

## **MINUTES OF THE JANUARY 24, 2018 REGULAR COUNCIL MEETING**

The following are the Minutes of the January 24, 2018 Regular Meeting of the Mayor and Council of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 7:30 P.M.

Mayor Michael Serra opened the Meeting and led participants in saluting the flag.

Mayor Serra then read the Open Public Meeting Law Statement of Compliance.

A Roll Call indicated the following members were present: Mayor Michael Serra, Council President Terri Reicher, Councilmen William Baig, Christian Barranco, Erik DeLine, Frank Jaconetta and Ekamon Venin.

Also present were Borough Attorney Joseph Ragno, Borough Administrator Kevin Boyle and Borough Clerk Elizabeth Brandsness.

### **MAYOR PRESENTATIONS AND UPDATES:**

Mayor Serra called for members of the Fire Department to come forward. Mayor Serra administered the Oath of Office and thanked the volunteers for their service to the community.

### **PUBLIC COMMENTS:**

Motion moved by Councilman DeLine, second by Councilwoman Reicher to open the Meeting for Public Comments. All voted in favor of the motion.

#### **ANNE TACINELLI, Lambert Street**

Ms. Tacinelli stated she recently attended a Board of Education meeting and during the meeting she requested residents receive notice informing them of the process for the proposed turf field at Lakeside Middle School. Ms. Tacinelli questioned whether the Governing Body could inform the community as to the progression of the proposed turf fields. Mayor Serra replied and stated as of this time the Board of Education has not contacted the Borough and noted the Board of Education is the responsible agency for the project. Mayor Serra further stated he fully supports the project as the proposed turf fields would have a positive impact.

Ms. Tacinelli remarked on signage and insufficient lighting on streets primarily in the south end of the Borough. Mayor Serra agreed street lighting is inadequate and troublesome on streets and should be addressed. Mr. Boyle stated the Borough would need to do a survey and substantiate additional street lighting is necessary and cautioned maintaining street lighting is costly. Mr. Boyle suggested a street lighting survey be completed by the Police Department to determine whether additional lighting is necessary.

Ms. Tacinelli commented on grant funding awarded to the Borough from the State of New Jersey in the Amount of \$30,000 to Fund the Community Stewardship Incentive Program Reforestation and Tree Planting and requested the Borough do a photo/press release when the Borough receives the funding.

#### **RANDY HINTON, Montclair Avenue**

Mr. Hinton expressed some concerns with inadequate lighting on bicycle paths and the need for additional lighting.

Mr. Hinton requested an update regarding programming on PLTV Channel 77. Mayor Serra responded the Borough is in the process of moving equipment and stated the process would take several weeks to be completed by Cablevision. Councilman DeLine reminded residents Council Meetings could also be viewed on the Borough website.

Mr. Hinton questioned the status for paving on Montclair Avenue. Mr. Boyle stated he is waiting for a final determination by the Department of Transportation.

Mr. Hinton stated he was the representative for the Golden Agers and announced the 2018 Officers for the organization. Mayor Serra welcomed the new officers and stated he appreciates the communication between the organization and him and urged members to express any issues or ideas they may have for the Governing Body.

Motion moved by Councilman DeLine, second by Councilman Venin to close the Meeting for Public Comments. All voted in favor of the motion.

**MINUTES:**

Motion moved by Councilman Jaconetta, second Councilman Venin to approve the Special Closed Meeting Minutes of January 10, 2018 – 5:30pm. All voted in favor of the motion.

Motion moved by Councilman Jaconetta, second by Councilman Venin to approve the Regular Meeting Minutes of January 10, 2018. All voted in favor of the motion.

Motion moved by Councilman Jaconetta, second by Councilman Venin to approve the Closed Session Meeting Minutes of January 10, 2018. All voted in favor of the motion.

