA TO SERGEANT IN THE FLORHAM PARK POLICE DEPARTMENT
- #26-186** APPOINTING AN ACTING ZONING OFFICIAL
- #26-187** CORRECTING RESOLUTION #26-126 AND APPROVING ADDITIONAL 2026 SEASONAL EMPLOYEES – MUNICIPAL POOL
- #26-188** AUTHORIZING AGREEMENT AND PAYMENT FOR EMERGENCY TREE REMOVAL AND LIMITED PROPERTY RESTORATION
- #26-189** AUTHORIZING THE EXECUTION OF A UTILITY EASEMENT AGREEMENT WITH JERSEY CENTRAL POWER & LIGHT COMPANY AND VERIZON NEW JERSEY INC. FOR BOROUGH PROPERTY DESIGNATED AS BLOCK 301, LOT 16
- #26-190** AUTHORIZING AWARD FROM OPIOID SETTLEMENT
- #26-191** AMENDING LIBRARY LEVY AS PER NEW JERSEY STATE LIBRARY
- #26-192** GRANTING AUTHORITY FOR APPROVAL OF CERTAIN PURCHASES THROUGH NEW JERSEY STATE CONTRACTS AND/OR PURCHASING COOPERATIVES FOR 2026
- #26-193** AUTHORIZING A CONTRACT AWARD FOR BOROUGH OF FLORHAM PARK VILLAGE ROAD AND VULTEE DRIVE ROADWAY AND SIDEWALK IMPROVEMENT PROJECT NJDOT FY 2025 MUNICIPAL AID PROJECT– CONTRACT # FP26-03

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

PAYMENT OF VOUCHERS

Councilman Malone made a motion to approve the current bills list in the amount of \$2,485,595.88. The motion was seconded by Councilman Cicarelli.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

Borough Clerk Danielle Lewis presented a donation request for Hanover Park Volleyball. There was consensus amongst the Council to donate \$250.00 to Hanover Park Volleyball.

Roll Call Vote:

Council Member	Yes	No	Abstain	Absent
Carpenter	X			
Malone	X			
Santoro	X			
Marchal	X			
Cicarelli	X			
Johnstone	X			
Total	6			

PUBLIC COMMENT – MAXIMUM OF FOUR (4) MINUTES PER SPEAKER

Phil Andretta:

Mr. Andretta spoke about concerns with cyber security and water systems. He referenced a Wall Street Journal article and stated that thirty (30) or more systems were hacked in Minnesota and there were attempts in Cape May County. He said he has been in touch with Administrator Shelby Snow and Borough employee Suzanne Herold about this. He was advised that Borough does have an electronic system and good cyber protection.

Acting Mayor Carpenter said the Borough will look into this.

David Fox:

Mr. Fox thanked the Borough for the clean up efforts on Florham Park's side of Punch Bowl Road. He said he will go to Morris Township's next Township Committee meeting to speak on their portion of the road.

John Winters:

John Winters asked about Resolution #26-186 and was told that this is a stipend for coverage of Kayla's position.

Mr. Winters inquired about Resolution #26-188 and was told this was in regards to a fallen tree in a right of way. Mr. Winters asked questions about water usage and **Councilman Marchal** responded to same.

Borough Clerk Danielle Lewis reminded Borough Council that registration is now open for the Annual New Jersey League of Municipalities conference and that the September Morris County League of Municipalities meeting will be held at the Lake Hopatcong Yacht Club.

ADJOURNMENT

It was regularly moved by Councilman Malone, seconded by Councilwoman Santoro, and unanimously approved that the meeting be adjourned at 6:54 p.m.



Danielle M. Lewis, RMC, CMC
Borough Clerk
August 13, 2026



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE #26-17**

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 229, "TREES", OF THE CODE OF ORDINANCES OF THE BOROUGH OF FLORHAM PARK

WHEREAS, the Mayor and Council of the Borough of Florham Park have determined that the preservation, protection, maintenance and controlled removal of trees is essential to the health, safety and general welfare of the Borough and its residents; and

WHEREAS, the protection and preservation of trees has been found by the New Jersey Courts to unquestionably affect the public interest; and

WHEREAS, the Borough deems it necessary to further update and strengthen its ordinance and regulations in order to further refine and improve its standards, requirements and procedures for tree permits and removals; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Florham Park, in the County of Morris, State of New Jersey as follows:

Section 1. Chapter 229, "Trees," § 229-2, "Applicability" of the Code of Ordinances of the Borough of Florham Park is hereby amended and supplemented as follows:

All applications to the Planning Board or Zoning Board of Adjustment for approval of a major subdivision, minor subdivision or site plan requiring tree removal shall include an application for a Tree Removal Permit. All applications for demolition permits for the purpose of tearing down a house for reconstruction in the Borough shall also require a Tree Removal Permit. Any residential, commercial, business or industrial lot owner owner, resident or other person wishing to Remove Trees upon said lot any residential, commercial, business or industrial lot must comply with **§ 229-8** of this Chapter. The application shall be submitted to the Engineering Department for review and approval by the Borough Engineer or his/her designee. No tree that was planted or preserved as part of any landscape plan or in accordance with any subdivision or site plan approval shall be removed, except for such trees directed to be removed pursuant to **§ 229-5A (6)(5)** through **(9)(8)**.

Section 2. Chapter 229, "Trees," § 229-3, "Definitions" of the Code of Ordinances of the Borough of Florham Park is hereby amended and supplemented to add additional definitions, and to modify only the specified existing definitions, as follows:

APPLICANT

Any person, as defined in this Chapter, who applies for a Tree Removal Permit on any Lot within the Borough.



LOT

A designated parcel or tract of land established in the local and county records by plat, deed, subdivision, zoning lot of record, or as otherwise permitted by law.

PERSON

Any individual, Resident as defined in this Chapter, group, company, firm, corporation, partnership, limited liability company, association, society or other legal entity, including its officers, agents or employees.

QUALIFIED TREE CONTRACTOR

A contractor duly licensed by the New Jersey Board of Tree Experts pursuant to N.J.S.A 45:15C-11 et seq.

REMOVE or REMOVAL

To kill or to cause irreparable tree damage that leads to the decline and/or death of a Tree, including, but not limited to, any excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the Tree that leads to the decline and/or death of a Tree. Removal does not include responsible pruning and maintenance of a tree, or the prescribed application of treatments intended to manage invasive species, insects, or disease.

RESIDENT

An individual who resides on the property, the property owner, or a Qualified Tree Contractor hired or engaged by the individual who resides on, or is the property owner of, the property where a Tree(s) regulated by this Chapter is Removed or proposed for Removal. In the event the property owner is a business entity, or no individual otherwise resides on the property, the term "Resident" shall also mean and include the business entity that owns, or is the tenant of, the property where a Tree(s) regulated by this Chapter is removed or proposed to be removed.

TREE DAMAGE

Any purposeful or accidental actions which causes a Tree(s) harm which includes, but is not limited to, excessive pruning, application of substances that are toxic to the Tree, over-mulching or improper mulching, improper grading, and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree and shall be treated the same as Tree Removal.



TREE REMOVAL PERMIT

A permit issued by the Borough Engineer, or his/her designee, to remove or destroy a tree or trees. A permit issued to an Applicant, who complies with all requirements of this Chapter, by the Borough Engineer, or his/her designee, to remove or destroy a tree or trees and which must be obtained prior to undertaking any such removal.

Section 3. Chapter 229, "Trees," § 229-4, "Tree cutting or removal restricted" of the Code of Ordinances of the Borough of Florham Park is repealed and replaced in its entirety as follows:

Subject to the exemptions set forth in § 229-5, no person shall cut, or remove, damage, or cause to be cut or, removed or damaged, any existing tree with a diameter at breast height (DBH) of 10 inches or greater upon located on any lands within the Borough of Florham Park unless the cutting or removal can be accomplished in accordance with the provisions of this chapter without first submitting an application and being issued a Tree Removal Permit, unless such action is specifically exempted by this Chapter. It shall be the duty and responsibility of each Applicant, Resident, Qualified Tree Contractor and any other Person to comply with all requirements and standards of this Chapter. All provisions of this Chapter shall apply to any Person performing or causing the Removal of Tree(s) on behalf of an Applicant, Resident or other Person, including any Tree Removal company or contractor, or any Person engaged in the business of Tree Removal. It shall be a violation of this Chapter for any Person, Applicant, Resident or Qualified Tree Contractor to Remove or cause to be Removed any Tree unless a valid Tree Removal Permit is in effect, all Trees to be Removed have been properly marked and inspected in accordance with § 229-13, prior advance notice of the commencement of Tree Removal activity has been provided to the Borough, and the Tree Removal Permit has been, and remains, properly posted on the Lot for such time and in such manner as required by § 229-14. Any such Removal or work performed in violation of this Chapter shall subject the Person, Applicant, Resident and/or Qualified Tree Contractor to all penalties and remedies provided herein.

In any instance in which a Tree has been Removed, cut, damaged or otherwise reduced below breast height such that DBH cannot be determined, DBH shall constitute the average stump diameter of the remaining stump. This average stump diameter shall be determined by taking two (2) measurements across the top of the stump at right angles to each other and calculating the average of those measurements.

In any instance in which a Tree has been Removed, cut, damaged or otherwise reduced below breast height such that DBH cannot be determined and that no measurable stump remains, DBH may be established by any reliable and competent evidence reasonably sufficient to establish the size of the Tree prior to Removal, including photographs, prior surveys or inventories, plans, arborist reports, inspection records, aerial imagery, remaining tree material, root collar measurements, permits or witness observations and/or in accordance with published by the USDA Forest Service or other professionally accepted forestry or arboricultural standards.



Section 4. Chapter 229, "Trees," § 229-5, "Exemptions" of the Code of Ordinances of the Borough of Florham Park is repealed and replaced in its entirety as follows:

- A. The Borough Engineer or designee must inspect Trees in order to qualify for the exemptions listed in this Section. Except as otherwise expressly provided in Subsection C of this Section, any Applicant, Resident, Qualified Tree Contractor or Person seeking an exemption pursuant to this Section shall be required to submit an application and obtain a Tree Removal Permit under this Chapter. The exemptions are as follows:
- (1) Commercial nurseries and fruit orchards.
 - (2) Christmas Tree farms.
 - (3) Residential Lots that are located in any residential zones where Removal is no more than three Trees with a ten-inch DBH or greater in any two-year period.
 - (4) Any Tree which is part of a cemetery.
 - (5) Trees directed to be removed by municipal, county, state or federal authority pursuant to law.
 - (6) Removal of Trees which are dead, dying or diseased, or Trees which have suffered damage, or any Trees whose angle of growth makes them a hazard to structures, roads, or human life. Dead or diseased Trees shall not be turned into mulch and applied to the site, but shall be disposed of in a manner so as not to disease other Trees on the site.
 - (7) Removal of Trees which appear to cause structural damage to buildings or foundations.
 - (8) Any Tree growing on or over a public right-of-way or public land when such action is performed by, or at the express direction of, a governmental authority with jurisdiction.
 - (9) Pruning or Removal of Trees within the right-of-way for maintenance of utility wires or pipelines and the pruning of Trees within sight easements when such action is performed by, or under contract from, the public utility.



- (10) Trees removed in conjunction with farmland greater than five acres in size that will be actively devoted primarily to agricultural uses and that yield a minimum annual income of \$500 from said farming activities, except that where the owner desires to remove any Trees for the purpose of expanding farmlands, an inventory of Trees to be removed, identified by size, species, and common name shall be prepared and filed with the Engineering Department prior to any Tree Removal. In the event the expanded farmlands are not actively devoted primarily to farming activities for a period of seven years following Tree Removal, the Tree replacement provisions contained in §229-7 shall apply.
 - (11) Those projects which have received major subdivision or site plan approval prior to the effective date of this chapter and amended major subdivision and site plans shall be exempt from the provisions of §229-6, but must still apply for a Tree Removal permit prior to cutting pursuant to §229-8.
- B. An application and Tree Removal Permit are required to be submitted and obtained regardless of the qualification for an exemption under this Section to allow the Borough to facilitate the enforcement of N.J.S.A. 45:15C-11 et seq., which implemented the Licensed Tree Expert and Licensed Tree Care Operator Act. This Act requires Tree Removal companies to register with the New Jersey Board of Tree Experts. To be registered, Tree Removal companies must meet minimum education requirements and have sufficient liability and workers' compensation insurance. The enforcement of this Act will reduce the hazard associated with Tree Removal through the Borough of Florham Park.
- C. Notwithstanding anything herein to the contrary, no application or Tree Removal Permit shall be required to be submitted or obtained prior to undertaking any Removal qualifying for exemption pursuant to Subsection A(1), (2), (4), (8) or (9) of this Section.
- D. Any Removal qualifying for exemption under Subsection A of this Section as determined by the Borough shall also be deemed to be exempt from compliance with any Tree Replacement and reforestation requirements provided by § 229-7 and any tree replacement fee pursuant to § 229-15B. An exemption under this Section shall only be construed to exempt a Person from compliance with the provisions of this Chapter to the extent expressly and specifically provided herein.

Section 5. Chapter 229, "Trees," § 229-7, "Tree replacement and reforestation." of the Code of Ordinances of the Borough of Florham Park is hereby amended and supplemented to repeal and replace Subsection A and D as follows:

- A. All replacement trees shall be planted on site in accordance with the following tree replacement schedule. However, if the site in question cannot physically accommodate the total replacement amount of trees, then the applicant may plant tree replacements off site ~~on private property owned by the applicant;~~ on Borough-owned property or rights-of-way pursuant to the Borough's Tree Planting Plan and upon direction and supervision of the Department of Public Works and/or Borough Engineer;



or shall make payment to the Tree Fund in accordance with the Tree replacement schedule below; or any approved combination thereof. The applicant's Tree Replacement and Reforestation Plan shall be submitted in writing to the Borough Engineer for his or her approval.

B. *No changes.*

C. The replacement of trees shall occur as prescribed in the following table:

Tree Replacement Schedule	
DBH Caliper of Existing Tree Removed (inches)	Number of Replacement Trees (3-inch DBH Caliper)
Between 10 and 12	3
Between 12 and 18	4
Between 18 and 24	5
Between 24 and 30	7
Between 30 and 36	10
36 or greater	The equivalent of 3-inch Caliper Trees or greater needed to equal the DBH of the Removed Tree

D. The dollar amount paid to the Tree Fund per replacement tree shall be \$325 450 per required replacement Tree.

Section 6. Chapter 229, "Trees," § 229-8, "Tree removal and protection on lots zoned residential, commercial, industrial and business, excluding major and minor subdivisions and site plans." of the Code of Ordinances the Borough of Florham Park is hereby amended and supplemented to repeal and replace Subsection A as follows:

A. ~~Applicability. For any residential lot that is located in the R-15 Zone with a tree removal rate of more than three trees with a ten-inch DBH or greater in a two-year period, or any residential lot that is located in all other residential zones with a tree removal rate of more than six trees with a ten-inch DBH or greater in a two-year period, an application for a tree removal permit shall be submitted to the Engineering Department. The application and development proposal shall conform to the provisions contained herein. Except as otherwise provided by § 229-5, an application for a Tree Removal Permit shall be required to be submitted to the Engineering Department for any Tree Removal on any Lot located within a residential zone in the Borough. The application and development proposal shall conform to the provisions contained herein.~~



- E. Site protection. Site protection measures shall be provided in accordance with **§ 229-6C**, except that this provision shall not be construed to impose any obligation on the part of any Applicant or Person with respect to a Tree Replacement and Reforestation Plan and/or a Landscape Plan independent of any such obligation that may otherwise be expressly required under any other provision of this Chapter.

Section 7. Chapter 229, "Trees," § 229-10, "Protection of trees" of the Code of Ordinances of the Borough of Florham Park is hereby amended and supplemented to repeal and replace the existing Subsections A and B with a new Subsection A and create a new Subsection B as follows:

- A. Whenever an application for a Tree Removal Permit is granted under the terms and conditions of this Chapter, the following protective measures shall be observed:
- (1) No material or temporary soil deposits shall be placed within the dripline of any existing Tree to be preserved.
 - (2) Except while engaged in Tree Removal, no equipment shall be operated within six feet of any Tree protected by this Chapter, nor shall such equipment be operated at any time in such a manner as to break, tear, bruise, decorticate or otherwise injure any living or dormant Tree.
- B. Notwithstanding any other prohibitions or requirements of this Chapter, no Applicant, Resident, Qualified Tree Contractor or Person shall do any of the following:
- (1) Remove, Damage or cut down any Tree unless it is performed by a Qualified Tree Contractor, except that Tree Removal may be completed by the Resident or owner of the property.
 - (2) Make or provide any materially false or misleading statement, representation and/or information in or in connection with any application for a Tree Removal Permit, including any documents or records attached or incorporated therein.
 - (3) Engage in activities that cause harm to the health of the Tree not otherwise authorized pursuant to a Permit issued by the Borough, including but not limited to, volcano mulching, grade cut or fill, soil compaction within the drip line, chemical contamination, excessive alterations to established drainage patterns or mechanical damage, cutting off light, water, or air, and/or planting of invasive species which cause harm to native species of Trees.
 - (4) Operate, place, or maintain within the dripline of any Tree any machinery, equipment, heavy object, stone, rocks, cement, earth, soil, or other substance which may harmfully affect such Tree by unduly compressing the earth or otherwise impeding or preventing the access of water or air to the roots of such Tree.



- (5) Excavate around or remove earth or soil from, or cause any water to flow upon, the roots of any Tree in a manner to damage the health of the Tree.
- (6) Perform street, curb and sidewalk construction or repairs unless utilizing methods that protect the roots and trunk of a Tree, such as manual excavation, reducing the curb, curving sidewalks around a tree, and modifying driveway aprons to accommodate Trees as directed by the Borough Engineer or his/her designee.
- (7) Fail to properly protect Trees not subject to Removal in undertaking any Removal, including any protection measures as may be required in accordance with § 229-6C.

Section 8. Chapter 229, "Trees," § 229-11, "Permit approval" of the Code of Ordinances of the Borough of Florham Park is hereby amended and supplemented to repeal and replace existing Subsection A (2), and to add and create a new Subsection C, as follows:

- (2) Where the application is made in connection with a residential, commercial, business or industrial Lot that is not part of a major or minor subdivision or site plan, the Borough Engineer shall act on the application within thirty (30) days of its receipt, provided it is deemed complete, or within such additional time as is consented to by the applicant. Failure to act within thirty (30) days, or any extension thereof, shall be deemed to be an approval of the application and thereafter, a Tree Removal Permit shall be issued. For purposes of this Section, any material revision shall constitute a new application.

