

## **MINUTES OF THE FEBRUARY 28, 2018 REGULAR COUNCIL MEETING**

The following are the Minutes of the February 28, 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, Erik DeLine, Frank Jaconetta and Ekamon Venin. Councilman Christian Barranco was excused.

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

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

#### **MAYOR UPDATES:**

Mayor Serra addressed the recent newspaper articles regarding the DuPont contamination and expressed his disappointment after reading the negative half-truth's relating to the contamination. Mayor Serra stated the reporter's choice to simply rehash very old information and use a picture from years past that was clearly headlined to obtain an effect as if it was a picture from a recent event was irresponsible. Mayor Serra also noted the new Governor (Phil Murphy) did not attend the meeting that was held some years ago.

Mayor Serra went on to say the information was geared towards the negative and wondered why there was no mention of the Cancer Study of 2010 and 2011. Mayor Serra stated the results of this study showed cancers were much higher in the surrounding towns when in fact the study indicated our town resulted in normal ranges for cancers.

Mayor Serra also questioned why the same people are always interviewed and there is no outreach from the reporter to interview other residents within the community. Mayor Serra stated the writer from the newspaper has not reached out to him for a response.

Mayor Serra also commented on his dissatisfaction with the reporter and stated in his opinion reporting inaccurate information from a fictional book written by a former Mayor of the town as a source of information is not creditable. Mayor Serra stated he disapproves of the selling of newspapers on the backs of residents. Mayor Serra also stated many residents have expressed their dislike and frustration with how the newspaper is portraying our town and many residents will no longer subscribe to the paper.

Mayor Serra acknowledged DuPont as the polluter and stated DuPont has been under the guidance and direction of the EPA and the DEP addressing the contamination. Mayor Serra emphasized the EPA and DEP are the lead agencies who oversee the mitigation process and the Borough does not have any authority on how the cleanup process is mitigated. Mayor Serra stated a representative from the EPA is available at the Borough to meet and speak to the public privately every Thursday. Mayor Serra expressed his frustration with the DEP as they have not committed to providing a representative for residents who may have questions or concerns. Mayor Serra will continue to pursue and request representation from the DEP.

Mayor Serra stated he recognizes and understands the concerns residents have with the mitigation process and is opposed to the project becoming a Superfund site. Mayor Serra restated the cleanup process is a slow progression and stopping the project to become a Superfund would only delay and prolong the mitigation process. Mayor Serra commented on a Resolution adopted in 2011 by the Mayor and Council not to support a Superfund and stated at this time he still does not feel it is in the best interest of the Borough to become a Superfund site. Mayor Serra encouraged residents to continue to speak out and stated we are one town and as a community we will continue to move forward and address the issue.

Councilman Venin stated he recently researched "Superfund Sites" and did not think this was a viable solution for our community as we would be placed on a list for funding and there is no financial

assurance. Councilman Venin stated there are many downfalls with being designated as a Superfund Site and encouraged residents to do their research prior to pursuing a Superfund status.

Councilman Baig also commented on the news article by the newspaper and stated at this time there is no scientific correlation that the health issues that have been expressed in the news articles are directly linked to the contamination. Councilman Baig stated on a personal note he and his mother who recently passed away at the age of 103 lived on Barbara Drive for 20 years.

Councilwoman Reicher stated Superfund is Federal Legislation and came into existence with the intent to clean up sites that did not have a corporate entity to do the proper clean up. Councilwoman Reicher stated the Borough is not in this situation. Councilwoman Reicher also commented on the progression of the DuPont mitigation process and emphasized the fact that the polluter has acted on the pollution and provided remedial measures for the contamination. Councilwoman Reicher stated she is not in favor of a Superfund and went on to express her concerns and stated if the town were to be placed on a list regulated by the EPA funding may not be readily available.

Councilwoman Reicher also expressed her disappointment with the negative newspaper articles and stated this was not “new news” but a rehashing of old news. Councilwoman Reicher stated the reporter should have provided updated information within the article on Pompton Lakes including the current progress accomplished during the lake mitigation project. Councilwoman Reicher also noted DuPont has expended millions of dollars over the years to address the contamination issue in Pompton Lakes. Councilwoman Reicher mentioned ongoing efforts by DuPont for the cleanup and restoration phase for the lake project.

Councilman Jaconetta passionately expressed his disappointment regarding the recent newspaper articles and the negative manner in which they portrayed Pompton Lakes. Councilman Jaconetta provided a brief history on the formation of the paper and stated the paper was founded in 1930, family owned and recently sold in 2016 to a larger corporation. Councilman Jaconetta stated the news articles published was old information and polished up for the sole purpose of selling newspapers.