**BILL LISTS:**

Current Fund	\$ 760,221.70
Capital Fund	\$ 73,930.09
Recreation Trust	\$ 513.16
Open Space Trust	\$ -0-
Clerk Trust	\$ -0-
Other Trust	\$ 416.00
Unemployment Trust	\$ -0-
Dog Trust	\$ 150.00
PLMAC #2	\$ -0-

Motion moved by Councilman Baig, second by Councilman DeLine to approve the Bill Lists. All voted in favor of the Bill Lists.

**PETITIONS: None**

**CONSENT AGENDA:**

*(No Council Members Required Any Resolutions To Be Pulled from The Consent Agenda for Separate Action)*

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes has reviewed the Consent Agenda consisting of various proposed Resolutions, and

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes does not desire to remove any Resolutions for individual action from that Agenda,

**NOW, THEREFORE, BE IT RESOLVED** that the following Resolutions on the Consent Agenda are hereby approved:

1. Resolution 18-54 Refund Of Tax Overpayment Block 6300 Lot 34
2. Resolution 18-55 Authorizing The Proper Borough Officials To Apply For The Recycling Tonnage Grant
3. Resolution 18-56 Certifying Tax Reimbursement Under The Recycling Enhancement Act Of 2007
4. Resolution 18-57 Authorizing Nicholas Agnoli, P.E., Agnoli Engineering, LLC To Provide Professional Consulting Services Necessary For The Continuance Of Community Rating System (CRS) Program
5. Resolution 18-58 Authorizing The Award Of The Bid For Tree Removal, Tree Trimming And Stump Grinding Service To Downes Tree Service, Inc.
6. Resolution 18-59 Authorizing Payment In Lieu Of Health Benefits To Qualified Borough Employees
7. Resolution 18-60 Authorizing The Execution Of A Grant Agreement Between The Borough Of Pompton Lakes And State Of New Jersey Relating To The Community Stewardship Incentive Program Grant (FS18-025) In The Amount Of \$30,000

8. Resolution 18-61 Authorizing a Contract For The Acquisition Of Goods Or Services Pursuant To NJSA 19:44A-20.4 and/or NJSA 19:44A-2.05 With Andrew Brewer Of Maraziti, Falcon, LLP To Serve As Attorney To The Planning Board
9. Resolution 18-62 Authorizing A Contract For The Acquisition Of Goods Or Services Pursuant To NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5 With Ralph Tango, PE Of Maser Consulting P.A. To Serve As Engineer To The Planning Board
10. Resolution 18-63 Authorizing A Contract For The Acquisition Of Goods Or Services Pursuant To NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5 With Maraziti Falcon, LLP (Redevelopment Agency)
11. Resolution 18-64 Authorizing A Contract For The Acquisition Of Goods Or Services Pursuant To NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5 With Maser Consulting P.A. (Redevelopment Agency)
12. Resolution 18-65 Authorizing A Contract For the Acquisition Of Goods Or Services Pursuant To NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5 With Inglesino, Webster, Wyciskala & Taylor, LLC (Redevelopment Agency)

Motion moved by Councilman Barranco, second by Councilwoman Reicher to approve the Consent Agenda. All voted in favor of the motion.

**RESOLUTION NO. 18-54**

**WHEREAS**, there appears on the tax records overpayments as shown below, and

**WHEREAS**, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund of such overpayments, and

**NOW, THEREFORE, BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as listed below:

<b>Reason:</b>	1. Duplicate Payment	5. Payment made in error	
	2. Appeal State	6. NJ Saver Rebate	
	3. Vet Allowed	7. 100% disabled Vet Exemption	
	4. Senior Allowed	8. Exempt Status	
		9. Homestead Rebate Credit on Borough Property	
<b><u>BLOCK /LOT</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>	<b><u>REASON</u></b>
6300 / 34 223 Wanaque Ave	Pompton Five Associates 12 Franklin Street Mahwah, NJ 07430	\$ 14,213.98	2017/Q4  2
		\$ 8,900.13	2016/ Q4  2
	<b>Resolution Total</b>	<b>\$ 23,114.11</b>	

**RESOLUTION NO. 18-55**

**WHEREAS**, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, the Mayor and Council desire to designate an individual authorized to ensure that accurate and verifiable records of materials recycled by the municipality are maintained.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes that *Benjamin Steltzer* is hereby designated as the Recycling Coordinator for the Borough of Pompton Lakes and is to prepare the annual Recycling Report for the Borough and submit the recycling tonnage grant application to the New Jersey Department of Environmental Protection.