C. Any Applicant aggrieved by denial of an application for a Tree Removal Permit or by the suspension or revocation of a Tree Removal Permit as provided in this Chapter may appeal to the Borough Administrator by service of a written request on the Borough Clerk within ten (10) days of the receipt of the decision by which the Applicant is aggrieved. Such appeal shall contain a general statement of the decision by which the Applicant is aggrieved and reasonably describe the basis upon which the decision is contested, the reason(s) the appeal should be granted and the specific nature of the relief the Applicant is seeking. The Borough Administrator shall hear the matter, upon notice to the Applicant, within forty-five (45) days after the filing of the notice of appeal unless otherwise agreed. Upon conclusion, the Borough shall render a decision either in the presence of the Applicant, if applicable, or in writing, within thirty (30) days.



Section 9. Chapter 229, "Trees," § 229-12, "Duration of permits" of the Code of Ordinances of the Borough of Florham Park is hereby amended and supplemented to modify Subsection A only as follows:

- A. If granted for a Lot or parcel of land for which no building permit is required: ~~one-year~~ six months, except that the Applicant shall be required to notify the Borough in writing in accordance with **§ 229-14** if the work is not to be commenced within thirty days from the date of issuance.

Section 10. Chapter 229, "Trees," § 229-13, "Inspection" of the Code of Ordinances of the Borough of Florham Park is hereby repealed and replaced in its entirety as follows:

§ 229-13 Inspection

- A. Prior to taking final action upon any application for a Tree Removal Permit, an inspection of the site shall be made by the Borough Engineer or his or her designee.
- B. Prior to any Tree Removal, each Tree planned for Removal shall be clearly marked with colored tape, ribbon, tags or similar high visibility markers securely tied or attached to the trunk, and areas to be cleared identified for inspection by Borough officials. Failure to comply with the provisions of this Subsection shall constitute a violation subject to enforcement under **§ 229-18**.
- C. The Borough Engineer or his or her designee shall periodically inspect the site throughout the duration of construction or Removal activity in order to ensure compliance with this Chapter. Such inspection shall be made of the Lot referred to in the application, and of contiguous and adjoining lands, as well as of lands in the vicinity of the application, for the purpose of determining drainage conditions and physical conditions existing thereon.
- D. The Applicant and Qualified Tree Contractor shall have an obligation to cooperate in facilitating the performance and completion of any and all inspections that may be required by the Borough, including pre-permit, post-permit, during activity and/or post-completion inspections. Unless otherwise directed by the Borough, the Applicant and Qualified Tree Contractor shall be responsible to ensure that the Trees marked for Removal at the time of inspection approval shall remain marked in the same manner through the time of completion of the Tree Removal and shall not otherwise remove, alter, modify, untie, detach or otherwise change any such marking on any Tree prior to completion of the Tree Removal without the prior express approval of the Borough. Failure to comply with the provisions of this Subsection shall constitute a violation subject to enforcement under this Chapter.



Section 11. Chapter 229, "Trees," § 229-14, "Notice of commencement of tree removal" of the Code of Ordinances of the Borough of Florham Park is hereby repealed and replaced in its entirety as follows:

§ 229-14 Notice of commencement of tree removal

- A. The Applicant or Qualified Tree Contractor shall notify the Engineering Department, in writing, at least four (4) business days in advance of when the Tree Removal activity will commence. Any delay or change in the planned commencement of the Tree Removal activity shall be promptly reported to the Borough. Failure to provide the required notice to the Borough under this Subsection shall constitute a violation subject to enforcement under this Chapter.
- B. The notice shall also include information as to the manner of disposal of the removed Trees.
- C. No Tree Removal authorized by a Tree Removal Permit issued pursuant to this Chapter shall commence until the Applicant or Qualified Tree Contractor shall have prominently posted the Tree Removal Permit in public view on the property. Such Tree Removal Permit shall be posted at least two (2) calendar days prior to commencement of any Tree Removal activity and shall remain continuously posted throughout the Tree Removal activity and for no less than two (2) calendar days after the approved Tree Removal activity has been completed. Failure to post and maintain the Tree Removal Notice in the time and manner required by this Subsection shall constitute a violation subject to enforcement under this Chapter.
- D. Any Applicant, Qualified Tree Contractor or Person, other than the Resident, undertaking the Removal of Tree(s) shall, at all times, carry with them, and present for inspection upon request, a copy of their authorization from the Resident for the Removal of Trees on the premises. Failure to present a copy of the authorization from the Resident upon request of a Borough official shall constitute a violation subject to enforcement under this Chapter.
- E. All Applicants, Qualified Tree Contractors, Residents and Persons shall, at all times, comply with the terms and conditions of the Tree Removal Permit issued by the Borough, the provisions of this Chapter and other applicable provisions of the Borough Code and any permits, licenses, certificates, authorizations, registrations, approvals or other requirements of State or Federal regulatory agencies governing the subject matter or activity with which this Chapter is concerned.



Section 12. Chapter 229, "Trees," § 229-15, "Fees" of the Code of Ordinances of the Borough of Florham Park is hereby repealed and replaced in its entirety as follows:

§ 229-15. Fees.

- A. A review fee of \$75 shall accompany the application for a Tree Removal Permit, except that a review fee shall not be required in connection with applications in which the Tree Removal is directed by municipal, county, state or federal authority pursuant to law in accordance with **§ 229-5A (5)**. This fee is per event, not a fee for each Tree. This fee will be deposited into the Tree Fund.
- B. The Tree replacement fee will be in accordance with **§229-7**.
- C. Any fines or fees imposed or collected from enforcement of this Chapter pursuant to **§ 229-18** shall be deposited in the Tree Fund.
- D. Tree Fund. A Tree Fund shall be established by the governing body of the Borough of Florham Park to receive and disburse replacement Tree contributions. Appropriations from the Tree Fund shall be authorized by the governing body with consideration of the Environmental Commission's and/or Borough Engineer's recommendation in accordance with the Borough's Tree Planting Plan. The primary purpose of said fund is to provide for the planting of replacement Trees on public land. The Tree Fund will also cover administrative costs to implement plans, specifications, and bid documents for planting contracts on public lands only, in accordance with the Public Contracts Law. The Tree Fund may also be used to disperse Tree vouchers from a Tree nursery to residents who desire to obtain a Tree for planting within the front yard only of private property where planting in the Borough's right-of-way is not possible due to the presence of utility lines.

Section 13. Chapter 229, "Trees," § 229-16, "Violations and penalties Enforcement; violations and penalties", of the Code of Ordinances of the Borough of Florham Park is hereby repealed and replaced in its entirety as follows:

§ 229-16 Compliance as a defense.

- A. Applicants, Residents, Persons and Qualified Tree Contractors as defined hereunder as well as any other person undertaking the cutting or Removal of any Tree within the Borough shall have all the duties, obligations and responsibilities prescribed in this Code, and no such Applicant, Resident, Person, Qualified Tree Contractor or Person undertaking the cutting or Removal of any Tree shall be relieved of any duty, obligation or responsibility hereunder, nor entitled to assert as a defense against any violation of this Code the fact that another Applicant, Resident, Person, Qualified Tree Contractor or any other third person or entity is also responsible therefor and/or in violation hereof.



- B. No Tree Removal Permit shall constitute a defense against any violation of any other ordinance of the Borough applicable to any other matter regulated under this Chapter, nor shall any one act of compliance constitute a defense against any subsequent or other violation of this Chapter or shall any other provision herein relieve any Applicant, Resident, Qualified Tree Contractor or Person undertaking the cutting or Removal of any Tree from complying with any such other provision, nor any official of the Borough from enforcing any such other provision.

Section 14. Chapter 229, "Trees," § 229-17, "Enforcement", of the Code of Ordinances of the Borough of Florham Park is hereby established as follows:

§ 229-17 Enforcement.

- A. The provisions of this Chapter shall be enforceable by the Borough Engineer, Construction Official, Zoning Officer, Health Officer, Fire Official, Property Maintenance Officer or other officer or employee of the Borough authorized to enforce the provisions of the Borough Code, all of whom, unless otherwise specified by ordinance or State law, shall be considered an "enforcement official" for purposes of this Chapter.
- B. Whenever an authorized enforcement official determines that there is or has been a violation of any provision of this Chapter, the enforcement official may issue a violation to any Applicant, Resident, Qualified Tree Contractor or Person responsible thereof under this Chapter, including any Applicant, Resident, Qualified Tree Contractor or Person undertaking the Removal or cutting of any Tree.
- C. Violations of the provisions, standards and requirements set forth or referenced herein may be enforced in any lawful manner the Borough may deem appropriate, including but not limited to in accordance with the provisions of this Chapter or by bringing an appropriate ordinance enforcement action. Notwithstanding and in addition to any other violations, fines, penalties, remedies or relief pursuant this Chapter, any violation of this Chapter shall also be subject to enforcement under any other applicable provision of the Borough Code. In addition to the aforementioned, the Borough, if appropriate, may also institute proceedings for injunction, temporary or final restraints, mandamus, abatement or other appropriate civil, equitable or other remedies to prevent, enjoin, abate or remove any violations of this Chapter. The imposition of a fine or other penalty shall not exempt the violator from compliance with the provisions of this Chapter.
- D. Any authorized enforcement official may issue a stop work order as to all activity under the Tree Removal Permit issued upon discovery or observation of any violation or material noncompliance with the Tree Removal Permit issued or the provisions of this Chapter. Such stop work order shall be issued in writing and a copy served upon any Applicant, Qualified Tree Contractor, or Person engaged in such tree work or such other activity. If no such Applicant, Qualified Tree Contractor or Person is present upon the property, then the order shall be served upon the Resident of the Lot in question. The stop-work order shall remain in effect until such time as compliance has been achieved



and the enforcement official is reasonably satisfied that the resumption of the activity shall comply with the terms and conditions of any Tree Removal Permit issued by the Borough with respect to such property and the provisions of this Chapter.

Section 15. Chapter 229, "Trees," § 229-18, "Violations and penalties", of the Code of Ordinances of the Borough of Florham Park is hereby established as follows:

§ 229-18 Violations and penalties.

- A. Civil and Administrative Remedies and Enforcement. In addition to any other remedies available under this Chapter, the Borough Code, or applicable law, the Borough Engineer, Construction Official or any other authorized Borough enforcement official may, in the event of a violation of this Chapter or a failure to comply with the requirements of any Tree Removal Permit, revoke or suspend any Tree Removal Permit or Permits issued pursuant to this Chapter, deny issuance of any future permits, any building permit or permits or any certificate or certificates of occupancy related to the subject property, as the case may be, issue such stop-work order or orders, as the case may be, seek to enjoin any such failure or violation through a court of competent jurisdiction, or take such other steps as may be authorized and permitted by law to correct such violation or enforce implementation of the terms and conditions of this Chapter.

Notwithstanding any other provision of this Chapter, any Tree Removal Permit issued hereunder may be suspended, revoked, or denied for good cause upon determination by the Borough of a violation of, or failure to comply with, a material term or provision of this Chapter, the permit issued hereunder, or any applicable federal or state statute, regulation, or Borough ordinance.

The Removal of any Tree in violation of this Chapter shall invalidate or void any existing Tree Removal Permit(s) associated with the property and may result in the denial of future Tree Removal Permit applications for the property until the violation has been resolved and all required Tree replacement has been completed.

- B. Violations; Separate and Continuing Offenses.

- (1) Any Person, Applicant, Qualified Tree Contractor or Resident who violates, or causes or permits the violation of, any provision of this Chapter, including, but not limited to, cutting, Removal or Damaging any Tree without a valid Tree Removal Permit or in any manner in violation of an issued permit or the provisions of this Chapter, shall be deemed in violation of this Chapter.
- (2) Each Tree Removed or Damaged without a permit, or in violation of a permit or of the provisions of this Chapter, shall constitute an additional separate and distinct offense and violation of this Chapter.



- (3) Each day that a violation continues, including each day that a Person engages in Tree Removal without a permit, continues work in violation of a permit or stop-work order or otherwise violates the conditions of the permit or the provisions this Chapter, shall constitute an additional separate and distinct offense and violation of this Chapter.
 - (4) Each violation of any provision of this Chapter, and each distinct act constituting a violation, shall be deemed a separate and continuing offense and violation of this Chapter.
- C. Fines and Penalties. Notwithstanding and in addition to the foregoing civil and administrative remedies and/or other remedies and penalties authorized by law, this Chapter or the Borough Code, any Person, as defined in this Chapter, who violates, or causes or permits the violation of, this Chapter shall be subject to the penalties and procedures set forth in § 1-16, entitled "General penalty" of the Code of Borough of Florham Park. In addition to the penalties set forth therein, any Person found to be in violation shall be subject to a fine not exceeding \$2,000.00 per offense, unless a greater penalty is authorized under § 1-16. In addition to the penalties provided in § 1-16, each Tree improperly or illegally Removed, destroyed or damaged in violation of this Chapter shall be subject to a mandatory Tree replacement requirement pursuant to § 229-7 and the provisions of this Chapter. The penalties set forth herein shall be cumulative and not exclusive, and the Borough may pursue any and all remedies available at law or in equity.
- D. Repeat Offenses. Any Person who is convicted of violating any ordinance in this Chapter within one (1) year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.
- E. Any fines or fees collected from enforcement of the provisions of this Chapter pursuant to this Section shall be deposited in the Borough Tree Fund.

Section 16. Chapter 229, "Trees," § 229-19, "Conflict with other provisions", of the Code of Ordinances of the Borough of Florham Park is hereby established as follows:

§ 229-19 Conflict with other provisions.

- A. The regulations established pursuant to this Chapter for Tree Removal are subject to the enabling authority of the State of New Jersey and are subject to compliance with all State and Federal statutes and regulations. If any provision of this Chapter is inconsistent with the statutes and/or regulations of the State of New Jersey or of the Federal Government,



the State or Federal statutes and regulations shall prevail. Nothing in this Ordinance shall be construed to supersede any applicable federal or state laws.

- B. Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be independent. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect. To this end, the provisions of this Ordinance are severable.

Section 17. Repealed. All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 18. Severability. Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

Section 19. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

Section 20. Prior actions. All actions of the Borough of Florham Park taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

Section 21. Codification. This Ordinance may be renumbered for codification purposes.

INTRODUCED: July 16, 2026

ADOPTED: August 13, 2026



Scott Carpenter, Acting Mayor



Attest:

Danielle M. Lewis
Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.

Danielle M. Lewis
Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE #26-18**

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 238 "VEHICLES AND TRAFFIC", SECTION 238-33 "SPEED LIMITS" AND SECTION 238-37 "HANDICAPPED PARKING" OF THE CODE OF ORDINANCES OF THE BOROUGH OF FLORHAM PARK

WHEREAS, Ordinance #3-02 was adopted by the Borough Council of the Borough of Florham Park and codified in the Borough Code in Chapter 238, entitled "Vehicles and Traffic"; and

WHEREAS, Section §238-33, "Speed limits" designates speed limits on specific streets within the Borough of Florham Park; and

WHEREAS, Section §238-3, "Handicapped parking" designates handicapped parking spaces within the Borough of Florham Park; and

WHEREAS, the Florham Park Engineering Department and Florham Park Police Department have determined that the speed limit for a portion of Hanover Road should be modified; and

WHEREAS, the Florham Park Engineering Department seeks to officially designate handicapped parking spots located on Borough property, Board of Education property, private property open to the public, and in municipal parks.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Florham Park, Morris County, New Jersey, as follows, that:

SECTION 1. Chapter 238, "Vehicles and Traffic", Section 238-33, "Speed limits" is hereby amended as follows to add the following location:

§ 238-33. Speed limits.

Name of Street	Speed Limit (mph)	Limits
<u>Hanover Road</u>	<u>25</u>	<u>From Columbia Turnpike to Brooklake Road</u>

SECTION 2. Chapter 238, "Vehicles and Traffic", Section 238-37, "Handicapped parking" is hereby amended as follows:

§ 238-37. Handicapped parking.



C. Handicapped parking in municipal parking lots and Board of Education property. In accordance with the provisions of N.J.S.A. 39:4-197, the following off-street parking yards and Board of Education property are designated as handicapped parking areas. Such spaces are for use by persons who have been issued special identification cards, plates or placards issued by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these areas.

Property	Number of Spaces	Location
<u>Briarwood Elementary School</u> <u>151 Briarwood Road</u>	<u>4</u>	<u>4 handicapped parking spaces in front of main building entrance</u>
<u>Borough Hall</u> <u>111 Ridgedale Avenue</u>	<u>5</u>	<u>2 handicapped parking spaces in front of the north entrance of Borough Hall, 2 in front of the south entrance of Borough Hall, 1 on the west side of the parking lot adjacent to Borough Fields.</u>
<u>Brooklake Elementary School</u> <u>235 Brooklake Road</u>	<u>4</u>	<u>4 handicapped parking spaces in front of main building entrance</u>
<u>Florham Park Community Center</u> <u>111 Ridgedale Avenue</u>	<u>2</u>	<u>2 handicapped parking spaces south of the building closest to the main entrance</u>
<u>Florham Park Library</u> <u>107 Ridgedale Avenue</u>	<u>2</u>	<u>2 handicapped parking spaces in front of main entrance</u>
Florham Park Municipal Pool 111 Ridgedale Avenue	5 <u>3</u>	<u>3 handicapped parking spaces in the general parking lot approximately 225 feet from the entrance of the Municipal Pool</u> <u>1 handicapped parking space west of the pool</u> <u>2 handicapped parking spaces in front of the entrance to the Municipal Pool</u>



Property	Number of Spaces	Location
<u>Florham Park Pool Parking Overflow</u> <u>111 Ridgedale Avenue</u>	<u>3</u>	<u>3 handicapped spaces in the southwest corner of the lot</u>
<u>Florham Park Senior Center</u> <u>111 Ridgedale Avenue</u>	<u>3</u>	<u>3 handicapped parking spaces on the east side of the parking lot</u>
<u>Florham Park Sewer Utility</u> <u>31 Vreeland Road</u>	<u>1</u>	<u>1 handicapped parking space across the main building entrance</u>
<u>Little Red Schoolhouse</u> <u>203 Ridgedale Avenue</u>	<u>3</u>	<u>1 handicapped parking space in the northwest corner of the lot and 2 handicapped parking spaces in the southernmost part of the lot with access to the main building entrance</u>
<u>Municipal Complex Road</u>	<u>3</u>	<u>3 handicapped parking spaces in auxiliary parking lot across from Florham Park Gazebo</u>
<u>Ridgedale Middle School</u> <u>71 Ridgedale Avenue</u>	<u>4</u>	<u>2 handicapped parking spaces at the main school entrance, 2 handicapped parking spaces in front of the Board of Education Main entrance</u>



D. Handicapped parking on private property open to the public and to which the public is invited (retail business). In accordance with the provisions of N.J.S.A. 40:48-2.46, the following off-street parking yards are designated as handicapped parking areas. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Property	Number of Spaces	Location
<u>Florham Park Memorial First Aid Squad</u> <u>60 Felch Road</u>	<u>1</u>	<u>South section of parking space closest to building entrance</u>

F. Handicapped parking in municipal parks. In accordance with the provisions of N.J.S.A. 39:5A-4, the following off-street parking locations are designated as handicapped parking. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the Division of Motor Vehicles or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces.

Property	Number of Spaces	Location
<u>Volunteers Memorial Park</u> <u>37 Elm Street</u>	<u>6</u>	<u>2 handicapped parking spaces south of the athletic fields adjacent to a ramp, 2 handicapped spots in the north west parking lot adjacent to fields at ramp on east side of lot, 2 handicapped spots in the north east parking lot adjacent to fields at ramp on west side of lot</u>
<u>Stobaeus Park</u> <u>20 Leslie Avenue</u>	<u>2</u>	<u>2 handicapped parking spaces adjacent to a ramp along west side of parking lot</u>



SECTION 3. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase, or sentence should be deemed severable.

SECTION 5. This Ordinance shall take effect upon final publication as provided by law.

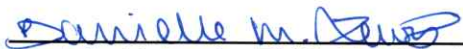
INTRODUCED: July 16, 2026

ADOPTED: August 13, 2026



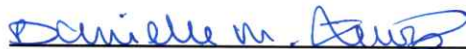
Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE #26-19**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE
CODE OF ORDINANCES OF THE BOROUGH OF FLORHAM PARK TO PROVIDE FOR
LICENSING AND REGULATION OF MASSAGE, BODYWORK AND SOMATIC THERAPY**

WHEREAS, pursuant to N.J.S.A. 40:48-1 and N.J.S.A. 40-48-2, a governing body of a municipality may make and enforce ordinances, regulations, rules and bylaws not contrary to the laws of this State or the United States, as it may deem necessary and proper for the good of the government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by law; and

WHEREAS, neither the State of New Jersey's regulation of therapists, N.J.S.A. 45:11-53, et seq., known as the "Massage and Bodywork Therapist Licensing Act", nor the companion New Jersey Administrative Code provisions, N.J.A.C. 13:37A-1.1, et seq., which are designed to effectuate the statutory provisions, abrogate a municipality's ability to regulate the opening and maintenance of massage parlors and the practices of massage therapists therein; and

WHEREAS, the Borough Council finds that the business of operating a massage parlor is business effecting the public health, safety and general welfare of the municipality and its inhabitants and that licensing the business is necessary to appropriately regulate these businesses and protect the public health, safety, and welfare.

THEREFORE, BE IT ORDAINED by the Council of the Borough of Florham Park, in the County of Morris and State of New Jersey, as follows:

Section 1. The Revised General Ordinances of the Borough of Florham Park shall be amended by the inclusion of new Chapter 150, which shall be entitled "Licensing and Regulation of Massage, Bodywork and Somatic Therapy Establishments," and shall read, in its entirety, as follows:

Chapter 150

Licensing and Regulation of Massage, Bodywork and Somatic Therapy Establishments

§ 150-1. Purpose; definitions.

A. Purpose.

The purpose of this chapter is to protect the public health and general welfare by licensing and regulating establishments that provide Massage, Bodywork and Somatic Therapy services, as defined in this chapter and to more effectively prohibit the sale of services that threaten the health safety and welfare of the public.



B. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning stated herein unless their use in the text of this chapter clearly demonstrates different meaning. The word "shall" is always mandatory and not merely directory.

CHAIR MASSAGE ESTABLISHMENT

Any massage, bodywork and somatic therapy establishment which strictly limits its service to massages that are administered to clients who are seated in a massage chair and remain fully clothed in their own personal clothing for the duration of the service. Furthermore, no bare skin contact is made or permitted with the client, nor are any oils, creams or lotions applied to the client. The massage is strictly limited to the back, neck and shoulders.

MASSAGE, BODYWORK AND SOMATIC THERAPIES

Any systems of activity of structured touch which include, but are not limited to, holding, applying pressure, position and mobilizing soft tissue of the body by manual technique and use of visual, kinesthetic, auditory and palpating skills to assess the body for purposes of applying therapeutic massage, bodywork or somatic principles. Such applications may include, but are not limited to, the use of therapies such as heliotherapy or hydrotherapy, the use of moist hot and cold external applications, external application of herbal or topical preparations not classified as prescription drugs, movement and neuro-myo-facial education in self-care and stress management. Massage, bodywork and somatic therapies do not include the diagnosis or treatment of illness, disease, impairment or disability.

MASSAGE, BODYWORK AND SOMATIC THERAPIST

Any person licensed pursuant to the provisions of the Massage and Bodywork and Therapist Licensing Act, N.J.S.A. 45:11-53.

MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENT

Any establishment wherein massage, bodywork and/or somatic therapies are administered or are permitted to be administered, when such therapies are administered for any form of consideration.

§ 150-2. License required.

- A. No person, firm or corporation shall operate any establishment or utilize any premises in the municipality as or for a massage, bodywork and somatic therapy establishment unless or until there has been obtained a license for such establishment or premises from the Borough Council, in accordance with the terms and provisions of this chapter.



B. No person shall practice massage or related therapies as a massage, bodywork or somatic therapist, employee or otherwise, within the Borough of Florham Park unless he or she has a valid and subsisting massage, bodywork and somatic therapist's license issued to him or her by the New Jersey Board of Massage and Body Work Therapy, pursuant to the terms and provisions of N.J.S.A. 45:11-53 et seq.

§ 150-3. Designation of Health Department as implementing and enforcing Township agency; application for establishment license; requirements.

The Health Department is designated as the agency of the Borough responsible for the implementation and enforcement of this ordinance. Any person desiring a massage, bodywork and somatic therapy establishment license shall submit a written application for licensure on forms promulgated by the Health Department. The completed application shall be returned to the Health Department for processing. In addition to the completed application the applicant, who shall be the principal owner of the business, they may be required to submit additional documentation, including but not limited to a sketch, floor plan, building layout, diagram, zoning permit and/or Certificate of Occupancy as applicable to the application. The application form shall contain the following information:

- A. The business name and type of ownership of the business, i.e., whether sole proprietorship, partnership, corporation or any other form of organization formally recognized by the State of New Jersey. Proof of the individual or entity's registration with the State of New Jersey such as a Business Registration Certificate (BRC) must be provided.
- B. The trade name under which the business is to be conducted, if being used.
- C. The address and all telephone numbers associated with the business, including facsimile and email addresses, wherever business is to be conducted.
- D. A complete list of the names and residence addresses of all massage, bodywork and somatic therapists and employees of the business and the name and residence address of the owner, manager and any other persons principally in charge of the operation of the business. Detailed job descriptions of those employees whose duties do not include those of a therapist must be included. It shall be the responsibility of the owner/operator to maintain an updated employee list and provide same to the Health Department upon request and make it available during all inspections. All employees must be in possession of a valid, photographic I.D. whenever they are on premises. Employees must present the said I.D. upon request to any Health Department officials or other officers of the municipality when they are acting in their official capacity.
- E. Proof of current licenses issued by the State of New Jersey pursuant to the Massage and Bodywork Therapist Licensing Act, N.J.S.A. 45:11-53 et seq. for all massage, bodywork and somatic therapists employed or to be employed by the establishment or otherwise permitted to work at the establishment.



- F. The following personal information shall be provided in the application form for an individual owner or, if a corporation, for each officer and each director; if a partnership, including limited partners, for each partner; and for the manager or other person principally in charge of the operation of the business:
- (1) The name, complete residence address and residence telephone number.
 - (2) Copy of a current driver's license or other government issued photo I.D.
 - (3) Two front-face portrait photographs taken within 30 days of the date of the application and shall be approximately 2 inches by 2 inches in size (passport size).
 - (4) The massage therapy or similar business history and experience, including, but not limited to, whether or not such person(s) has previously operated in this or another municipality or state, if operated under a license or permit. If so, whether such license or permit was ever denied, revoked or suspended and the reason for said action(s).
 - (5) All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the offense for which convicted and circumstances thereof.
- G. Upon filing a completed application with the Health Department, the applicant, at the applicant's expense, shall be required to submit to a background check and fingerprinting by the municipal police department and/or a private vendor authorized by the State of NJ to perform such tasks. Upon receipt of the results of the fingerprint check and subsequent criminal history check, the Health Department shall notify the applicant of said results.
- H. The submitted application must be accompanied by a copy of the signed lease for the property location where the proposed massage establishment will be in operation. The applicant must be listed as the lessee on the lease.

§ 150-4. License fee and renewal fee; license term; reinspection fee.

- A. Every applicant for a license to maintain, operate or conduct a massage, bodywork shall pay an annual fee of \$500 at the time of new application and for each subsequent annual renewal.
- B. All fees for licenses under this Chapter shall be paid to the Health Department office prior to being considered for approval to operate. All fees are non-refundable and are not transferable. All licenses issued under this chapter are subject to a \$100. late fee if the license is not renewed by January 31st.
- C. Licenses shall be issued by the Borough after approval by the Borough Council for a term of one year commencing on January 1st and expiring December 31st. The license fee and expiration date of December 31st shall remain the same regardless of when during the year the license is issued.



- D. Should a reinspection of a massage establishment become necessary because of a conditional or unsatisfactory inspection rating, as they are defined in this chapter, the establishment shall be subject to a reinspection fee in an amount equal to the annual license fee for that establishment. The establishment shall be subject to a reinspection fee for each subsequent reinspection performed until the violations are corrected and the establishment is returned to a satisfactory rating. The fee shall be paid within 10 days of the notification of the said re-inspection fee requirement.

§ 150-5. Requirements for license approval

- A. The applicant for a massage, bodywork and somatic therapy establishment license is responsible to obtain all permits, licenses, certificates of occupancy and approvals that are applicable or required by the State of NJ and the municipality, including but not limited to the Construction Code Official, the Fire Bureau, the Police Department, and the Planning and Zoning Department. Written proof that the establishment is in compliance with all applicable requirements shall be provided to the Health Department by the applicant. Failure to do so will result in a denial of the application. For those establishments in operation who have not provided said written proof or are discovered to not be in possession of the required approvals, certificates, licenses and/or permits, the license to operate shall be suspended and the operation shall cease immediately until the establishment is in full compliance.
- B. All massage tables, bathtubs, shower stalls, steam or bath areas, restrooms and floors shall have surfaces which may be readily disinfected, and shall be maintained in a sanitary condition and regularly cleaned and disinfected by a method approved by the Health Department.
- C. Each massage, bodywork and somatic therapy area/room shall have an adequate area within each room for clients to store personal items.
- D. The owner or operator shall submit a disinfection/sterilization plan for non-disposable instruments and materials used in administering massages, bodywork and/or somatic therapies, including laundering procedures for linens, cloths, towels, garments, etc., to the Health Department for approval. The establishment must operate in compliance with the approved plans. Such non-disposable instruments and materials shall be disinfected, sterilized and/or laundered after use on each patron and stored in a clean and sanitary manner.
- E. A shower area, dressing area and restrooms for clients shall be provided within the facility; such areas shall be maintained in a clean and sanitary condition at all times. Doors to such dressing rooms, restrooms and shower areas shall open inward and shall be self-closing.
- F. Handwashing facilities as set forth in this chapter shall be operational and fully stocked with soap and paper towels.



§ 150-6. License validity/transferability.

- A. Any license granted under this chapter shall only be valid to the person to whom it was granted and for the location as indicated on the application.
- B. Licenses shall not be transferable between individuals, entities or locations.

§ 150-7. Suspension or revocation of establishment license.

- A. Massage establishment licenses may be suspended by the Health Officer acting on behalf of the Borough or revoked by the Borough Council for reasons that include but are not limited to the following causes.
 - 1. Fraud, misrepresentation or false statement in the establishment's license application.
 - 2. Fraud, misrepresentation or false statement made to the Health Officer or his/her designee or any duly appointed municipal police officer while operating the licensed business in the municipality.
 - 3. Fraud, misrepresentation or false statement made to customers or to the general public whether verbally, with signage or advertising, in any form, while operating the licensed business in the municipality.
 - 4. Conducting business within the municipality in an unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public, as determined by the Health Officer.
 - 5. The establishment is an existing or threatened menace to the public health as determined by the Health Officer.
 - 6. Conviction of a crime involving moral turpitude, a felony, an offense involving sexual misconduct, keeping or residing in a house of prostitution, and any crime involving dishonesty.
 - 7. The conviction of an employee of the establishment for a violation of the prohibited acts set forth in Section 150-12 shall create a rebuttable presumption that the owner/operator had actual or constructive knowledge of the violation resulting in the conviction and shall constitute cause for the suspension or revocation of the establishment license.
 - 8. The owner and/or operator or any employee refuses to permit, or hinders or obstructs the Health Officer, his/her designee or any duly authorized municipal police officer to inspect the premises or the operations therein at any time.
 - 9. For repeat violations of this chapter or for any violations related to using the premises for residential purposes, lodging or boarding, as determined by the Health Officer.



10. For being posted unsatisfactory as a result of an inspection or complaint investigation.
- B. A person, firm, corporation, or other entity whose license has been revoked by the Borough Council or suspended shall close the establishment and request all patrons to vacate the premises and/or the establishment ceases all operations associated with and allowed by the suspended or revoked license. The establishment shall refrain from all business activities for which the license was obtained until the Health Department authorizes operations or parts thereof to commence or the Borough Council authorizes operations to commence at the conclusion of the appeal process that is set forth in this chapter.
 - C. The licensee shall be entitled to a hearing before the Borough Council for the purpose of seeking reinstatement of a suspended or revoked license. The licensee shall submit a written request for the hearing to the Municipal Clerk's Office within five business days of the suspension or revocation. The Borough Council shall conduct the hearing no more than 15 business days from the date the written request was received. A business day shall be defined for the purposes of this chapter as any weekday, Monday through Friday, except for holidays in which municipal offices are closed.
 - D. Written notice of the time and place of such hearing shall be served upon the licensee by the Municipal Clerk or his/her designee at least five business days prior to the date set for such hearing. Such notice shall contain a brief statement of the grounds to be relied upon for revoking, cancelling, or suspending such license. Notice may be given either by personal delivery thereof to the person identified on the license application or may be sent in a sealed envelope, addressed to the person and business address that appears on such license application, by simultaneously sending the notice both regular mail and certified mail, return receipt requested, via the United States Postal Service.
 - E. At the hearing before the Borough Council, the licensee shall have an opportunity to answer and may thereafter be heard, and upon due consideration and deliberation by the Borough Council, the complaint may be dismissed, or if the Borough Council concludes that the charges have been sustained and/or substantiated, it may uphold the revocation or suspension and deny reinstatement of the license or stipulate the conditions required for reinstatement of the license.
 - F. If any such license shall have been revoked, neither the holder thereof nor any person acting for him or her, directly or indirectly, shall be entitled to another license to carry on the same business within the municipality.



§ 150-8. Display of license.

The massage, bodywork and somatic therapy establishment shall display its license as well as the license of each and every massage, bodywork and somatic therapist employed in the establishment in an open and conspicuous place on the premises of the establishment. A two inch by two-inch, passport sized, color photo of the licensed therapist must be affixed to the displayed license of each and every massage, bodywork and somatic therapist employed by the establishment. In addition, all therapists on site must have in their possession a government issued photo I.D.

§ 150-9. Operating requirements.

Every massage, bodywork and somatic therapy establishment shall comply with the following:

- A. Every portion of the massage, bodywork and somatic therapy establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- B. Price rates for all services shall be prominently posted in the reception areas in a location available to all prospective customers.
- C. All employees, including massage, bodywork and somatic therapists, shall be clean and wear clean, nontransparent outer garments.
- D. All massage, bodywork and somatic therapy establishments shall have clean laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.
- E. The sexual or genital area of patrons must be covered by towels, cloths or undergarments when in the presence of an employee or massage, bodywork or somatic therapist.
- F. All walls, ceilings, floors in service areas and pools, showers, bathtubs, sinks, steam rooms, laundry rooms, restrooms and massage tables must be constructed of durable, cleanable and non-porous materials which may be readily disinfected. All areas of the establishment shall be kept in good repair and maintained in a clean and sanitary condition. Wet and dry heat-rooms, steam or vapor rooms or steam or vapor cabinets and shower compartments and toilet rooms shall be thoroughly cleaned and sanitized each day the business is in operation. Bathtubs and showers shall be kept dry, clean and sanitary at all times.
- G. Oils, creams, lotions and other preparations used in administering massage, bodywork and somatic therapies shall be from an approved source and kept in clean closed containers or cabinets. Single service products shall be used when available.
- H. Animals, except for Service dogs, shall not be permitted in the massage work area.



- I. Adequate hand-washing facilities for employees to maintain clean hands and arms during hours of operation shall be provided inside every room where massage therapy or other spa services are delivered to clients. Massage, bodywork and somatic therapists shall wash his or her hands and arms up to and including the elbows in warm running water, using a proper soap before administering a massage, bodywork or somatic therapy to a patron. All restroom and workstation hand wash sinks are to be stocked with liquid hand soap and paper towels. Dispensers for soap and paper towels are to be wall mounted. Restroom hand wash sinks must have signs conspicuously displayed with the following language: "Employees must wash hands after using the restroom". In the case of chair massage establishments in which hand washing facilities are not available, the therapist shall disinfect their hands with an anti-bactericidal hand sanitizer.
- J. No massage establishment shall knowingly serve any patron infected with any fungus or other skin infections, nor shall service be performed on any patron exhibiting skin inflammation or eruptions, provided that a duly licensed physician may certify that a person may be safely provided with a massage, bodywork or somatic therapy, prescribing the conditions thereof. No therapist may perform service if they themselves are infected with any fungus or other skin infections, skin inflammation or eruptions unless a medical physician duly licensed by the State of New Jersey has certified that a therapist may safely provide the massage, bodywork or somatic therapy, prescribing the conditions thereof.
- K. A written disinfection plan for all linens, towels and reusable instruments used by the establishment must be approved by the Health Department, kept on site and available for review by the inspecting official at all times. The establishment must operate in conformance with the approved plan at all times.
- L. Client records must be kept for each and every client who receives services from the massage establishment. These records shall include at a minimum an intake form filled out by each customer to include their name, address, phone number, date of birth, date of service, the specific service they've received, the licensed therapist's full name, their NJ State Massage and Bodywork Therapist License number and the signature of the client. These records must be stored on the premises and available for review by the Health Department at all times for a period of not less than 3 years of the date the service was performed.
- M. Signage specifying the age restriction set forth in 150-12 H and the required record keeping requirements set forth in 150-9 L must be posted in English, at a minimum, and displayed conspicuously and clearly readable to the customer from the entrance of the establishment at all times.
- N. The massage establishment shall conform to and observe all applicable rules, regulations and prohibitions set forth by the NJ Board of Cosmetology.
- O. Adequate, clean and sanitary restrooms shall be provided for patrons during all hours of operation. In the event that male and female patrons are to be served simultaneously, separate restroom, bathing, dressing, locker and massage room facilities shall be provided. Doors to such restrooms shall open inward and shall be self-closing.