**BE IT FURTHER RESOLVED** that any monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION NO. 18-56**

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, there is levied upon the owner operator of every solid waste facility a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under a contract pursuant to the “Local Public Contracts Law” the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except all grant money is received by the municipality shall be expended only for its recycling program.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of NJ that it hereby certifies a submission of expenditures of taxes paid pursuant to P.L. 2007, Chapter 311, in 2011 in the amount of \$12,643.32

**BE IT FURTHER RESOLVED**, that documentation supporting this submission is available at 25 Lenox Avenue, Pompton Lakes, NJ 07442 and maintained for no less than five years from this date.

**RESOLUTION NO. 18-57**

**WHEREAS**, the Borough has submitted a community rating system application to the National Flood Insurance Program and received notification of the acceptance into the program and that continual periodic reviews need to be maintained; and

**WHEREAS**, the process to maintain the current status will necessitate the appointment of an engineer to provide professional consulting services to assist in the process; and

**WHEREAS**, the Mayor and Council desire to engage Nicholas Agnoli, P.E., Agnoli Engineering, LLC., to provide the needed professional consulting services; and

**WHEREAS**, funds are available for this purpose in Capital Budget and the Treasurer has so certified, in writing, the availability of funds for this purpose;

**NOW, THEREFORE, IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POMPTON LAKES** as follows:

1. An Agreement with Nicholas Agnoli, P.E., Agnoli Engineering, LLC to continue to provide professional consulting services for the CRS Program in an amount not to exceed \$8,000.00, on a time and material basis to be billed at \$125.00 per hour, is approved and the Mayor and Borough Clerk are hereby authorized to execute said Agreement.
2. Said Agreement was made without competitive bidding as a “Professional Services Contract” under the appropriate provisions of the Local Public Contracts Law of the State of New Jersey N.J.S.A. 40A:11-5(1)(a).

3. The Municipal Clerk shall publish a copy of this Resolution in an official newspaper of the Borough of Pompton Lakes which Notice shall provide that the Contract and Resolution are available for inspection in the office of the Clerk.
4. This Resolution shall take effect immediately upon adoption according to law.

#### **RESOLUTION NO. 18-58**

**WHEREAS**, the Borough of Pompton Lakes advertised the bid for tree removal, tree trimming and stump grinding services on December 13, 2017; and

**WHEREAS**, bids were received on Friday, January 12, 2018; and

**WHEREAS**, Downes Tree Service, Inc. and DuJets Tree Experts were the only bidders; and

**WHEREAS**, based upon the review of the bids submitted it has been determined that Downes Tree Service, Inc. is the “lowest responsible bidder” for said services; and

**WHEREAS**, the Borough Administrator recommends the award of the bid to Downes Tree Service, Inc. for a two-year term expiring on December 31, 2019; and

**WHEREAS**, the Treasurer has certified funds are available in the 2018 Temporary Budget and in the 2018 Budget when finally adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby awards the bid of tree removal, tree trimming and stump grinding to Downes Tree Service, Inc. located at 65 Royal Avenue, Hawthorne, N.J. 07506 for a two-year period expiring December 31, 2019.

#### **RESOLUTION NO. 18-59**

**WHEREAS**, the Borough has negotiated with both employee bargaining units contract language providing for an employee to opt out of receiving health benefits from the Borough when the employee is covered by a bona fide health plan from their spouse or other source, as provided by statute; and

**WHEREAS**, the Borough agrees to refund 25% of the premium of the N.J. Direct 15 plan or \$5,000.00, whichever is less, for which the employee is eligible to the opting out employee, payable in equal installments by pay period during the course of the plan year, as long as the employee is covered by such optional insurance; and

**WHEREAS**, an employee has provided the Borough Administrator with proof of such coverage and the documents have been found satisfactory by the Borough Administrator;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that the following named employee shall not be provided health benefits, but shall receive a refund of premium payment as shown herein:

Peter Posimato - \$4,999.92 annually.

#### **RESOLUTION NO. 18-60**

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$30,000 to fund the following project:

Community Stewardship Incentive Program Reforestation and Tree Planting Grant (FS18-025)

**WHEREAS**, the Mayor and Council resolves that Kevin Boyle or the Successor to the office of Borough Administrator is authorized to make application for such a grant, if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$30,000 and not more than \$30,000 and to execute any amendments there to which do not increase the Grantee’s obligations; and

**WHEREAS**, the Mayor and Council authorizes and hereby agrees to match 33.33% of the total project amount in compliance with the match requirements of the agreement. The availability

of the match for such purposes, whether cash, services or property is hereby certified 33.33% of the match will be made up of in-kind services; and

**WHEREAS**, the Borough of Pompton Lakes agrees to comply with all applicable Federal, State and Municipal laws, rules and regulations in its performance pursuant to the agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby authorizes the execution of the grant agreement for the Community Stewardship Incentive Program - Reforestation and Tree Planting Grant (FS18-025).

**RESOLUTION NO. 18-61**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Andrew Brewer of Maraziti, Falcon, LLP to serve as Attorney to the Planning Board; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Andrew Brewer of Maraziti, Falcon, LLP pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

**WHEREAS**, the Treasurer has certified that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from January 1, 2018 through December 31, 2018; and

**WHEREAS**, Andrew Brewer of Maraziti, Falcon, LLP has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 24th day of January, 2018 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Andrew Brewer of Maraziti, Falcon, LLP to serve as Attorney to the Planning Board.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Andrew Brewer of Maraziti, Falcon, LLP shall be engaged pursuant to contract to be entered by and between Andrew Brewer of Maraziti, Falcon, LLP and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION NO. 18-62**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Maser Consulting P.A.; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Maser Consulting P.A., pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

**WHEREAS**, the Treasurer has certified that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from January 1, 2018 through December 31, 2018; and

**WHEREAS**, Maser Consulting P.A. has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 24th day of January, 2018 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Ralph Tango, PE of Maser Consulting, P.A.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Maser Consulting P.A. shall be engaged pursuant to contract to be entered by and between Maser Consulting P.A. and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

#### **RESOLUTION NO. 18-63**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Maraziti Falcon, LLP; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Maraziti Falcon, LLP pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

**WHEREAS**, the Treasurer has certified that the value of the contract will not exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from January 1, 2018 through December 31, 2018; and

**WHEREAS**, Maraziti Falcon, LLP has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 24th day of January, 2018 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Maraziti Falcon, LLP to serve as Attorney for the Pompton Lakes Redevelopment Agency.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Maraziti Falcon, LLP shall be engaged pursuant to contract to be entered by and between Maraziti Falcon, LLP and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION NO. 18-64**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Maser Consulting, P.A.; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Maser Consulting, P.A. pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

**WHEREAS**, the Treasurer has certified that the value of the contract will not exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from January 1, 2018 through December 31, 2018; and

**WHEREAS**, Maser Consulting, P.A. has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 24th day of January, 2018 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Maser Consulting, P.A. to serve as Engineer for the Pompton Lakes Redevelopment Agency.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Maser Consulting, P.A. shall be engaged pursuant to contract to be entered by and between Maser Consulting, P.A. and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTION NO. 18-65**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Inglesino, Webster, Wyciskala & Taylor, LLC; and