- P. The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and material shall be disinfected after each use.

§ 150-10. Inspections.

- A. The Health Department shall inspect each massage, bodywork and somatic therapy establishment granted a license under the provisions of this chapter as often as they deem necessary during the establishment's hours of operation and any other times when persons are on the premises for the purpose of determining whether the establishment is in compliance with the provisions of this chapter and/or any other applicable rules, regulations or laws.
- B. It shall be unlawful for any person to deny the Health Officer, his or her designee, or any certified or licensed municipal inspectors or sworn municipal police officers in the performance of their duties access to the premises or to hinder such officer or inspector in any manner.
- C. Inspection placards shall be posted in a conspicuous location where it may be readily observed at eye level by all patrons before or immediately upon entering the establishment. The inspection placard shall reflect the level of compliance with this chapter. The inspection placards shall reflect one of three ratings as follows:
1. Satisfactory rating issued, at the discretion of the Health Department inspector, when establishments are largely or completely in compliance with this chapter;
 2. Conditionally satisfactory rating issued, at the discretion of the Health Department inspector, when violations of this chapter are observed and documented;
 3. Unsatisfactory rating issued, at the discretion of the Health Department inspector, when repeat, flagrant and /or serious violations of this chapter are observed and documented. An unsatisfactory rating will require the license to be suspended in accordance with §150-7 and the establishment or portions thereof operating under the said license to cease operations until all violations are corrected.

§ 150-11. Sleeping quarters.

No part of any massage, bodywork and somatic therapy establishment shall be used for or connected with any bedroom or sleeping quarters nor shall any person sleep in such massage, bodywork and somatic therapy establishment except for customers in limited periods incidental to and directly related to a massage, bodywork or somatic therapy treatment. This provision shall not preclude the location of a massage, bodywork and somatic therapy establishment located in separate, independent, operating spaces of a building that houses businesses operating as a hotel, health club or other business.



§ 150-12. Prohibited acts.

- A. No owner or manager of a massage, bodywork and somatic therapy establishment shall tolerate in his or her establishment any activity or behavior prohibited by the State of New Jersey, particularly, but not limited to, laws proscribing prostitution, indecency and obscenity, including the sale, uttering, exposing or public communication of obscene material; nor shall any owner or manager tolerate in his or her establishment any activity or behavior which violates this section.
- B. A conviction of any employee of a massage, bodywork and somatic therapy establishment of a violation of the aforementioned statutes and codes shall devolve upon the owner or manager of such establishment, to the extent that it constitutes sufficient cause for the immediate revocation of the establishment license.
- C. The massage establishment shall not permit table showers or assisted bathing.
- D. It shall be unlawful for any person knowingly, in a massage, bodywork and somatic therapy establishment, to place his or her hand upon or touch with any part of his or her body, to fondle in any manner or to massage a sexual or genital area of any other person. No massage, bodywork and somatic therapist, employee or operator shall perform or offer to perform any act which would require the touching of the patron's sexual or genital area.
- E. It shall be unlawful to advertise in a manner or in certain types of publications, websites or other media that indicates the services offered may be sexual in nature.
- F. No bulk food storage or meal preparation is permitted on premises. Re-heating of pre-made or prepackaged foods for immediate consumption by the employee during meal breaks is permitted.
- G. Personal effects, furniture, equipment, supplies or goods not specific or necessary to the operation shall not be permitted on the premises.
- H. No one under 18 years of age shall be served unless accompanied by a parent or legal guardian.
- I. Alcoholic beverages, and/or CBD, Cannabis, THC or other substances that alter consciousness shall not be stored nor consumed on the premises.
- J. Laundering is restricted to only those linens, outer protective uniforms, towels and linens used within the operation. The laundering of personal clothing and/or other items is prohibited. Personal clothing or other personal items may not be commingled with the linens or towels used in the operation nor shall personal clothing not specific to the operation be stored on the premises.
- K. Pest control chemicals or sprays are prohibited. Pest control services must be performed by NJDEP licensed pest control contractors.



§ 150-13. Exceptions.

The provisions of this section shall not apply to massage, bodywork or somatic therapies as follows:

- A. Those given in the office of a licensed physician, chiropractor or physical therapist; or
- B. Those given by a regularly established medical center, hospital or sanatorium having a staff which includes licensed physicians, chiropractors and/or physical therapists; or
- C. Those given by any licensed physician, chiropractor or physical therapist in the residence of his or her patient; or
- D. Those given by a licensed barber or cosmetologist/hairstylist limited to the areas of the face, neck, scalp or upper part of the body, or for manicurists and pedicurists, as set forth in the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1 et seq;
- E. Chair massage establishment as defined in Section [213-1](#) of this chapter are exempt from 213-9 K. thru P.

§ 150-14. Violations and penalties.

In addition to the revocation or suspension of the license as set forth under this chapter, any person who violates any provision of this chapter shall, upon conviction thereof, be punishable by a fine of not more than \$2,000 or imprisonment for a term not to exceed 90 days or by a period of community service not to exceed 90 days.

§ 150-15. Enforcement Agent.

The enforcement agent for massage, bodywork and somatic therapy licenses shall be the Health Officer, or the Health Officer designee, or any other municipal official designated by the Borough Administrator.

§ 150-16. Right of entry.

It shall be the lawful right for the Health Officer and his/her designee and sworn municipal police officers or any other person acting under and by the authority of the Health Department to enter in and upon any premises in the exercise of the powers or in the fulfillment of its or their duties conferred or imposed by law or local ordinance and the rules and regulations thereunder. Any person hindering, obstructing, delaying, resisting, preventing or interfering with such right of access shall be deemed to violate the provisions of this article.



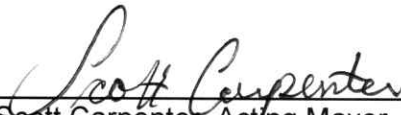
Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

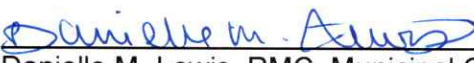
INTRODUCED: July 16, 2026

ADOPTED: August 13, 2026



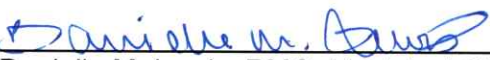
Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE #26-20**

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FLORHAM PARK TO REGULATE ELECTRONIC SMOKE DEVICES/VAPE SHOPS/EDIBLES PSYCHOACTIVE SUBSTANCES AND DRUGS

WHEREAS, the proliferation of unregulated establishments that sell products containing psychoactive substances in various forms has become an emerging public health issue in our community; and

WHEREAS, while the retail sale of some of these products is permitted under Federal and State laws, it has become impossible for local enforcement to monitor the legality, the consumer to monitor the safety, and local health departments to monitor the public health risks of some of these types of products being introduced to the market; and

WHEREAS, the lack of feasible oversight and enforcement has resulted in an uncontrolled distribution network for various substances, both legal and illegal, in various forms, both regulated and unregulated, that undermines the public health and safety of our community; and

WHEREAS, the sale of psychoactive substances by licensed businesses such as health care providers, pharmacists, liquor and cannabis license holders, and retailers holding licenses or permits to sell tobacco and/or nicotine cessation treatments is already regulated and enforced and would not be regulated by this Chapter; and

WHEREAS, there is a need to monitor the sale of electronic smoking devices and psychoactive products by retailers who are not presently regulated and licensed to protect the public health and safety by assuring that only legally compliant products are being offered for sale and that protections are in place to prevent the sale or distribution of such products to unknowing persons and to those under 21 years of age; and

WHEREAS, the licensing of previously unregulated and unlicensed establishments selling electronic smoking devices and/or psychoactive substances is an effective way to protect the public health and safety.



BE IT ORDAINED by the Mayor and Borough Council of the Borough of Florham Park in the County of Morris, State of New Jersey, as follows:

Section 1. There is hereby established a new Chapter 163 in the Borough of Florham Park Code of Ordinances to be entitled "ELECTRONIC SMOKE DEVICES/VAPE SHOPS/EDIBLES PSYCHOACTIVE SUBSTANCES AND DRUGS" and which shall read in its entirety as follows:

§ 163-1. Purpose.

The purpose of this chapter is to protect the public's health and general welfare by licensing and regulating establishments that sell electronic smoking devices, vapor products, electronic liquids, liquid nicotine, and/or psychoactive drugs/substances as defined in this chapter and to more effectively prohibit the sale, furnishing, or giving of these products to persons under the age of 21.

§ 163-2. Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meaning stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. The word "shall" is always mandatory and not merely directory.

CBD (Cannabidiol)

Cannabidiol, usually referred to as CBD, is the second most prevalent chemical compound found in cannabis. It can be derived from hemp or from marijuana. Hemp-derived CBD still contains trace amounts of THC, while marijuana-derived CBD may contain more. At the federal level in the U.S., hemp-derived products, including CBD products, are legal under the 2018 Farm Bill as long as they contain no more than 0.3% THC by dry weight.

Cannabis Business

Any "cannabis establishment", "cannabis dispensary", "cannabis delivery service" and "cannabis distributor" within the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, as amended and supplemented, and any and all other persons and entities engaging in any class, kind or type of commercial or noncommercial cannabis related business activity or operation as permitted by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act and that is also duly approved, licensed and regulated by municipal ordinance.

Characterizing Flavor

A distinguishable flavor, taste, or aroma, including, but not limited to, any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice flavoring, menthol, mint, tobacco, or nicotine in liquid, wax, gel, oil, cartridge, or in any other format that is imparted, prior to or during consumption, by an electronic smoking device or other related product. An electronic smoking device or other related product shall be deemed to have a characterizing flavor if the device is packaged with, contains, or includes such flavors or ingredients in liquid, wax, gel, oil, cartridges, or any other format and/or is advertised or marketed as having or producing characterizing flavors.



Child-resistant Packaging/Container

A container that is designed and constructed in a manner that meets the federal effectiveness specifications set forth in 16 C.F.R. 1700.15 and the special packaging testing requirements set forth in 16 CFR 1700.20, so that it is significantly difficult for a child five years of age or younger to open the package or otherwise risk exposure.

Custom Produced Vapor and Electronic Liquids/E-Liquids

Liquid, wax, gel, solution or other form of ingredient mixed, prepared, enhanced, and/or combined by the retailer intended to be sold, distributed, given or offered for sale for the purpose of inhaling with or without the use of electronic smoking device and that have not been produced, prepackaged and labeled by a recognized government approved manufacturer/wholesaler.

Delta-8, 9, and 10

Delta-8, 9, and 10 tetrahydrocannabinol, also known as delta-8, 9, or 10 THC, are psychoactive substances found in the *Cannabis sativa* plant, of which marijuana and hemp are two varieties. Delta-8, 9, and 10 THC are three (3) of over 100 cannabinoids produced naturally by the cannabis plant, but are not found in significant amounts in the cannabis plant. As a result, concentrated amounts of delta-8, 9, or 10 THC are typically manufactured from hemp-derived cannabidiol (CBD).

It is important for consumers to be aware that delta-8 THC products have not been evaluated or approved by the FDA for safe use in any context.

Edibles

A type of food or beverage item infused with one or more cannabis derivatives or concentrates containing CBD or containing nicotine, THC, and/or other psychoactive substances as defined in this chapter. Edibles can come in a variety of forms, including but not limited to baked goods, chocolate bars, gummies, chewing gum, lozenges, and unique infused items, including, but not limited to cooking or salad oils, sauces, condiments, granolas, hard candies, and various beverages.

Electronic Smoking Device

An electronic or other powered device that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, pipe, vape pen or any cartridge, refill or other component of the device or related product, including but not limited to refills such as liquids, gels, waxes and powders.



Hemp

Legally, hemp is defined as a cannabis plant that contains 0.3 percent or less of tetrahydrocannabinol (THC), the mind-altering substance found in cannabis. A cannabis plant that contains more than 0.3 percent THC is considered marijuana and is heavily regulated by the State of NJ. CBD can be derived from both hemp and marijuana plants, but only CBD derived from hemp is legal.

Itinerant Establishment

A temporary or permanent business operated from a truck, cart, bicycle or other vehicle, handcarried portable container or device, or mobile platform or unit.

Liquid Nicotine/ Electronic Liquid (E-liquid) Container

A bottle or other container of liquid, wax, gel, or other substance containing nicotine, other psychoactive substances and/or other ingredients where the liquid or other contained substance is sold, marketed or intended for use in a vapor product and said container is not intended to be opened by the consumer and/or is in bulk amounts within the container. This definition does not include cartridges, pens, or other containers that are prefilled and sealed by the manufacturer for individual, direct-to-consumer use.

Manufacturer

Any person, including any re-packer and/or re-labeler, who compounds, modifies, mixes, manufactures, fabricates, assembles, processes, labels, re-packs, re-labels, or imports electronic smoking devices, vapor products, tobacco products, electronic liquids, and/or psychoactive drugs/substances as defined in this chapter.

Pouches

Type of smokeless product used as a delivery system for CBD or psychoactive substances such as nicotine and THC. Pouches are pre-portioned, may or may not contain tobacco, but they do contain flavorings, sweeteners, and plant-based fibers, and will also contain nicotine and/or other psychoactive substances such as CBD and THC. Pouches are placed between the cheek and gum and allow chemicals to be released and absorbed into the bloodstream.

Psychoactive Substances

Drugs or substances that change the function of the nervous system, affect how the brain works, and/or result in alterations of perception, mood, cognition, awareness, thoughts, feelings, and/or behavior. Psychoactive substances or drugs include, but are not limited to, alcohol, caffeine, nicotine, cannabis, THC, CBD, and CBD with more than 0.3% THC by dry weight. For the purposes of this chapter, all THC classifications, including but not limited to Delta 8, 9, and 10, meet the definition of psychoactive substances. For the purposes of this chapter, this definition also includes hallucinogens, a.k.a. psychedelics, whether natural or synthetic, legal or illicit, FDA-



approved or non-FDA-approved. This definition includes but is not limited to PCP, LSD, Mescaline, Tryptamines, Ketamine, Psilocybin, mushrooms containing Psilocybin, Tianeptine, Kratom, Xylazine, and opioids.

For the purposes of this chapter, those drugs or substances legally offered for sale, distributed, or given by NJ licensed healthcare providers, licensed cannabis businesses, retailers approved or licensed by the Cannabis Regulatory Commission (CRC), or pharmacies shall be exempt from the regulations set forth in this chapter. Commercially processed foods and beverages containing caffeine, such as chocolate, cocoa, coffee, tea, and soft drinks that are legally offered for sale, distributed, or given by government-approved and licensed retailers, shall be exempt from the regulations set forth in this chapter. NJ State regulated alcohol, cannabis from a cannabis business as defined in this chapter or from retailers approved or licensed by the Cannabis Regulatory Commission (CRC) and items containing tobacco leaf or nicotine such as cigarettes, cigars, pipes, chewing tobacco, snuff or pouches, that are legally offered for sale, distributed or given from government approved and licensed retailers shall be exempt from the regulations outlined in this chapter. Patches and/or lozenges that are manufactured and marketed specifically as a smoking/nicotine addiction cessation treatment and that are legally offered for sale, distributed, or given from government-approved and licensed retailers shall be exempt from the regulations set forth in this chapter.

Psychoactive Substance or Drug Delivery System

Any method used to introduce psychoactive substances or drugs to the human body. This includes but is not limited to liquid nicotine/ e-liquid, vapor products, edibles, tinctures, pouches, topicals, and snuff as they are defined in this chapter.

Retail Electronic Smoking Device and Psychoactive Substance Establishments

Any establishment, person, entity or business that stores, displays, sells, offers for sale, distributes or gives electronic smoking devices designed for use through inhalation and/or stores, displays, sells, offers for sale, distributes or gives legal psychoactive substances that are permitted by this chapter and as they are defined in this chapter, in any form, for the purpose of inhalation, ingestion and/or absorption and/or sells any equipment, associated paraphernalia and/or supplies, including but not limited to rolling papers, cartridges, electronic devices, accessories, pipes, hookahs, vape pens, topicals, gummies, candies, gum, pouches, tinctures, snuff, tablets, capsules, food and beverages in any form and/or other psychoactive substance or drug delivery systems as defined in this chapter.

Retail Electronic Smoking Device and Psychoactive Substance Establishments do not include those retail businesses that sell exempted psychoactive substances as specified in this chapter's definition of psychoactive substances.



Smoking

Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, plant or chemical product intended for inhalation, whether natural or synthetic, including but not limited to hookahs and marijuana, or the use of pipes, cigarettes, cigars or any other form of combustible or non-combustible device and including any form of electronic smoking device.

Snuff

A type of smokeless product made from finely ground or pulverized tobacco leaves and/or other chemicals and ingredients. It is snorted or "sniffed" into the nasal cavity, delivering a swift hit of CBD or psychoactive substances such as nicotine, and usually has a lasting flavored scent. Snuff is held to the nostrils manually but may include a specially made "snuffing" device.

THC (tetrahydrocannabinol)

THC or Tetrahydrocannabinol is the major psychoactive component in cannabis. Any part of the cannabis sativa plant with more than 0.3% of tetrahydrocannabinol (THC), the mind-altering substance in marijuana, would not meet the legal definition of CBD. For the purposes of this chapter, all THC classifications, including but not limited to Delta 8, 9, and 10 are considered THC and thus are considered psychoactive substances as they are defined in this chapter.

Tinctures

Alcohol or oil-based liquids that can be infused with cannabis derivatives or concentrates containing CBD or containing nicotine, THC, and/or other psychoactive substances. Tinctures are commonly consumed sublingually, left under the tongue to absorb into the mucus membranes for 10-15 seconds. Consumers can also use tinctures by infusing them into food or beverages or applying them topically for various skin conditions.

Topicals

For the purposes of this chapter, an agent applied to a certain area of the skin is absorbed into the bloodstream.

Vapor Product

Any non-combustible product containing nicotine or other substances that employs or intends to employ a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor, including but not limited to any form of electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any e liquid, liquid nicotine, vapor cartridge or other container of solution or other form with or without nicotine intended to be used with or in any such device.



§ 163-3. Prohibition on sales and manufacture; locations restricted.