**WHEREAS**, the Treasurer has certified that funds are available for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Inglesino, Webster, Wyciskala & Taylor, LLC pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

**WHEREAS**, the Treasurer has certified that the value of the contract will not exceed \$17,500.00; and



**WHEREAS**, the term of the contract will be from January 1, 2018 through December 31, 2018; and

**WHEREAS**, Inglesino, Webster, Wyciskala & Taylor, LLC has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 24th day of January, 2018 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Inglesino, Webster, Wyciskala & Taylor, LLC to serve as the Attorney for Special Projects for the Pompton Lakes Redevelopment Agency.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Inglesino, Webster, Wyciskala & Taylor, LLC shall be engaged pursuant to contract to be entered by and between Inglesino, Webster, Wyciskala & Taylor, LLC and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

**RESOLUTIONS FOR SEPARATE ACTION: None**

**ORDINANCES:**

**ORDINANCES FOR FIRST READING AND INTRODUCTION:**

*(Ordinance will be presented for second reading and final adoption on February 14, 2018)*

**ORDINANCE 18-06**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE BOROUGH ZONING AND LAND USE PROVISIONS OF THE BOROUGH CODE**

Mr. Ragno stated the Planning Board recommended changes for the land use portion of the Administrative Code. Mr. Ragno stated if there are any questions to contact him or Andrew Brewer.

Motion moved by Councilman Baig, second by Councilwoman Reicher to approve Ordinance No. 18-06 for Introduction.

**Roll Call: Councilman DeLine, Yes, Councilman Jaconetta, Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes, Councilman Baig, Yes, Councilman Barranco, Yes.**

**ORDINANCES FOR SECOND READING AND FINAL ADOPTION:**

*(These Ordinances have been advertised and posted on the Municipal Bulletin Board)*

**ORDINANCE 18-01**

**AN ORDINANCE APPOINTING STRUBLE RAGNO, ATTORNERYS AT LAW, JOSEPH J. RAGNO, JR., ESQ, AS BOROUGH ATTORNEY FOR THE PERIOD JANUARY 1, 2018 THROUGH DECEMBER 31, 2018**

Motion moved by Councilwoman Reicher, second by Councilman DeLine to open the Meeting for public comments on Ordinance No. 18-01. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 18-01.

Motion moved by Councilman DeLine, second by Councilman Venin to close the Meeting for public comments on Ordinance No. 18-01

Motion moved by Councilman Barranco, second by Councilman DeLine to approve Ordinance # 18-01. All voted in favor of the motion.

**Roll Call: Councilman DeLine, Yes, Councilman Jaconetta, Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes, Councilman Baig, Yes, Councilman Barranco, Yes.**

Mr. Ragno stated Ordinances 18-02, 18-03, 18-04 and 18-05 be combined when voting:

**ORDINANCE 18-02**

**AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES RIVERDALE LITTLE LEAGUE, INC.**

**ORDINANCE 18-03**

**AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES RIVERDALE SOCCER ASSOCIATION, INC.**

**ORDINANCE 18-04**

**AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES YOUTH ORGANIZATION, INC.**

**ORDINANCE 18-05**

**AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES BOARD OF EDUCATION (Carlough Field - Lacrosse)**

Motion moved by Councilman DeLine, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 18-02, 18-03, 18-04, 18-05. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 18-02, 18-03, 18-04, 18-05.

Motion moved by Councilman DeLine, second by Councilwoman Reicher to close the Meeting for public comments on Ordinance No. 18-02, 18-03, 18-04, 18-05.

Motion moved by Councilman Barranco, second by Councilman Venin to approve Ordinance # 18-02, 18-03, 18-04, 18-05. All voted in favor of the motion.