- a. Only Retail Electronic Smoking Device and Psychoactive Substance Establishments licensed by the Health Department shall be permitted to store, display, sell, offer for sale, distribute, or give electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine, vapor products, associated paraphernalia, or psychoactive substances permitted by this Chapter, in any form.
- b. Under no circumstances shall illicit substances or drugs be permitted to be sold, offered for sale, given, displayed, stored, or distributed.
- c. It shall be unlawful for any business to store, display, sell, offer for sale, distribute, or give any psychoactive substances unless:
 1. the substances are exempt as set forth in this chapter's definition of psychoactive substances
 2. the substances are not prohibited by law
 3. the substances have not been recalled by the manufacturer, the State of NJ, or federal authorities
 4. the substances contain hemp-derived CBD with 0.3% or less of THC by weight
 5. the said business is in possession of a Retail Electronic Smoking Device and Psychoactive Substance Establishment license from the Health Department.
 6. the said retailers are approved or licensed by the Cannabis Regulatory Commission (CRC) to sell specific psychoactive substances such as Delta 8, intoxicating hemp beverages, and other products containing THC.
- d. Any product, including intoxicating CBD products with detectable levels of THC or that contain Delta 8, 9 and 10, or take the form of hemp intoxicating beverages may only be sold, stored, displayed, given or distributed by a licensed cannabis business, as it is defined in this chapter, or by retailers licensed or approved by the Cannabis Regulatory Commission (CRC).
- e. It shall be unlawful for any retail business to manufacture electronic smoking devices, components or parts, or psychoactive substances as defined in this Chapter, or to manufacture, handle, use, mix, prepare, store, display, sell, offer for sale, distribute or give any bulk vapor or electronic liquids or to extract them from liquid nicotine/electronic liquid containers, as they are defined in this chapter.
- f. It shall be unlawful for Retail Electronic Smoking Device and Psychoactive Substance Establishments licensed by the Health Department to store, display, sell, offer for sale, distribute or give psychoactive drugs or substances as defined in this Chapter, in any form, that are recalled by the manufacturer of the said product or are recalled or otherwise prohibited by the FDA, USDA or other Federal or NJ State agencies because of an imminent danger or health risk to the consumer that the product in question may pose.



- g. Psychoactive substances that are in the form of edibles, as they are defined in this chapter, are prohibited unless they contain only those psychoactive substances that are exempt by this chapter or contain psychoactive substances not prohibited by this chapter.
- h. Those Retail Electronic Smoking Device and Psychoactive Substance Establishments which store, display, sell, offer for sale, distribute, or give edibles permitted under this Chapter are required to also be licensed as a retail food establishment and must adhere to the requirements of N.J.A.C. 8:24, entitled, "Sanitation in Retail Food Establishments and Food and Beverage Vending Machines". Establishments will be subject to compliance inspections by the Health Department.
- i. Retail Electronic Smoking Device and Psychoactive Substance Establishments shall segregate edibles, as defined in this chapter, from all other food and beverages.
- j. It shall be unlawful to sell, display, store, distribute, or give edibles that contain ingredients or substances that are not approved as a food additive by the Food and Drug Administration (FDA) without displaying signage of disclosure in public view as set forth in section 6c.
- k. It shall be unlawful to sell, display, store, distribute, or give psychoactive substances or other ingredients in any form that are not primarily formulated and marketed for human consumption.
- l. It shall be unlawful for Retail Electronic Smoking Device and Psychoactive Substance Establishments that are not already in operation at the time of the adoption of this chapter to be located within 1000 feet of any of the following:
 - 1. Public, or privately owned, commercial recreational field, parks, or bathing facility
 - 2. Public or private elementary, middle, or high schools
 - 3. Child and adult special needs schools
 - 4. Houses of worship and spaces where children's religious studies are routinely offered
 - 5. Other Retail Electronic Smoking Device and Psychoactive Substance Establishments
- m. It shall be unlawful for temporary or itinerant establishments, transient merchants, or peddlers to operate as a Retail Electronic Smoking Device and Psychoactive Substance Establishment or to be issued a license to operate as such.
- n. It shall be unlawful for a person or business entity to sell, offer for sale, or distribute a hemp product that is not derived from naturally occurring biologically active chemical constituents and is not sourced from a person or business entity authorized by the State of NJ to cultivate, handle, or process hemp in the State.



§ 163-4. Entry and employment of persons under the age of 21 is prohibited.

- a. The entry of individuals under the age of 21 without a parent or legal guardian into any portion of a Retail Electronic Smoking Device and Psychoactive Substance Establishment that stores, displays, sells, offers for sale, distributes or gives electronic smoking devices and/or psychoactive substances, as they are defined in this chapter, is prohibited, unless it primarily operates and is licensed as a retail food establishment, pharmacy, healthcare provider, gas station or liquor store.
- b. It shall be the duty of a Retail Electronic Smoking Device and Psychoactive Substance Establishment licensee that does not primarily operate as a licensed retail food establishment, pharmacy, healthcare provider, gas station or liquor store to verify that any individual entering any portion of the establishment, that is not accompanied by a parent or guardian, is 21 years of age or older by requesting and examining government-issued photographic identification immediately upon entry of such individual.
- c. No individual under the age of 21 shall be employed by a Retail Electronic Smoking Device and Psychoactive Substance Establishment that stores, displays, sells, offers for sale, distributes or gives electronic smoking devices and/or psychoactive substances, as they are defined in this chapter, unless it primarily operates and is licensed as a retail food establishment, pharmacy, healthcare provider, gas station or liquor store.

§ 163-5 Sale, distribution, use, and operational restrictions; persons under the age of 21 prohibited.

- a. No person or business shall sell, offer for sale, distribute, or give electronic smoking devices, electronic smoking device supplies or equipment, vapor products, associated paraphernalia, e-liquids, liquid nicotine, and/or legal and permitted psychoactive substances as defined in this chapter, in any form, to any person under 21 years of age.
- b. Any retailer, employee or other person selling, offering, distributing, displaying or giving electronic smoking devices, electronic smoking device supplies or equipment, vapor products, associated paraphernalia, e-liquids, liquid nicotine and/or legal and permitted psychoactive substances as defined in this chapter, in any form, shall verify by means of government-issued photographic identification that contains the bearer's date of birth, that no purchaser of same is younger than 21 years of age.
- c. A Retail Electronic Smoking Device and Psychoactive Substance Establishment, at a minimum, must require proof of age from any customer who is of the appearance of 26 years of age or younger. Proof must come in the form of a valid government-issued photo ID. A customer who appears over the age of 26 shall not be a defense for selling to persons under the age of 21.



- d. Self-service displays and vending machines of electronic smoking devices, electronic smoking device supplies or equipment, vape products, E-liquid, liquid nicotine, associated paraphernalia, and/or psychoactive substances as defined in this chapter, in any form, shall be prohibited.
- e. An employee of a Retail Electronic Smoking Device and Psychoactive Substance Establishment must control the sale of such products described in **Section 163-5a.** through direct, face-to-face exchange between the retailer and the consumer.
- f. No Retail Electronic Smoking Device and Psychoactive Substance Establishment shall distribute, or cause to be distributed, any samples or allow the sampling of electronic smoking devices, components or parts, associated paraphernalia, electronic liquid, liquid nicotine, and/or psychoactive substances as defined in this chapter, in any form.
- g. The sale of any electronic smoking device or vapor product refills, including, but not limited to, any and all liquids, gels, waxes, or powders, whether or not such refill contains nicotine or other psychoactive substances, that are not contained in packaging that is child-resistant, as set forth in N.J.S.A. 2A:170-51.9 et seq., is prohibited.
- h. Electronic smoking devices, vapor products, components or parts, associated paraphernalia, electronic liquid containers or cartridges, liquid nicotine containers or cartridges and/or psychoactive substances in any form, including, but not limited to, edibles and pouches, and the packaging for all products listed herein, which are labeled with or in the form or take the shape or illustrate an image or likeness of animals, toys, fruits, vegetables, cartoon or other characters, or other images commonly directed to children or minors, are prohibited to be stored, displayed, sold, offered for sale, distributed or given within the municipality.
- i. Electronic smoking devices and vapor products, components or parts, associated paraphernalia, electronic liquid, liquid nicotine, and any other solution, ingredient, or other vapor delivery system with characterizing flavors as they are defined in this chapter are prohibited from being given, sold, stored, displayed, or distributed within the municipality.
- j. Retail Electronic Smoking Device/Psychoactive Substance Establishment license holders may only do in-person marketing and sales within the licensed establishment. There shall be no cross-marketing or sales at unlicensed retail locations, temporary or mobile locations, including, but not limited to, street fairs, local fairs, festivals, other events, or from trucks or vehicles, motorized or otherwise.



This section does not prohibit the advertising of a licensed Retail Electronic Smoking Device and Psychoactive Substance Establishment in other forms of media.

- k. Smoking or sampling inside Retail Electronic Smoking Device and Psychoactive Substance Establishments is prohibited.
- l. It shall be unlawful for Retail Electronic Smoking Device/Psychoactive Substance Establishments to allow the use or sampling of the devices or smoking-related products outdoors within 50 feet of the establishment or within the maximum outdoor area that is under the control of the retailer, whichever is less.

§ 163-6. Signage.

- a. Signage shall be conspicuously posted on entry doors of those Retail Electronic Smoking Device and Psychoactive Substance Establishments that meet the stipulations set forth in **163-4 B**. This signage shall be in English with letters of no less than one inch (1") in size, which states: "Entry of persons under the age of 21 is prohibited. Government-issued photographic identification must be presented immediately upon entry."
- b. Signage in all Retail Electronic Smoking Device and Psychoactive Substance Establishments shall be conspicuously posted at the point of display and at the point of sale in English with letters of no less than one-half inch (1/2") in size, which states the following:
 - 1. "A person who sells, offers for sale, distributes, or gives electronic smoking devices, supplies or equipment, vapor products, associated paraphernalia, and/or psychoactive substances in any form to a person less than 21 years of age shall be subject to prosecution, monetary penalty, and/or license suspension or revocation. Proof of age is required for purchase."
 - 2. "Smoking or sampling any product or device inside this place of business is prohibited by law. Those establishments or individuals in violation are subject to prosecution."
- c. Signage in all Retail Electronic Smoking Device and Psychoactive Substance Establishments that sell edibles containing CBD shall be conspicuously posted at the point of display and at the point of sale in English with letters of no less than one-half inch (1/2") in size, which states the following:
 - 1. "CBD is not approved by the FDA as a food additive. Use of this product may cause side effects and may interact with drugs. Consultation with a physician before using products containing CBD is recommended."



§ 163-7. License, application, fees, display, and transferability.

- a. No person shall conduct, maintain, or operate a Retail Electronic Smoking Device/Psychoactive Substance Establishment without first submitting an application for licensure on forms promulgated by the Health Department.
- b. No proprietor shall operate a Retail Electronic Smoking Device/ Psychoactive Substance Establishment unless such proprietor has received a license from the Health Department, acting on behalf of the governing body.
- c. A fee of \$1,000. for a Retail Electronic Smoking Device/Psychoactive Substance Establishment License shall be paid before the required license set forth in this article shall be issued.
- d. Licenses issued under the provisions of this article shall expire annually on the 31st of December. Each establishment shall apply for a renewal of its license for each retail location. The annual renewal fee shall be \$1,000 per each Retail Electronic Smoking Device/Psychoactive Substance Establishment location, payable by December 31st. For renewal applications and payments that are not received by January 31st, the Health Department shall require a late fee to renew in the amount of \$250.00 in addition to the license fee.
- e. At the time of the initial application and for any subsequent renewals, the applicant shall:
 1. disclose if the applicant is also a manufacturer or distributor of electronic smoking devices, psychoactive drugs or substances, vapor products, e-liquids, and/or liquid nicotine, and shall list the addresses of where that aspect of their business is conducted
 2. provide the name, address, telephone number, email address, and contact person for the manufacturer or distributor or other business(es) from which the electronic smoking devices, components or parts, electronic liquid, psychoactive drugs or substances, vapor products, and/or liquid nicotine are purchased.
- f. The Retail Electronic Smoking Device and Psychoactive Substance Establishment license shall be posted in a conspicuous location where it may be readily observed at eye level by all patrons before or immediately upon entering the establishment.
- g. It shall be unlawful for any portion of the Retail Electronic Smoking Device and Psychoactive Substance Establishment license to be obstructed from view during display.



- h. The owner or person in charge of an establishment shall permit any municipal official, inspector, or police officer who has presented proper identification to fully examine any license issued under this chapter.
- i. No Retail Electronic Smoking Device and Psychoactive Substance Establishment licenses shall be issued to temporary or itinerant establishments, transient merchants, or peddlers.
- j. Retail Electronic Smoking Device and Psychoactive Substance Establishment licenses issued by the Health Department on behalf of the municipality are not transferable by sale or otherwise and are not prorated. Any establishment that changes ownership must submit a new application and receive a new license prior to operation of the establishment under the new ownership.
- k. A person purchasing an existing Retail Electronic Smoking Device and Psychoactive Substance Establishment after the effective date of this chapter shall apply for a new license prior to commencing operation under new ownership. Operators of Retail Electronic Smoking Device and Psychoactive Substance Establishments are required to notify the Health Department of the impending sale of the establishment no less than 30 days prior to the transfer of ownership.

§163-8. Inspection and access to premises.

- a. The Health Officer, or his/her designees or authorized agents, shall be the primary enforcers of this chapter and shall have the right to inspect any Retail Electronic Smoking Device/Psychoactive Substance Establishment as often as he/she deems it necessary. Any duly appointed police officer of the municipality shall be permitted to enter and inspect the premises for compliance with this chapter. All parts of the establishment shall be made accessible to the Health Officer or his/her designee and to any duly appointed municipal police officer.
- b. At the discretion of the Health Officer, or his/her designees, or authorized agents, the Health Department may conduct age of sale inspections with the assistance of individuals under 21 years of age to verify that licensed Retail Electronic Smoking Device and Psychoactive Substance Establishments are complying with the prohibition on sales to anyone under 21 years of age. Those establishments that fail age of sale inspections will be considered to be in violation of the applicable sections of **163-4** and **163-5** and/or any other sections of this Chapter in which violations were observed and documented during the said inspections.
- c. At the discretion of the Health Department, Retail Electronic Smoking Device and Psychoactive Substance Establishments will be subject to the collection of random samples of those products stored, displayed, sold, offered for sale, distributed, or given at the



- d. establishment that may contain, or at the discretion of the health department, are suspected of containing CBD, THC, cannabis, or other psychoactive substances.
 - 1. The identified samples selected must be tested by a NJ certified laboratory capable, proficient, and certified to test for the psychoactive substances in question.
 - 2. NJ certified laboratory testing shall confirm the presence or lack thereof of THC or other specified psychoactive substances.
 - 3. The cost of the products collected as samples for testing by the Health Department shall be absorbed by the establishment.
 - 4. The Health Department shall limit the number of samples identified and collected for testing to a maximum of three items/products per calendar year
- e. Inspection placards shall be posted in a conspicuous location where it may be readily observed at eye level by all patrons before or immediately upon entering the establishment. The inspection placard shall reflect the level of compliance with this chapter. The inspection placards shall reflect one of three ratings as follows:
 - 1. Satisfactory rating issued, at the discretion of the Health Department inspector, when establishments are largely or completely in compliance with this chapter
 - 2. Conditionally satisfactory rating issued, at the discretion of the Health Department inspector, when violations of this chapter are observed and documented
 - 3. Unsatisfactory ratings issued, at the discretion of the Health Department inspector, when repeated, flagrant, and /or serious violations of this chapter are observed and documented. An unsatisfactory rating will require the license to be suspended and the establishment or portions thereof operating under the said license to cease until all violations are corrected. The establishment may reopen only after it is authorized to do so by the Health Department, unless the license is revoked for cause as set forth in this chapter.

§ 163-9. Revocation or suspension of license; hearing.

- a. Licenses issued under this chapter may be suspended by the Health Officer or revoked by the governing body for the following causes:
 - 1. Fraud, misrepresentation, or false statement in the establishment's license application.



2. Fraud, misrepresentation, or false statement made to the Health Officer or his/her designee or any duly appointed municipal police officer while operating the licensed business in the municipality.
 3. Fraud, misrepresentation or false statement made to customers or to the general public, whether verbally, with signage or advertising, in any form, while operating the licensed business in the municipality.
 4. Conducting business within the municipality in an unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public, as determined by the Health Officer.
 5. The establishment is an existing or threatened menace to the public health as determined by the Health Officer.
 6. The owner and/or operator or any employee refuses to permit, hinders, or obstructs the Health Officer, his/her designee, or any duly authorized municipal police officer to inspect the premises or the operations therein at any time.
 7. For repeat violations of this chapter or for any violations of this chapter that constitute a menace to the health, safety, or general welfare of the public, as determined by the Health Officer.
 8. For being posted unsatisfactorily as a result of an inspection or complaint investigation.
- b. A person, firm, corporation, or other entity whose license has been revoked by the governing body or suspended by the Health Officer shall close the establishment and request all patrons to vacate the premises, and/or the establishment ceases all operations associated with the suspended or revoked license. The establishment shall refrain from all business activities for which the license was obtained until the Health Department authorizes operations or parts thereof to commence or the governing body of the municipality authorizes operations to commence at the conclusion of the appeal process that is set forth in this chapter.
- c. The licensee shall be entitled to a hearing before the governing body for the purpose of appealing the suspension or revocation and seeking reinstatement of the suspended or revoked license. The licensee shall submit a written request for the hearing to the Municipal Clerk within five business days of the revocation or suspension. The governing body shall conduct the hearing no more than 15 business days from the date the written request was received. A business day shall be defined for the purposes of this chapter as any weekday, Monday through Friday, except for holidays on which municipal offices are closed.



- d. Written notice of the time and place of such hearing shall be served upon the licensee by the Municipal Clerk or his/her designee at least five business days prior to the date set for such hearing. Such notice shall contain a brief statement of the grounds to be relied upon for revoking, cancelling, or suspending such license. Notice may be given either by personal delivery thereof to the person identified on the license application or may be sent in a sealed envelope, addressed to the person and business address that appears on such license application, by simultaneously sending the notice both regular mail and certified mail, return receipt requested, via the United States Postal Service.
- e. At the hearing before the governing body, the licensee shall have an opportunity to answer and may thereafter be heard, and upon due consideration and deliberation by the governing body, the complaint may be dismissed, or if the governing body concludes that the charges have been sustained and/or substantiated, it may uphold the revocation or suspension and deny reinstatement of the license or stipulate the conditions required for reinstatement of the license. The decision of the governing body shall be final.
- f. If any such license shall have been revoked, neither the holder thereof nor any person acting for him or her, directly or indirectly, shall be entitled to another license to carry on the same business within the municipality.

§ 163-10. Enforcement.

- a. The Health Officer or his/her designee is hereby charged to be the primary enforcer of this chapter. All duly sworn officers of the municipality's police department may also act as enforcers of this chapter.
- b. It shall be unlawful for any person who owns, operates, manages, or otherwise controls the use of any premises subject to the restrictions of this chapter to fail to comply with its provisions.
- c. It shall be unlawful for any person to willfully oppose or otherwise act to interfere with or obstruct the Health Officer or his/her designee or any Police Officer in the performance of their duties under this chapter. The Health Officer or designee may request the assistance of the Police Department whenever they deem necessary to execute his or her official duty in the manner prescribed by law.