**Roll Call: Councilman DeLine, Yes, Councilman Jaconetta, Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes, Councilman Baig, Yes, Councilman Barranco, Yes.**

**MAYOR MICHAEL SERRA:**

Motion moved by Councilman DeLine, second by Councilman Venin to appoint Steve Edgeller to the position of Alternate Member #2 on the Planning Board to fill an unexpired term through December 31, 2018. All voted in favor of the motion.

Motion moved by Councilman Barranco, second by Councilman Baig to appoint the following on the Zoning Board of Adjustment:

Alternate # 1 Maureen Bernstock to unexpired term 12/31/19

Alternate # 2 Mary Curran to unexpired term 12/31/18

Alternate # 3 Adam Kent to unexpired term 12/31/18

Alternate # 4 Rich Singer to unexpired term 12/31/19

All voted in favor of the motion.

Motion moved by Councilwoman Reicher, second by Councilman Barranco to appoint Glen Huther to the position of Trustee on the Library Board to fill an unexpired term through December 31, 2022.

All voted in favor of the motion.

Mayor Serra reported on the following.

- acknowledged the commitment of volunteers who are members on committees and boards in the Borough. Mayor Serra stated there are a few open positions on the Shade Tree Commission and District One Open Space.
- currently there are approximately 88 approved rentals units through redevelopment. The Salvation Army project has been progressing and the application has been approved.
- attended a meeting in the high school with parents to discuss redevelopment plans
- supports the turf fields proposed by the Board of Education (BOE) and specified the project was through the Board of Education
- commented on the flood maps and notice by FEMA advising of surveys and elevation certificates
- performed several weddings
- attended board/commission meetings and administered the Oath of Office to appointed members
- acknowledged the efforts of the Friends of the Library in raising funds for the library and encouraged the community to continue supporting the organization
- spoke about history within Pompton Lakes and stated he would be interested in establishing a historical museum in the Borough to showcase past history

#### **COUNCILWOMAN REICHER:**

Councilwoman Reicher reported on the following.

- the Friends of the Library are a designated 501c3 corporation and support of their events that allow tax deductible donations. Councilwoman Reicher added tax deductions are also possible through donations made “in memory of or in honor of” a particular person, through testamentary gifts or designate the Library as a charity to make donations.
- provided some details on meetings she attended regarding conceptual plans within redevelopment. Councilwoman Reicher stated the owners for the Cardinal Café purchased a building on Wanaque Avenue, the former Celtic Themes property, with the intent to relocate their business. An architectural plan design for the building was presented for consideration.
- attended a seminar with guest panel speakers sponsored by Commerce and Industry who were well versed with supermarkets planning; CEO of Inserra Supermarkets and a real estate attorney. Councilwoman Reicher stated she expressed the need for a supermarket in Pompton Lakes and she along with the Redevelopment Agency and Planning Board Chairman, Andrew Silverstein, and BID Representative, Rob Walker met with several expert delegates from the commerce to discuss supermarket industry. Councilwoman Reicher said there may be an attempt to pursue “an ethnic supermarket with a generic twist.” Councilwoman Reicher also stated the CEO from Shop Rite would visit the property and determine whether any of their brands or divisions would be suitable for the site.
- a new trustee has joined the BID
- commented on the newsletter “Atlantic View” and referenced a poignant article about an eighteen-year-old Borough resident who became seriously ill and was provided medical attention by numerous citizens and/or volunteers within the community

Mayor Serra commented on the DuPont/Chemours lake remediation project and stated recently there has been activity in the area and assured the residents the company is in the process of moving equipment and finalizing the project.

Mayor Serra stated he continues to have daily conversations with supermarket representatives to explore the possibility of a supermarket in the Borough.

Mayor Serra announced the February 7<sup>th</sup>, 2018 Council Meeting has been changed to February 14, 2018.

### **COUNCILMAN BARRANCO:**

Councilman Barranco reported on the following.

- congratulated the Fire Department and thanked them for their volunteer service
- commented on a large sewage pump that failed and was restored for service
- Lloyd Kent was appointed to a full term as a MUA Commissioner

Mayor Serra announced the Library is offering a book dedication program as a memorable way to honor someone special. Mayor Serra stated the cost to participate in the program is \$25.00 and a label is placed inside the book indicating the dedication.

Mayor Serra commented on an Eagle Scout project located at the Joe Louis Memorial and stated the scout is accepting donations for the cement bricks. Mayor Serra stated for additional information contact him or Ms. Brandsness.

### **COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- the Environmental Committee and the Pompton Lakes High School Environmental Club has worked jointly on projects and the Committee expressed an interest with continuing to work with the Pompton Lakes High School Environmental Club. The Committee also requested they meet with the interim DPW Superintendent to discuss projects such as recycling, planting trees, etc.
- the Open Space Committee proposed the concept of establishing an Environmental Education Center at the former WGHT location if a radio station is not feasible
- the Morris Canal Greenway project will begin shortly
- the Pompton Lakes Community Garden Committee held a public forum and approximately 18 people were in attendance

Mayor and Council discussed funding for the Community Garden project, ways to participate in the program and a website page indicating guidelines for participation in the program. Councilman DeLine suggested sending a letter to residents in adjacent lots informing them of the proposed gardens. Mayor Serra stated soil accepted for the garden must be tested and certified prior to using the soil. Mayor Serra stated he would refer the matter to Mr. Ragno for his review and opinion.

After further discussion, Council agreed to refer concerns and questions to the DEP for guidance and input.

- the Flood Advisory Board commented on elevation certificate letters distributed to residents and noted additional letters would be forthcoming to those residents who have not received a letter
- work continues on the Wanaque River and approximately 18 trees have been removed
- the Lake Restoration Committee discussed the Acid Brook Delta remediation and the next step in the process is for the insulation of the eco layer to expedite plant growth.
- The Lake Restoration Committee updated their lake management plan and a presentation will be provided to the Governing Body in the near future.
- the Storm Water Management Committee has moved their meetings to the 4<sup>th</sup> Thursday of the month at 7:00pm
- the impervious coverage study has been completed by Passaic County Planning and the Flood Advisory Board is reviewing the data provided by the study
- the Climatology Committee reported that despite the higher rainfall in 2017 no river in the Borough reached action stage

Councilman Jaconetta commented on Morris County's approval of the abandoned railway line from Pequannock to Wayne to become an asphalt trail for biking and hiking. Councilman Jaconetta questioned if this trail would tie into Passaic County's Morris Canal Greenway. Councilman DeLine responded and stated a conceptual to establish trails has been developed by Morris and Passaic Counties. Councilman DeLine stated the ownership of the bridge has not been determined.

Mayor Serra announced the Borough continues negotiations to pursue the management of radio station WGHT. Mayor Serra stated he has met with interested parties to discuss maintaining the former radio station and hopefully more news would be forthcoming.

#### **COUNCILMAN JACONETTA:**

Councilman Jaconetta reported on the following.

- congratulated and thanked the members of the Fire Department who volunteer their services
- requested additional information for tree maintenance and removal services; Mr. Boyle replied Downes Tree Service would be responsible for all the tree services in the Borough
- announced he was appointed the liaison for the Solid Waste Advisory for Passaic County
- reminded residents to remove vehicles and basketball hoops from the roadway during snow events.

Councilwoman Reicher questioned if trash collections take place during snow events. Mayor Serra replied and explained if the DPW has the manpower both would be managed. Mr. Boyle stated a notification could also be sent by OEM advising residents of any changes. Councilman DeLine questioned if there is a rescheduling procedure if collections are not being made during snow events; Mayor Serra stated he would be discussing snow removal with the Acting Superintendent for the DPW.