§ 163-11. Re-inspection Fees.

Should an establishment be found to be in violation of this Chapter or of any applicable state or federal law, and as a result, the Health Department determines that a reinspection is necessary, and/or the establishment is reduced to a less than satisfactory rating, a re-inspection fee in an amount equal to the establishment's annual license fee shall be required to be paid by the owner/operator for every re-inspection performed until the violation(s) have been corrected and/or the establishment's rating is restored to a satisfactory rating. The fee shall be paid within 10 days of the notification of the said re-inspection fee requirement.

§ 163-12. Violations and penalties.

- a. Unless otherwise provided by law, statute, or ordinance, any person(s) who is found to be in violation of any of the provisions of this chapter shall, upon conviction thereof, pay a fine of \$1,000 for the first violation, \$1,500 for the second violation, and \$2,000 for the third violation and each subsequent violation. Each violation, and every day in which a violation occurs, shall constitute a separate violation. No fines shall be issued for 60 days after publication of this ordinance, unless the portion of this chapter that was violated was preexisting in the ordinances of the municipality.
- b. The penalties set forth in a. in this section are in addition to any other penalties that may be imposed, including, but not limited to, penalties imposed by the New Jersey Code of Juvenile Justice, N.J.S.A. 2A:170-51 et seq. and/or N.J.S.A. 2C:33-13.1 et seq.
- c. Any violator of this article whose license has been revoked and who is also in possession of any other license(s) issued by the municipality may be subject to the suspension or revocation of those licenses or other penalty determined to be appropriate by the municipality. No such action may be taken unless the requirements of due process as set forth in this chapter are satisfied.
- d. Any person who continually violates this chapter may be charged in Municipal Court or in Superior Court with maintaining a nuisance.
- e. Each violation of this chapter, and every day in which a violation occurs or exists, shall constitute a separate violation.
- f. Each sale, furnishing or giving of electronic smoking devices, electronic smoking device supplies, components, parts or equipment, vapor products, E-liquid, liquid nicotine, and/or psychoactive substances in any form, as defined in this chapter, or tobacco products and/or nicotine delivery products or associated paraphernalia to any person under the age of 21 shall constitute a separate violation. Each violation, and every day in which a violation occurs, shall constitute a separate violation.



§ 163-13. Right of entry.

It shall be the lawful right for the Health Officer and his/her designee and sworn municipal police officers or any other person acting under and by the authority of the Health Department to enter in and upon any premises in the exercise of the powers or in the fulfillment of its or their duties conferred or imposed by law or local ordinance and the rules and regulations thereunder. Any person hindering, obstructing, delaying, resisting, preventing, or interfering with such right of access shall be deemed to violate the provisions of this article.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

Section 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

Section 4. This Ordinance shall take effect upon final publication as provided by law.

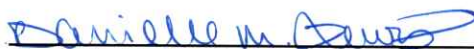
INTRODUCED: July 16, 2026

ADOPTED: August 13, 2026



Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-185**

**A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FLORHAM PARK,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE PROMOTION OF
OFFICER JOSEPH REGA IN THE FLORHAM PARK POLICE DEPARTMENT**

WHEREAS, a need exists to fill a Sergeant vacancy in the Florham Park Police Department; and

WHEREAS, interviews have been conducted and the Borough wishes to approve the following promotion, effective August 1, 2026:

- Promotion of Joseph Rega to Sergeant (Patrol Division), at a starting salary of \$155,889.00 (pursuant to the existing/current Agreement between the Borough of Florham Park and New Jersey State Policemen's Benevolent Association Florham Park Local No. 78)

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Borough of Florham Park hereby appoints Officer Joseph Rega to the position and salary indicated.

Council Approval: August 13, 2026

Scott Carpenter, Acting Mayor

Attest:

Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.

Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-186**

**A RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, STATE OF NEW JERSEY, APPOINTING AN ACTING ZONING OFFICIAL**

WHEREAS, Marjorie Lowe is a full-time employee of the Borough and, during the absence of the Zoning Official, will assume the responsibilities of the Zoning Official beyond her normal duties; and

WHEREAS, the Mayor and Borough Council recognize the additional time and effort required to perform these duties; and

WHEREAS, the Mayor and Borough Council deem it appropriate to provide additional compensation in an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500) to compensate for these temporary additional responsibilities.

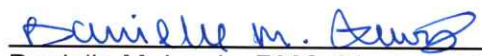
NOW THEREFORE BE IT RESOLVED that this stipend shall be effective from August 1, 2026, through December 31, 2026, unless extended or terminated by further action of the Mayor and Council.

Council Approval: August 13, 2026



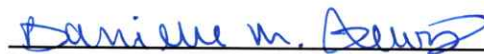
Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-187**

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, CORRECTING RESOLUTION #26-126 AND APPROVING ADDITIONAL 2026 SEASONAL EMPLOYEES – MUNICIPAL POOL

WHEREAS, Ordinance #26-12, which was approved and adopted by the Mayor and Council of the Borough of Florham Park on May 21, 2026, established salary ranges for seasonal employees; and

WHEREAS, Resolution #26-126 was approved and adopted by the Mayor and Council of the Borough of Florham Park on May 21, 2026, approving the list of persons and positions for the Municipal Pool for 2026; and

WHEREAS, the Borough desires to correct the hourly rate and title for two (2) existing employees and add three (3) employees for the Municipal Pool for the 2026 season.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Florham Park that the attached list of persons and positions be compensated at the wage, the same being consistent with Ordinance #26-12.

Corrections to Existing Employees:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Madison Wu	Lifeguard <u>Front Desk</u>	\$17.00 <u>15.25 per hour</u>
Lauren Schmit	Lifeguard <u>Front Desk</u>	\$17.50 <u>\$15.50 per hour</u>

Additional Employees:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Lily Riordan	Lifeguard	\$17.00 per hour
Grayson Eckhardt	Lifeguard	\$17.00 per hour
Karen Alessio	Swim Coach	\$1500.00 Total

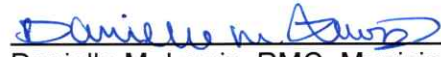


Council Approval: August 13, 2026



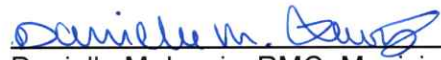
Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-188**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FLORHAM PARK IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING AGREEMENT AND
PAYMENT FOR EMERGENCY TREE REMOVAL AND LIMITED PROPERTY RESTORATION
(140 BRIARWOOD ROAD)**

WHEREAS, a tree located in the vicinity of the property owned by Gabriel Rhodes (herein referred to as "the Owner") of 140 Briarwood Road, Florham Park, NJ 07932 fell during a storm event on or about July 3, 2026; and

WHEREAS, the Borough is unable to determine whether that tree is owned by the Borough or by the Owner of 140 Briarwood Road; and

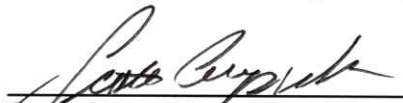
WHEREAS, the owner has agreed to permit the Borough and its designated contractor(s) to access the property to remove the fallen tree and repair the damaged sidewalk area for a total cost of \$4,650.00; and

WHEREAS, the Owner has agreed to enter into an Agreement with the Borough of Florham Park for removal of the fallen tree and limited property restoration.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Florham Park, County of Morris, State of New Jersey, that:

- 1) The Mayor of the Borough of Florham Park is authorized to execute the Agreement for Emergency Tree Removal and Limited Property Restoration; and
- 2) The total amount of \$4,650.00 has been authorized for this work; and
- 3) The Agreement will be filed in the Office of the Borough Clerk.

Council Approval: August 13, 2026



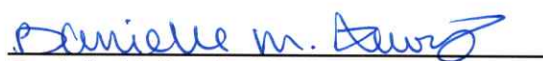
Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-189**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A UTILITY EASEMENT AGREEMENT
WITH JERSEY CENTRAL POWER & LIGHT COMPANY AND VERIZON NEW JERSEY INC.
FOR BOROUGH PROPERTY DESIGNATED AS BLOCK 301, LOT 16**

WHEREAS, the Borough of Florham Park is the owner of certain real property located at 35 Vreeland Road in the Borough of Florham Park, County of Morris and State of New Jersey, designated on the Borough Tax Map as Block 301, Lot 16 (the "Property"); and

WHEREAS, Jersey Central Power & Light Company and Verizon New Jersey Inc. have requested that the Borough grant a permanent utility easement over a portion of the Property for electric, cable television and communication purposes; and

WHEREAS, the proposed easement will permit the construction, reconstruction, operation, inspection, maintenance, repair, replacement, improvement, alteration, relocation, extension and removal of overhead, underground and ground-level utility facilities; and

WHEREAS, the proposed facilities will generally run in a southerly direction from existing Pole No. 208191-71019, located along the easterly sideline of Vreeland Road, and extend approximately ten feet onto the Property to new Pole No. 208193A71016, together with any necessary anchors, guy wires and related equipment; and

WHEREAS, the easement agreement also provides Jersey Central Power & Light Company and Verizon New Jersey Inc. with rights of access and vegetation management necessary for the installation, operation and maintenance of the utility facilities; and

WHEREAS, the Mayor and Borough Council have determined that granting the easement is in the best interests of the Borough and will facilitate the provision and maintenance of necessary utility services.

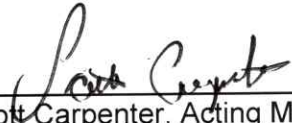
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Florham Park, County of Morris and State of New Jersey, as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute the easement agreement and any other documents reasonably necessary to effectuate the purposes of this Resolution.
2. The Borough Attorney, Borough Engineer and other appropriate Borough officials are hereby authorized to take any actions reasonably necessary to implement the easement agreement and this Resolution.
3. A copy of this Resolution and signed Easement Agreement shall be provided to Jersey Central Power & Light Company, Verizon New Jersey Inc., the Borough Attorney, the Borough Engineer and any other appropriate parties.



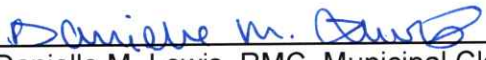
This Resolution shall take effect immediately upon its adoption.

Council Approval: August 13, 2026



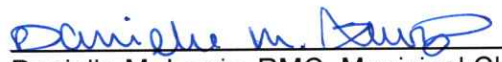
Scott Carpenter, Acting Mayor

Attest:



Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.



Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-190**

**A RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY – AWARD FROM
OPIOID SETTLEMENT**

WHEREAS, N.J.S. 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 thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Borough of Florham Park has received notice of an award of \$2,352.65 from the Opioid Settlement and wishes to Amend its 2026 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Florham Park, in the County of Morris, State of 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 2026 in the sum of.....\$20,149.07

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services:

Public and Private Revenues Off-set with

Appropriations:

Opioid Settlement

BE IT FURTHER RESOLVED that the like sum of..... \$20,149.07

Be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by

Revenues:

Opioid Settlement

Council Approval: August 13, 2026

Scott Carpenter, Acting Mayor



Attest:

Danielle M. Lewis
Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.

Danielle M. Lewis
Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-191**

**A RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY – AMENDING
THE LIBRARY LEVY AS PER NEW JERSEY STATE LIBRARY**

WHEREAS, N.J.S. 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 thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Borough of Florham Park has received a request to amend the minimum Library tax as per the New Jersey State Library and wishes to amend its 2026 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Florham Park, in the County of Morris, State of 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 2026 in the sum of.....\$2,944.16

Which is now available as a revenue from:

Amount to be Raised By Taxes for Support of Municipal Budget:

Minimum Library Tax

BE IT FURTHER RESOLVED that the like sum of.....\$2,944.16

Be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from "CAPS"

Maintenance of Free Public Library

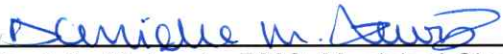
Council Approval: August 13, 2026



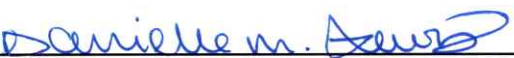
Scott Carpenter, Acting Mayor



Attest:


Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.


Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-192**

**A RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
FLORHAM PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, GRANTING
AUTHORITY FOR APPROVAL OF CERTAIN PURCHASES THROUGH NEW JERSEY STATE
CONTRACTS AND/OR PURCHASING COOPERATIVES FOR 2026**

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139, the governing body may delegate the power to award purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Borough of Florham Park is a member; and

WHEREAS, in the interest of streamlining Borough operations and improving efficiency, it is the desire of the Mayor and Council to authorize the Purchasing Officer/Qualified Purchasing Agent (QPA) to approve purchases, contracts and agreements through New Jersey State Contracts and/or Purchasing Cooperatives, subject to provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139 below the \$53,000.00 threshold in individual purchases and the aggregate as defined by N.J.S.A.40A:11-2(19).

NOW, THEREFORE, BE IT RESOLVED by the Borough of Florham Park, County of Morris, State of New Jersey, as follows:

1. The Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the City is hereby authorized to approve purchases under the bid threshold, made under contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Borough of Florham Park is a member without further action from Council, provided that funds are available to cover the expenditure.
2. Purchase approvals made by the Qualified Purchasing Agent (QPA) by virtue of the adoption of this Resolution shall be subject to the provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and that no amount of any contract shall be in excess of the bid threshold in a single purchase or the aggregate without express individual resolutions authorizing such cooperative purchases by contract number.

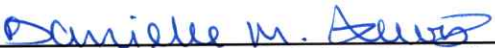
This Resolution will take effect immediately.

Council Approval: August 13, 2026

Scott Carpenter, Acting Mayor



Attest:


Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.


Danielle M. Lewis, RMC, Municipal Clerk



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
RESOLUTION #26-193**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FLORHAM PARK
IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A CONTRACT
AWARD FOR THE BOROUGH OF FLORHAM PARK VILLAGE ROAD AND VULTEE DRIVE
ROADWAY AND SIDEWALK IMPROVEMENT PROJECT NJDOT FY 2025 MUNICIPAL AID**

WHEREAS, there exists a need to enter into an agreement for construction of the Fernwood Road Resurfacing and Safety Improvement Project, FY 2025 NJDOT Municipal Aid Project; and

WHEREAS, the Borough of Florham Park advertised and solicited bids for this purpose; and

WHEREAS, a *Bid Opening* occurred on August 11, 2026 in the Courtroom at the Municipal Building; and

WHEREAS, eight (8) bids were submitted for the project which were reviewed by the Qualified Purchasing Agent and the Borough Engineer; and

WHEREAS, after the Bid Opening and administrative and technical reviews by the Qualified Purchasing Agent and the Borough Engineer were performed, **Midwest Construction Inc., 19 Dead River Road, Warren, NJ 07059** was deemed the lowest responsible bidder with a Total Base Bid of \$484,397.58.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Borough Council of the Borough of Florham Park in the County of Morris and State of New Jersey as follows:

1. A contract be entered into with the Borough of Florham Park and **Midwest Construction Inc., 19 Dead River Road, Warren, NJ 07059**.
2. A Certification of Funds prepared by the Chief Financial Officer for this purpose is attached hereto.
3. The Mayor and Borough Clerk hereby authorizes and directs to execute an agreement with **Midwest Construction Inc., 19 Dead River Road, Warren, NJ 07059**
4. A notice of this action shall be published at www.florhamparknj.gov/publicnotices

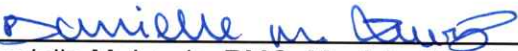
Council Approval: August 13, 2026



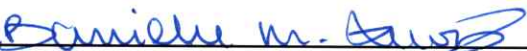
Scott Carpenter, Acting Mayor



Attest:


Danielle M. Lewis, RMC, Municipal Clerk

I HEREBY CERTIFY this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Florham Park, and adopted on August 13, 2026.


Danielle M. Lewis, RMC, Municipal Clerk

REVISED BILLS LIST TOTALS FOR THURSDAY AUGUST 13, 2026

CURRENT FUND	\$657,414.86
STATE & FEDERAL GRANT	\$20,111.25
GENERAL CAPITAL	\$5,040.00
WATER OPERATING	\$56,365.42
WATER CAPITAL	\$6,530.15
POOL OPERATING FUND	\$19,420.25
POOL CAPITAL	\$0.00
SEWER OPERATING	\$143,590.09
SEWER UTILITY CAPITAL	\$587,911.38
RECREATION TRUST	\$6,642.72
ANIMAL TRUST	\$3,165.00
OTHER TRUST	\$0.00
HOUSING TRUST	\$576.00
TRUST ESCROW	\$8,811.00
UNEMP TRUST	\$3,677.75
LAW ENF TRUST	\$0.00
WIRE TRANSFERS	\$966,340.01
TOTAL	\$2,485,595.88