#### **COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- thanked the Community Garden Committee for attending the forum and moving forward with the project. The community garden will be fenced and locked for security purposes.
- attended the Passaic County Clerk poster contest award ceremony and noted two children from Lincoln School were honored with third place (Amanda Fasolino) and honorable mention (Katherine Venin).
- the Historic Commission is seeking a Class A Member (an architect or engineer with a specialty in historic structures).

#### **COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- commented on the Police Department report for the month of December, 2017 and the year-end report for 2017
- recommendation to move the approval of the BID budget from January to April, 2018. President John Soojian reported on negotiations on façade and signage grants for the eatery “Cowboy Wings.”
- Mike Accardi is a new member of the BID Board replacing Greg Smith
- BID discussed improvements to the Pond Hole parking lot and funding for the improvements
- the BID has relocated and the new office address is 274 Wanaque Avenue. The BID office is shared with the Prevention Coalition
- the next BID Bucks sale is scheduled for February 10, 2018 from 11:00am to 1:00pm located at the new office address
- provided the Fire Department report for 2017

#### **JOSEPH RAGNO, Borough Attorney**

Mr. Ragno had no report.

#### **KEVIN BOYLE, Borough Administrator**

Mr. Boyle reported on the following.

- 2018 CDBG Application –additional ADA Curb Ramp Project

- Pompton Lakes Study Area -Community Update #70
- Pedestrian & Bicycle Imprint Project -Steering Committee Report
- Police Department - December 2017 Monthly Report
- Passaic County Notice -Passaic County Code Blue Alert Plan
- Passaic County Spotlight - January 2018
- request by the FBLA to post advertising signs at Hershfield Park. The Board of Education has decided to allow the signs on their own fencing.
- waiting for warmer weather before beginning the Morris Canal Greenway project

Mayor Serra reported the Pompton Lakes Elks Lodge is in the process of planning a Carnival on their property and the carnival would be scheduled from August 28, 2018 through Pompton Day, September 3, 2018. Mayor Serra stated the Ordinance permits carnivals during the months of June, July and August and Council would need to approve the request to hold the carnival in September. Mayor Serra stated additional information has been provided and referred Council to the packet that has been provided.

**TABLED ITEMS: None**

**MEETING OPEN FOR PUBLIC COMMENTS:**

Motion moved by Councilman DeLine, second by Councilman Barranco to open the Meeting for Public Comments. All voted in favor of the motion.

**BOB MOTT, Pompton Lakes Elks Lodge**

Mr. Mott stated he represents the Pompton Lakes Elks and is currently in the process of the beginning stages for the planning of a carnival. Mr. Mott stated he is open to suggestions or guidance from the Borough with the planning of the carnival. Mayor Serra directed Mr. Mott to contact the Recreation Commission for input along with obtaining the necessary permits.

Motion moved by Councilman DeLine, second by Councilman Barranco to close the Meeting for Public Comments. All voted in favor of the motion.

**PRIVILEGE OF THE FLOOR:**

Councilman DeLine stated the Ordinance Committee should meet to discuss the changes to the carnival Ordinance, particularly the months the carnival could be operated.

Councilwoman Reicher reiterated the next BID Bucks sale would be held on Saturday, February 10, 2018 and residents interested in purchasing BID bucks should go to the new BID office located at 274 Wanaque Avenue from 11:00am to 1:00pm.

Mayor Serra announced the Prevention Coalition meeting would be held on January 25, 2018 at 7:00pm in its new location at 274 Wanaque Avenue.

**RESOLUTION TO ADJOURN INTO CLOSED SESSION: None**

**ADJOURNMENT:**

Motion moved by Councilman Barranco, second by Councilman DeLine to Adjourn the Meeting at 8:59 PM. All voted in favor of the motion.

**ATTEST:** \_\_\_\_\_  
**ELIZABETH BRANDSNESS, RMC**  
**MUNICIPAL CLERK**

**APPROVED BY:** \_\_\_\_\_  
**MICHAEL SERRA**  
**MAYOR**

**January 24, 2018**