List of Bills - Clearing/Claims Account

Meeting Date: 08/13/2026 For bills from 07/16/2026 to 08/13/2026

Check#	Vendor	Description	Payment	Check Total
49955	1817 - A PARTY PLEASING RENTAL INC.	PO 94625 Blanket	7,276.29	7,276.29
49956	5614 - ACE HARDWARE	PO 95909 Soap	101.81	
		PO 95957 See Blanket PO 95531	72.61	174.42
49957	6567 - ACE OVERHEAD DOOR LLC	PO 95833 Garage Door Repair at Co. 1--- Replaced	375.00	375.00
49958	232 - ACTION DATA SERVICES INC	PO 95822 SEE BLANKET PO #93854	554.46	
		PO 95880 PAYROLL SERVICES FOR JULY 31, 2026	785.51	1,339.97
49959	240 - ACTION DRIVES & BEARINGS, INC.	PO 95956 See Blanket PO 93617	48.53	48.53
49960	5572 - ADVANCE AUTO PARTS	PO 95924 Bulbs and Rubber tip for blowgun	23.31	23.31
49961	1321 - AGN GLASS	PO 95837 replace windshield - FPPD Car #EX6	441.00	441.00
49962	208 - ALFRED'S SPORT SHOP	PO 95287 Department Hats	220.00	220.00
49963	2 - ALLIED OIL COMPANY LLC	PO 95910 See Blanket PO 95532 - STATE CONTRACT 19	20,034.31	
		PO 95911 See Blanket PO 95533 - STATE CONTRACT 19	12,824.90	32,859.21
49964	1478 - AMAZING AMUSEMENTS	PO 95901 Deposit for Tree Lighting Bounce House a	1,250.00	1,250.00
49965	223 - AMERICAN WEAR	PO 95954 See Blanket PO 95183	210.00	210.00
49966	1280 - ANCHOR RUBBER STAMP	PO 95627 UCC STAMPS FOR 2026	379.25	379.25
49967	5472 - ANGELINA'S TRATTORIA LLC.	PO 95711 Pizza for 7 weeks of camp	495.00	
		PO 95748 Pizza for 7 weeks of camp	555.00	
		PO 95769 12 pizzas, 1/2 tray salad & delivery tip	281.31	
		PO 95775 Pizza for 7 weeks of camp	555.00	
		PO 95790 pizza for National Night Out - August 4,	720.00	
		PO 95809 Pizza for 7 weeks of camp	615.00	
		PO 95850 Pizza for 7 weeks of camp	615.00	
		PO 95897 Pizza for 7 weeks of camp	613.00	4,449.31
49968	5472 - ANGELINA'S TRATTORIA LLC.	PO 95974 additional pizza for National Night Out	240.00	240.00
49969	5660 - ANIMAL CONTROL SOLUTIONS, LLC.	PO 95625 24 Hour Animal Control July 2026 INV# 69	3,090.00	
		PO 95777 Disposal of Wild Animal - Disposal of Th	75.00	3,165.00
49970	5265 - APEX ENGINEERING PRODUCTS CORP	PO 95357 Rydlyme Descaler	1,064.78	1,064.78
49971	2137 - APOLLO FLAG CO.	PO 95848 5'x1" white spinning poles	2,121.60	2,121.60
49972	3622 - APPLIED PROTECTION TECHNOLOGIES, LLC	PO 95976 See Blanket PO 95453	975.00	975.00
49973	6402 - APPROVED FIRE PROTECTION CO., INC	PO 95510 repairs to snack shack kitchen supressio	1,797.45	
		PO 95952 See Blanket PO 95434	2,086.36	3,883.81
49974	1946 - ATLANTIC TACTICAL, INC.	PO 94480 NJ STATE CONTRACT #17-FLEET-00787	1,856.40	
		PO 94791 NJ STATE CONTRACT #17-FLEET-00787	2,214.80	4,071.20
49975	610 - BADGER METERS	PO 93612 ANNUAL SERVICE AGREEMENT FOR HANDHELD 8/	1,176.00	
		PO 95613 Quotation NO. 3896746	10,983.26	12,159.26
49976	6225 - BENECARD SERVICES LLC	PO 95856 Benecard Prescription Plan Insurance Pay	114,985.51	
		PO 95857 Benecard Prescription COBRA Control Serv	465.00	115,450.51
49977	677 - BENEFIT ALLOCATION SYSTEMS	PO 95835 COBRA Administrative Fees - July 2026	125.20	125.20
49978	6128 - BIG AIR AMUSEMENTS	PO 95683 popcorn/cotton candy - National Night Ou	450.00	450.00
49979	74 - BILL PRYER - PRIVATE DISPOSAL	PO 95123 July	272.80	
		PO 95124 August	272.80	
		PO 95658 2026 Trash Pickup	78.25	623.85
49980	5150 - BOBCAT OF NORTH JERSEY	PO 95431 front fender	736.14	736.14
49981	5497 - BODHI BEAN	PO 95788 Ice cream vendor for National Night Out	2,144.00	2,144.00
49982	6471 - BRAVO REPAIRS, LLC	PO 95846 TROUBLESHOOTING REACH-IN FREEZER / LABOR	280.00	280.00
49983	5934 - BROOKE NEWMAN	PO 95913 Monster Mini Golf refund	30.00	30.00
49984	5521 - BUSINESS INFORMATION SYSTEMS INC.	PO 95915 On-Site Service & Support Contract Renew	450.53	450.53
49985	4756 - BUY WISE AUTO PARTS	PO 95958 See Blanket PO 95534	759.07	759.07
49986	5419 - CABLEVISION LIGHTPATH LLC	PO 95635 Internet service - July 2026 - Account N	1,069.00	1,069.00
49987	6509 - CARMINE MANDATO	PO 94814 Zeppole giveaway for National Night Out	2,000.00	2,000.00
49988	4918 - CGP&H	PO 95751 June 2026 Affordable Housing Rehab Progr	576.00	576.00
49989	2029 - CHATHAM LAWNMOWER SERVICE, INC	PO 95816 Chain saw tune up/ check over, was not t	789.06	789.06
49990	4945 - CHRIS LYNCH JR.	PO 95799 2026 Boot allowance	298.83	
		PO 95881 National Night Out Supplies	78.88	377.71
49991	6554 - Claudia Marzella	PO 95934 Refund for roller rink, put in before ca	20.00	20.00
49992	84 - COUNTY COLLEGE OF MORRIS	PO 95720 Introduction to Welding - M. Eddy	1,599.00	1,599.00
49993	1773 - COUNTY WELDING SUPPLY	PO 95126 July	42.00	42.00
49994	2860 - CWC-CONTINUING EDUCATION	PO 95723 Intro Class - C. Williams	4,600.00	
		PO 95723 Intro Class - C. Williams	1,000.00	5,600.00
49995	3755 - D'ONOFRIO & SON INC	PO 95890 See Blanket PO 951592026 Contract: May -	4,156.25	4,156.25
49996	4412 - DANIEL BRAICO	PO 94146 reimbursement for boots	169.95	169.95
49997	4217 - DANIEL BUNDSCHUH	PO 95661 RENEWAL: DNS Pro with .ORG Registrar Tra	60.19	60.19
49998	4998 - DAVE'S TIRE, LLC	PO 95516 Hercules Strong Guard H-RD 315/80R22.5 L	5,618.66	
		PO 95537 Goodyear Eagle Enforcer All Weather 275/	5,170.00	10,788.66
49999	5675 - DAVID FOSSELLA	PO 95731 Randolph Gymnastics Trip refund	76.00	76.00
50000	6517 - DINGMAN'S DAIRY	PO 95738 Ice Cream for pool	211.28	
		PO 95810 Ice Cream for the Pool	155.80	367.08
50001	5843 - EKOS/GE SOFTWARE, INC	PO 95156 Fuel site module annual billing	2,928.00	2,928.00
50002	5545 - ERIN RODRIGUES	PO 95819 Roller Rink Trip refund 7/2/26 Shane Rod	40.00	40.00
50003	5855 - EVOGOV, INC.	PO 95916 Recurring/Monthly Service fees for Websi	200.00	200.00
50004	6132 - FAR POST CLUB	PO 95829 2026 SOCCER PROGRAM	250.00	250.00
50005	394 - FASTSIGNS	PO 95676 Florham Park DPW decals for new garbage	675.00	675.00
50006	3567 - FBI-LEEDA	PO 95872 CLI - Ewing, NJ - Sgt. Kevin Langereis -	795.00	795.00
50007	1820 - FINISH LINE CAR WASH LLC	PO 95632 monthly car wash invoice - July 2026	588.00	
		PO 95659 2026 Car Washes - June	14.00	602.00

List of Bills - Clearing/Claims Account

Meeting Date: 08/13/2026 For bills from 07/16/2026 to 08/13/2026

Check#	Vendor	Description	Payment	Check Total
50008	6520 - FIRE & SAFETY SERVICES	PO 95307 Service on Engine 22 Road Job	3,535.21	3,535.21
50009	2739 - FISHER SCIENTIFIC	PO 95755 Lab supplies	317.93	317.93
50010	4996 - FLEMINGTON DEPARTMENT STORE, INC	PO 95314 Hi-Vis Shirts	1,615.00	1,615.00
50011	1035 - FLORHAM PARK POLICE DEPARTMENT	PO 95854 SPRING GARDEN LAKE JOB#4442, 7/22/26	340.00	340.00
50012	2641 - FLORHAM PARK PUBLIC LIBRARY	PO 95852 2ND QUARTER ALOTMENT	213,174.75	213,174.75
50013	4792 - FLORHAM PARKS BURRITOS	PO 95724 Tacos Tuesday Moes	1,353.24	1,353.24
50014	5235 - FRENCH & PARRELLO ASSOCIATES, PA	PO 95896 PO'S 95092 & 95366 TALLING \$12,586.60	6,574.25	6,574.25
50015	5921 - GANNETT MEDIA CORP.	PO 95925 Legal Notices	129.48	129.48
50016	4331 - GARDEN STATE HARLEY DAVIDSON	PO 95682 service two FPPD Motorcycles	1,845.47	1,845.47
50017	299 - GARDEN STATE LABORATORIES, INC	PO 95746 Garden State coop contract - HCESC-SER-2	130.00	130.00
50018	430 - GENERAL CODE PUBLISHERS	PO 95936 Annual Maintenance Contract	4,640.00	4,640.00
50019	6234 - GENUINE PARTS COMPANY	PO 95718 battery - FPPD Polaris ATV	332.19	
		PO 95862 wiperblades, oil & air filters, oil - FP	635.81	
		PO 95914 See Blanket PO 95535	614.20	1,582.20
50020	715 - GEORGE S. COYNE CHEMICAL CO., INC.	PO 95912 2026 PaCL- 7/28/2026	7,434.45	7,434.45
50021	251 - GFOA ASSOC OF NJ	PO 95879 2026 EARLY BIRD REGISTRATION - GFOA FOR	450.00	450.00
50022	6393 - GOVPILLOT LLC	PO 95838 GovPilot, LLC dba Spatial Data Logic	30,975.00	30,975.00
50023	793 - GRAINGER CO	PO 95750 exit signs, hinges, and a material stora	2,187.70	
		PO 95784 Mobilgear 600 XP 150 oil	253.76	
		PO 95800 Muck Boots	353.34	
		PO 95802 LIFELINE BATTERY PACK, 5 YR MANUFACTURE	484.32	
		PO 95886 Sewer Supplies	623.90	3,903.02
50024	1664 - GRASS ROOTS	PO 95371 MCCPC #42	276.30	276.30
50025	1973 - GREENMAN-PEDERSEN, INC.	PO 95590 FERNWOOD RD RESURFACING & SAFETY IMPR. P	5,040.00	5,040.00
50026	526 - HANOVER FLORAL	PO 95826 arrangement for former tax assessor John	200.00	200.00
50027	592 - HANOVER SUPPLY	PO 95693 plumbing parts blanket	78.84	78.84
50028	4882 - HARBOR CONSULTANTS, INC	PO 95771 Professional Fees for April 2026 4 Hanov	6,555.00	6,555.00
50029	585 - HDSFM D/B/A USA BLUEBOOK	PO 95393 Traffic barrels, cones and markout paint	1,576.30	
		PO 95599 Hose Nozzles	139.61	1,715.91
50030	2489 - HERC RENTALS	PO 94616 Light Towers for July 4th	1,625.00	1,625.00
50031	364 - HOME DEPOT CREDIT SERVICES	PO 94998 June 2026	324.10	324.10
50032	364 - HOME DEPOT CREDIT SERVICES	PO 94999 June 2026	1,780.88	1,780.88
50033	364 - HOME DEPOT CREDIT SERVICES	PO 95929 See Blanket PO 95505	1,443.77	1,443.77
50034	2217 - HOOVER TRUCK CENTERS	PO 95509 seats for #250	264.70	264.70
50035	1634 - INGLESINO TAYLOR	PO 95830 Borough of Florham Park - FP General Rep	1,416.00	
		PO 95830 Borough of Florham Park - FP General Rep	464.00	1,880.00
50036	6110 - JACK GARING	PO 95527 DJ/Photo Booth for National Night Out -	500.00	500.00
50037	6564 - JACQUELINE GEIGER	PO 95840 Monster Mini Golf Trip refund 7/29/26 Ma	68.00	68.00
50038	6557 - JAMES CHU	PO 95645 Sprinkler Damage Reimbursement	605.15	605.15
50039	2532 - JEN ELECTRIC INC.	PO 95772 MCCPC CONTRACT #37	1,341.78	
		PO 95831 60 MOCCP, MCCPC CONTRACT #37	520.00	
		PO 95875 60 MOCCP, MCCPC CONTRACT #37	957.38	
		PO 95960 MCCPC CONTRACT #37	910.00	3,729.16
50040	480 - JERSEY CENTRAL POWER & LIGHT	PO 95660 Invoice 95139989506	17,137.28	
		PO 95849 Acct 100 101 185 153 - Columbia Tpke & R	5,490.61	
		PO 95849 Acct 100 101 185 153 - Columbia Tpke & R	2,045.31	24,673.20
50041	480 - JERSEY CENTRAL POWER & LIGHT	PO 95949 ACCT 200 000 020 236	10,325.10	
		PO 95949 ACCT 200 000 020 236	30,276.19	
		PO 95949 ACCT 200 000 020 236	3,516.41	44,117.70
50042	361 - JERSEY ELEVATOR CO INC	PO 95130 August	321.04	321.04
50043	4766 - JOE DEPASQUALE	PO 95346 Break room supplies	172.41	172.41
50044	6478 - JOSEPH REGA	PO 94149 reimbursement for boots - boots were \$33	250.00	250.00
50045	4608 - KENVIL POWER EQUIPMENT	PO 95953 See Blanket PO 93690	711.88	711.88
50046	4151 - KEVIN LANGEREIS	PO 95877 reimbursement for commemorative challeng	191.70	191.70
50047	5531 - KIMLEY-HORN & ASSOCIATES, INC.	PO 87671 Project Management - Corral Design - Bea	1,125.00	1,125.00
50048	2750 - KOMLINE-SANDERSON	PO 95457 DAF Parts	6,730.94	6,730.94
50049	398 - L T ROSELE	PO 95132 July	1,350.00	1,350.00
50050	6541 - L.P. STATILE, INC	PO 95681 ANDROMEDA MOUNTAIN FIRE 18-24"	142.00	142.00
50051	6262 - MAIN LINE COMMERCIAL POOLS, INC.	PO 95580 Chlorine feeder	6,183.96	6,183.96
50052	6556 - MARYANN O'DONNELL MCCOY	PO 95725 Judge Court Coverage July 8, 2026	500.00	500.00
50053	5973 - MASTERMAN'S LLP	PO 95855 Personal protective equipment	1,019.15	1,019.15
50054	4943 - MATTHEW EDDY	PO 95697 Welding supplies	518.34	518.34
50055	4946 - MCANJ TREASURER	PO 95828 Full Membership 8678 Municipal Clerk	100.00	100.00
50056	329 - MCMASTER-CARR SUPPLY CO	PO 95808 Aluminum bar grating	255.67	255.67
50057	5384 - MECHANICAL SERVICE CORPORATION	PO 95891 See Blanket PO 95378	4,389.00	4,389.00
50058	4917 - MELGAR CLEANING SERVICE	PO 95135 July	2,250.00	2,250.00
50059	497 - MGL PRINTING	PO 95834 WATER & SEWER DELINQUENT NOTICES & PURCH	338.00	
		PO 95834 WATER & SEWER DELINQUENT NOTICES & PURCH	338.00	
		PO 95834 WATER & SEWER DELINQUENT NOTICES & PURCH	720.00	
		PO 95853 WINDOW ENVELOPES W/ PERMIT 978	755.50	
		PO 95867 Window envelopes for finance department	964.00	3,115.50
50060	6551 - Michael Campbell	PO 95728 Jersey Mikes Day	30.00	30.00
50061	5417 - MILLENNIUM COMMUNICATIONS GROUP INC.	PO 95844 replace damaged equipment at Columbia Tu	7,672.51	7,672.51
50062	555 - MIRACLE CHEMICAL CO.	PO 95652 Chlorine for the pool	866.00	
		PO 95690 Chlorine for the pool	1,299.00	

List of Bills - Clearing/Claims Account

Meeting Date: 08/13/2026 For bills from 07/16/2026 to 08/13/2026

Check#	Vendor	Description	Payment	Check Total
		PO 95719 2026 Bisulfite - 7/9/2026	3,388.77	
		PO 95740 2026 Hypochlorite- 7/7/2026 - 135	606.15	
		PO 95742 2026 Hypochlorite - 331 - 7/7/2026	1,433.23	
		PO 95765 Chlorine for the pool	2,381.50	
		PO 95766 2026 Hypochlorite - 7/14 - 643	2,887.07	
		PO 95767 2026 Hypochlorite - 140 - 7/14/2026	628.60	
50063	555 - MIRACLE CHEMICAL CO.	PO 95887 15% SODIUM HYPOCLORITE GALLON	3,290.80	13,490.32
		PO 95930 Chlorine for pool	1,515.50	
50064	4380 - MJG PROMOTIONS, LLC	PO 95591 BOROUGH FLORHAM PARK CLOTHING	109.00	4,806.30
		PO 95694 BOROUGH OF FLORHAM PARK CLOTHING	314.00	
50065	6488 - MJG SERVICES LLC	PO 95759 Water Consulting Services	375.00	423.00
50066	4484 - MONMOUTH TELECOM	PO 95935 TELEPHONE BILL acct 36430	3,022.13	375.00
		PO 95935 TELEPHONE BILL acct 36430	912.00	
50067	773 - MORRIS BRICK & STONE COMPANY	PO 95959 See Blanket PO 93622	100.28	3,934.13
50068	195 - MORRIS COUNTY MUA	PO 95140 June	3,629.56	100.28
50069	215 - MOTT MACDONALD	PO 95763 CCT and back up generator plans for Well	4,771.90	3,629.56
50070	2410 - MUMFORD-BJORKMAN ASSOCIATES	PO 95744 Consulting services for water spheroid p	4,800.00	4,771.90
50071	5940 - NAPA OF CHATHAM	PO 95811 Maintenance for 31-- NAPA The Legend Pro	211.78	4,800.00
50072	371 - NEW JERSEY AMERICAN WATER	PO 95657 WATER BILL SUN VALLEY 4/29/26- 6/29/2026	445.98	211.78
		PO 95716 PUBLIC HYDRANT SERVICE FOR June 2026	1,189.22	
		PO 95918 PUBLIC HYDRANT SERVICE FOR July 2026	1,189.22	
50073	3571 - NEW JERSEY E-Z PASS	PO 95785 replenish account 2000 1156 6690 2	166.20	2,824.42
50074	5490 - NEW JERSEY HILLS MEDIA GROUP	PO 95157 Acct #72279 Annual Subscription - FP Eag	120.00	166.20
50075	6245 - NICHOLAS J. GRANDE	PO 95793 reimbursement for shirts - DB Clothing A	185.00	120.00
50076	6562 - NICOLE SCARPA	PO 95821 Roller Rink refund 7/2/26	20.00	185.00
50077	5577 - NIELSEN FORD OF MORRISTOWN INC.	PO 95411 W-1 Wire Assy	846.48	20.00
		PO 95907 clip for FPPD ED-6	17.28	
		PO 95961 See Blanket PO 93624	319.68	
50078	3471 - NISIVOCIA LLP	PO 95874 AUDITING AND ACCOUNTING SERVICES FOR 202	20,556.00	1,183.44
		PO 95874 AUDITING AND ACCOUNTING SERVICES FOR 202	20,926.00	
		PO 95874 AUDITING AND ACCOUNTING SERVICES FOR 202	10,463.00	
50079	556 - NJ DIV. OF ALCOHOLIC BEV. CON.	PO 95860 2026-2027 Liquor License Renewal	30.00	51,945.00
50080	157 - NJLM	PO 95812 Developing a Budget - Thursday, October	600.00	30.00
50081	157 - NJLM	PO 95861 job posting	115.00	600.00
50082	5243 - OFFICE CONCEPTS GROUP	PO 95595 Office supplies	288.50	115.00
		PO 95801 Office item, cups, plates, napkins and p	624.85	
		PO 95807 copy paper	99.80	
50083	6353 - OLIVIA CODD	PO 95730 Taco Tuesday refund	15.00	1,013.15
50084	5834 - ON THE MARK GRAPHICS, LLC	PO 95011 FPPD Trading Cards	3,438.00	15.00
		PO 95842 t-shirts for National Night Out - August	5,583.00	
50085	420 - ONE CALL CONCEPTS	PO 95904 2026 Markouts - July	280.60	9,021.00
		PO 95904 2026 Markouts - July	287.70	
50086	340 - OPEN ROAD CADILLAC	PO 95814 replace valve - FPPD Car #53	379.50	568.30
		PO 95977 replaced fuel module, feed and evap line	824.03	
50087	1190 - OPTIMUM	PO 95282 info-cop invoice - June 2026	208.80	1,203.53
50088	1190 - OPTIMUM	PO 95656 2026 Internet/TV Service -	319.06	208.80
50089	1190 - OPTIMUM	PO 95669 Cable for Fire House acct #07876-515824-	31.02	319.06
50090	1190 - OPTIMUM	PO 95762 Cable for Company 1 acct #07876-517068-0	21.87	31.02
50091	1190 - OPTIMUM	PO 95796 Paying extra for senior telephone	700.00	21.87
50092	1190 - OPTIMUM	PO 95921 2026 Internet/TV Service - August- 07876	319.06	700.00
50093	1190 - OPTIMUM	PO 95963 DPW Internet/Phone Service - Account: 07	439.12	319.06
50094	131 - P S E & G	PO 95642 April-June 2026	1,147.05	439.12
		PO 95884 293 COLUMBIA - 6/18/2026-7/17/2026	154.71	
		PO 95889 Energy Bill for Elm Concession	46.65	
50095	131 - P S E & G	PO 95951 Acct 7338650209 Museum	1,528.28	1,348.41
50096	716 - PACE ANALYTICAL SERVICES LLC	PO 95741 2026 Water Testing	3,280.00	1,528.28
50097	4070 - PASSAIC VALLEY SEWERAGE COMMISSION	PO 95662 2026 Sludge Disposal - June 2026	11,475.00	3,280.00
50098	6049 - PHILIP J. MAENZA	PO 95858 Judge Court Coverage July 15, 2026	1,500.00	11,475.00
50099	3692 - PINTO OF MONTVILLE, INC	PO 95885 2026 Grit Dumpster Hauling- 7/15/2026	505.44	1,500.00
50100	4737 - PIONEER ATHLETICS	PO 95710 triple play better's box	257.10	505.44
50101	3353 - PITNEY BOWES INC.	PO 95937 mail machine maintenance & supplies	875.48	257.10
50102	5689 - POINT EMBLEMS	PO 95439 Challenge Coins - FPPD	1,825.00	875.48
50103	4758 - PYRZ, INC	PO 95664 Hypo pump injectors and transition fitti	258.85	1,825.00
50104	1500 - R&D TRUCKING	PO 95640 2026 Sludge Hauling - June 2026 = 255000	11,475.00	258.85
		PO 95882 2026 Sludge Hauling - July	11,812.50	
50105	577 - RAPID PUMP & METER SERVICE CO.	PO 94515 PVSC Co-op Contract #B454-24 - 7/31/2026	6,000.00	23,287.50
		PO 95213 PVSC Co-op Contract #B454-24 - 7/31/2026	8,662.17	
		PO 95733 PVSC B454-24 - Exp 7/31/2026	168,000.00	182,662.17
50106	3458 - REINER GROUP INC	PO 95163 mini split w/ heat pump and air handler	9,750.00	
		PO 95167 service call for garage ac	619.50	
50107	1278 - ROBERT'S AND SON, INC.	PO 95717 battery - FPPD ERT Truck	210.94	10,369.50
50108	3457 - RON-JON HEATING & COOLING INC	PO 94805 Air conditioning for employee locker roo	7,200.00	210.94
		PO 95783 2026 A/C SERVICE	206.00	
50109	2099 - S & S WORLDWIDE, INC	PO 94248 Summer Camp Supplies	258.51	7,406.00
		PO 95542 Utility cart for garden	99.52	358.03

List of Bills - Clearing/Claims Account

Meeting Date: 08/13/2026 For bills from 07/16/2026 to 08/13/2026

Check#	Vendor	Description	Payment	Check Total
50110	6538 - SASHEKA WADLEY	PO 95776 Refund Tacos	15.00	15.00
50111	3759 - SCHENCK, PRICE, SMITH & KING, LLP	PO 95756 Professional Services Rendered for 6 Tow	700.00	
		PO 95764 Professional Services Rendered through M	140.00	840.00
50112	5459 - SECURITAS TECHNOLOGY CORPORATION	PO 95827 Labor and 2 acid batteries for Recreatio	522.10	522.10
50113	4255 - SHERWIN-WILLIAMS CO	PO 95774 Feild goal post primer gallon	256.36	256.36
50114	5606 - SHI INTERNATIONAL CORP.	PO 95296 docking/mounting station - FPPD Car #57	99.68	
		PO 95804 New Jersey Cooperative Purchasing Allian	2,500.94	
		PO 95817 Apple iPad A16 Wi-Fi - Tablet - 128GB -	753.36	3,353.98
50115	6083 - SL FLORHAM PARK, LLC.	PO 95415 Jersey Mikes Day Lunch Day Camp 2026	1,109.45	1,109.45
50116	192 - SMC MUA	PO 95737 Water for Black Brook Pump Station - 819	81.56	81.56
50117	6377 - SOVEREIGN CONSULTING INC.	PO 92223 Sewer Garage	88,200.00	
		PO 92223 Sewer Garage	73,500.00	
		PO 95752 Carrigan Lane Pump Station Construction	258,211.38	419,911.38
50118	2767 - SPECTRASERV INC.	PO 95745 2026 Grit Dumping - June	624.40	624.40
50119	2778 - STAPLES	PO 95803 APC BACKUPS BN450M	87.48	
		PO 95955 See Blanket PO 95536	406.49	493.97
50120	479 - STATE OF NEW JERSEY	PO 95735 2025 CATASTROPHIC ILLNESS FUND ASSESSMEN	388.50	388.50
50121	479 - STATE OF NEW JERSEY	PO 95868 UNEMPLOYMENT CHARGES FOR QTR ENDING 6/30	3,289.25	3,289.25
50122	3465 - STEWART SIGNS	PO 95075 Technician and labor cost for the electr	3,145.84	3,145.84
50123	6563 - SUE MURPHY	PO 95818 Roller Rink refund 7/2/26 Nick Murphy	60.00	60.00
50124	6529 - SUNBEAM FARM PROPERTY MANAGEMENT	PO 95352 log removal	1,600.00	1,600.00
50125	3460 - SUZANNE HEROLD	PO 95678 Reimbursement for Ice Cream for Borough	160.00	160.00
50126	3972 - SYNOVIA SOLUTIONS	PO 95927 K-12, LEASE 0000033694 08/01/2026 to 08/	40.60	40.60
50127	5508 - T. SLACK ENVIRONMENTAL SERVICES	PO 95962 See Blanket PO 95063	219.22	219.22
50128	6566 - THE BANCORP BANK, N.A.	PO 95841 Search and processing fee for Subpoena f	80.00	80.00
50129	6179 - THE CHILLA BUSINESS COUNSEL	PO 95878 LEGAL SERVICES - PBA JULY 2026	2,501.00	2,501.00
50130	6540 - THREAT REFLEX LLC	PO 95385 pistol instructor training - Sgt. Jeremy	790.00	790.00
50131	4840 - TMT TRUCKING	PO 95931 See Blanket PO 93626	8,545.00	8,545.00
50132	6111 - TOMMY SCOOPS LLC	PO 95787 Ice cream vendor for National Night Out	1,900.00	1,900.00
50133	461 - TREAS STATE OF NJ/DYFS	PO 95866 2nd Quarter Marriage Licenses 2026 (Apri	375.00	375.00
50134	5622 - TREES PLUS, INC.	PO 95736 emergency tree removal at 140 Briarwood	4,650.00	4,650.00
50135	6342 - TRIBECA BEVERAGE LLC	PO 95805 Water Delivery - July	198.87	198.87
50136	6351 - TRUE TREE LLC	PO 94741 tree removal 76 Hillside	3,875.00	3,875.00
50137	2909 - TURN OUT UNIFORMS	PO 95906 name strip - Rega	117.99	117.99
50138	3413 - TURTLE & HUGHES, INC.	PO 95713 SYL CF26DD/E/835 TWIN COMPACT T8 FLUORLA	142.12	
		PO 95714 Materials to install hand dryers in DPW	2,403.31	2,545.43
50139	4415 - U.S. COFFEE, INC	PO 95150 July	13.00	13.00
50140	4108 - UNITED SITE SERVICES, INC.	PO 95147 July #20-GNSV1-01315	641.16	
		PO 95148 August #20-GNSV1-01315	292.52	
		PO 95631 toilet rental - Range -	65.63	999.31
50141	180 - VERIZON WIRELESS	PO 95629 Telephone charges - July 2026	879.26	
		PO 95641 WIRELESS SERVICE 4/24/26-6/23/26	77.04	
		PO 95729 Standby Phone and Sewer Tablets	614.03	
		PO 95734 WIRELESS SERVICE 5/24/26- 6/23/26 ACCT #	308.83	
		PO 95779 Mayor, Snow, Lewis, Smith, Stiner, A Wil	1,370.49	
		PO 95919 WIRELESS SERVICE 6/24/26- 7/23/26 ACCT #	308.90	
		PO 95922 WIRELESS SERVICE 6/24/26-7/23/26	38.52	
		PO 95948 Mayor, Snow, Lewis, Smith, Stiner, A Wil	1,650.53	5,247.60
50142	322 - VIKING TERMITE & PEST CONTROL	PO 95153 July	210.02	
		PO 95154 August	389.94	
		PO 95655 Monthly Pest and Rodent Control - July	555.90	
		PO 95923 Monthly Pest and Rodent Control	555.90	1,711.76
50143	3433 - VITAL RECORDS HOLDINGS, LLC	PO 95279 shredding service -June 2026	160.00	160.00
50144	4164 - VOIANCE LANGUAGE SERVICES, LLC	PO 95975 M4001	89.25	89.25
50145	1043 - W. B. MASON COMPANY INC	PO 95485 Computer monitor, mount, and laminating	58.99	
		PO 95574 Paper clips and paper towels	59.30	
		PO 95692 printer cartridge/9V batteries	135.30	
		PO 95758 Office Supplies	46.93	
		PO 95770 supplies for Clerk's office, break room,	48.20	
		PO 95773 finance office supplies	1,327.53	
		PO 95782 Black toner	129.99	1,806.24
50146	1043 - W. B. MASON COMPANY INC	PO 95836 power strips & bin for Cooling/Warming S	212.30	
		PO 95839 printer cartridges - Dispatch	652.88	
		PO 95843 desk organizer files for Sarah/other sup	305.25	
		PO 95851 Chef's Supply Hot Cups, 10 oz Squat, Pap	66.79	
		PO 95908 Batteries, supplies	158.64	1,395.86
50147	4367 - WALLINGTON PLUMBING & HEATING	PO 95768 2026 Supplies	199.39	199.39
50148	145 - WORK N WEAR	PO 95114 Spring clothes	2,995.00	
		PO 95721 Clothes for new employees	320.00	
		PO 95721 Clothes for new employees	600.00	
		PO 95760 Rain Gear- Calderone and Williams	600.00	4,515.00
50149	175 - XEROX CORPORATION	PO 95823 MAY 2026	1,148.19	
		PO 95823 MAY 2026	135.60	
		PO 95824 MAY 2026	453.40	
		PO 95845 JUNE 2026	540.55	

List of Bills - Clearing/Claims Account

Meeting Date: 08/13/2026 For bills from 07/16/2026 to 08/13/2026

Check#	Vendor	Description	Payment	Check Total
		PO 95847 JUNE 2026	136.45	
		PO 95847 JUNE 2026	1,319.13	3,733.32

	TOTAL			1,477,163.52

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT

01-201-20-100-200	Admin OE	1,097.53			
01-201-20-115-200	Information Technology OE	8,741.51			
01-201-20-120-200	Clerk OE	7,449.79			
01-201-20-130-200	Finance OE	5,456.66			
01-201-20-135-200	Audit OE	20,556.00			
01-201-20-145-200	Tax Coll OE	755.50			
01-201-20-150-200	Assessor OE	109.00			
01-201-20-155-200	Legal OE	2,501.00			
01-201-20-165-200	Engin OE	4,043.16			
01-201-21-180-200	Planning OE	464.00			
01-201-21-195-200	UCC OE	32,152.86			
01-201-23-220-200	Group Insur OE	115,575.71			
01-201-25-240-200	Police OE	27,912.45			
01-201-25-252-200	Emer Mgmt OE	212.30			
01-201-25-255-200	Fire OE	6,358.60			
01-201-25-265-200	Fire Prev. OE	893.73			
01-201-26-290-200	Roads OE	8,192.90			
01-201-26-310-200	Build/Grds OE	37,989.17			
01-201-26-311-200	Parks/Fields OE	836.41			
01-201-26-312-200	Construction OE	190.88			
01-201-26-313-200	Trees-OE	9,755.02			
01-201-26-315-200	Veh Maint OE	8,394.08			
01-201-27-335-200	Env Comm OE	340.00			
01-201-28-370-100	Recreation S&W	1,542.52			
01-201-28-370-200	Recreation OE	5,245.26			
01-201-29-390-200	Library OE	213,174.75			
01-201-31-430-200	Bulk Utilities	93,006.72			
01-201-43-490-200	Mun Court OE	2,000.00			
01-260-05-100	Due To Clearing			0.00	615,322.51
01-271-55-000-000	DUE TO STATE OF NJ _ MARRIAGE LICENSES			375.00	

TOTALS FOR	CURRENT FUND	614,947.51	0.00	375.00	615,322.51
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02-213-41-774-026	Morris County Trail Grant			6,574.25	
02-213-41-793-000	Opioid Settlement			13,537.00	
02-260-05-100	Due To Clearing			0.00	20,111.25

TOTALS FOR	STATE & FEDERAL GRANT	0.00	0.00	20,111.25	20,111.25
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04-215-55-994-900	ORD#25-12			5,040.00	
04-260-05-100	Due To Clearing			0.00	5,040.00

TOTALS FOR	GENERAL CAPITAL	0.00	0.00	5,040.00	5,040.00
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05-201-55-502-200	Utility Op OE	56,365.42			
05-260-05-100	Due To Clearing			0.00	56,365.42

TOTALS FOR	WATER OPERATING	56,365.42	0.00	0.00	56,365.42
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06-215-55-922-900	Ordinance#25-14			6,530.15	
06-260-05-100	Due To Clearing			0.00	6,530.15

TOTALS FOR	WATER CAPITAL FUND	0.00	0.00	6,530.15	6,530.15
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07-201-55-502-200	Utility Op OE	19,420.25			
07-260-05-100	Due To/From Clearing			0.00	19,420.25

TOTALS FOR	POOL OPERATING FUND	19,420.25	0.00	0.00	19,420.25
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Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
09-201-55-501-200	Utility Op OE	143,590.09			
09-260-05-100	Due To Clearing			0.00	143,590.09
TOTALS FOR	SEWER OPERATING	143,590.09	0.00	0.00	143,590.09
11-250-01-000-000	Improvement Authorizations-Funded			587,911.38	
11-260-05-100	Due To Clearing			0.00	587,911.38
TOTALS FOR	Sewer Utility Capital	0.00	0.00	587,911.38	587,911.38
12-260-05-100	Due To Clearing			0.00	6,642.72
12-286-56-850-200	Recreation Trust Account			6,642.72	
TOTALS FOR	RECREATION TRUST	0.00	0.00	6,642.72	6,642.72
13-260-05-100	Due To Clearing			0.00	3,165.00
13-286-56-850-800	ANIMAL TRUST RESERVE			3,165.00	
TOTALS FOR	ANIMAL TRUST	0.00	0.00	3,165.00	3,165.00
15-260-05-100	Due To Clearing			0.00	3,677.75
15-286-56-850-800	UNEMPLOYMENT TRUST RESERVE			3,677.75	
TOTALS FOR	UNEMP TRUST	0.00	0.00	3,677.75	3,677.75
16-260-05-100	Due to Claims			0.00	576.00
16-286-56-850-801	HOUSING TRUST RESERVE			576.00	
TOTALS FOR	HOUSING TRUST	0.00	0.00	576.00	576.00
19-001-00-000-000	Planning Board			7,971.00	
19-002-00-000-000	Board of Adjustment			840.00	
19-260-05-100	Due from General Clearing			0.00	8,811.00
TOTALS FOR	Trust Escrow	0.00	0.00	8,811.00	8,811.00

Total to be paid from Fund 01 CURRENT FUND	615,322.51
Total to be paid from Fund 02 STATE & FEDERAL GRANT	20,111.25
Total to be paid from Fund 04 GENERAL CAPITAL	5,040.00
Total to be paid from Fund 05 WATER OPERATING	56,365.42
Total to be paid from Fund 06 WATER CAPITAL FUND	6,530.15
Total to be paid from Fund 07 POOL OPERATING FUND	19,420.25
Total to be paid from Fund 09 SEWER OPERATING	143,590.09
Total to be paid from Fund 11 Sewer Utility Capital	587,911.38
Total to be paid from Fund 12 RECREATION TRUST	6,642.72
Total to be paid from Fund 13 ANIMAL TRUST	3,165.00
Total to be paid from Fund 15 UNEMP TRUST	3,677.75
Total to be paid from Fund 16 HOUSING TRUST	576.00
Total to be paid from Fund 19 Trust Escrow	8,811.00
	=====
	1,477,163.52

List of Bills - Clearing/Claims Account

Check#	Vendor	Description	Payment	Check Total
50150	245 - THE BELL LAW GROUP, P.C.	PO 96002 Legal Services May 2026	20,778.42	
		PO 96003 Legal Services May 2026	21,313.93	42,092.35

	TOTAL			42,092.35

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-155-200	Legal OE	42,092.35			
01-260-05-100	Due To Clearing			0.00	42,092.35

TOTALS FOR	CURRENT FUND	42,092.35	0.00	0.00	42,092.35
		=====	=====	=====	=====

Total to be paid from Fund 01 CURRENT FUND

42,092.35

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42,092.35