Councilman Jaconetta voiced his concerns with becoming a Superfund designation and stated the EPA and DEP has not recommended the Borough become a Superfund and feels very strongly the Borough should continue on the same track with the program (RCRA) in place. Councilman Jaconetta stated currently the vapor mitigation systems installed on the homes has addressed the vapor contamination and other programs have been explored.

Councilman Jaconetta suggested additional follow up actions be pursued to assure the responsible polluter develop a home value protection plan, insurance plan for the hydraulic well program and whenever possible to fast track procedures and the mitigation process.

#### **PASSAIC COUNTY OPEN SPACE FARMLAND PRESERVATION TRUST FUND APPLICATION MORRIS CANAL GREENWAY RAMAPO RIVER**

Mr. Boyle stated an application would be submitted for additional funding for the Morris Canal Greenway Project from the Passaic County Open Space Farmland Preservation Trust Fund. Mr. Boyle stated the application allows the Borough the opportunity to obtain additional county funding to complete the last two phases of the project which include additional plantings and other amenities. Mr. Boyle added the application requests \$59,000.00 and an open hearing is required.

#### **MARY ANN VOZZO, Riverview Road**

Ms. Vozzo was concerned about privacy for her mother’s home which is in the area and questioned the design plan and amenities for the project.

Mr. Boyle replied the amenities consist of benches, water fountains, plantings and eventually some type of exercise equipment. Mr. Boyle stated the plantings would be positioned near the riverside. Councilman DeLine stated the project would include screening trees and provide privacy for homes in the area.

#### **LAKE MANAGEMENT PRESENTATION**

Mr. Grayberg stated he represented the Lake Restoration Committee and provided a presentation to the Governing Body on the Progress and Goals for the Lake Management Plan. Mr. Grayberg began his power point presentation and offered a brief background for the Lake Management Plan. The

presentation included adoption and goals of the plan and the five-year plan. Mr. Grayberg spoke of the progress the proposal has provided within the lakes and rivers since the adoption of the plan, outlined key recommendations and ended the presentation with some longer term actions for consideration.

**PUBLIC COMMENTS:**

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

**MIKE SIMONE, West Lenox Avenue**

Mr. Simone commented on the initiative the Borough has taken with regard to the clean-up of the plume and stated it is disconcerting how the newspaper has portrayed the occurrences. Mr. Simone stated he believes there is not a valid reason to change from RCRA to CERCLA (Superfund) and explained the differences in the approach to manage the remediation. Mr. Simone stated DuPont is a responsible party willing to conduct the investigation and remediation and the EPA and the DEP are the experts in the field. Mr. Simone encouraged anyone who resides in the plume area who does not have a vapor mitigation system in their home to consider having one installed.

**HELENE ZABLOCKI, Butler Street**

Ms. Zablocki commented on the contamination in the plume area and stated the pollution originated by DuPont. Ms. Zablocki urged the Governing Body to move forward with the remediation plan.

Ms. Zablocki questioned whether the Governing Body has made a decision regarding the status of Pompton Lakes becoming a “stigma free” town. Mayor Serra replied the Stigma Free Committees Initiative, a county-wide program, has been discussed by the Health Department and Chilton Hospital would be an additional resource for the program.

**RUSSELL COCKEFAIR & GREGORY COCKEFAIR, Albert Street**

Mr. Cockefair commented on programs for special needs residents and shared the trophy he received during an event. Mayor Serra acknowledged the efforts of those involved with the special needs program and congratulated Russell for his cheerleading achievements.

**JOE VAGNATO, ARCADIA RD.**

Mr. Vagnato commented on the curriculum provided to students who attend Lincoln School and stated he was pleased with the program. Mr. Vagnato also voiced some concerns with the drop off and pick up of children at Lincoln School and stated many parents do not abide by the rules. Mayor Serra stated he will have police officers stationed at the school to provide some supervision for parents who drop off their children.

**MARIA KENT, Glen Court**

Ms. Kent thanked Mr. Grayberg for the presentation this evening and also thanked Mr. Kent for his involvement with the project.

Ms. Kent stated she is disappointed with the information and the inaccurate statements portrayed in the newspapers regarding DuPont/Chemours and the plume. Ms. Kent commented on the rehashing of old news and bad press and stated the articles could have a negative impact with the continuation of the clean-up process. Ms. Kent commented on the completion of the mitigation project and the benefits the lake can offer residents.

Mayor Serra stated the EPA and the DEP are the experts and he expressed his concerns with the misinformation that has been communicated to the residents through the recent news articles. Mayor Serra stated he would support a new health study.

**BERNADETTE ARANCIBIA, Lakeside Avenue**

Ms. Arancibia commented on the DuPont remedial process and stated residents should be educated as to the contamination and the process for the remediation of the pollutants. Mayor Serra agreed residents should be educated and stated the EPA is available every Thursday at town hall to answer any questions or concerns from the public.

**MILLIE TORSIELLO, Midland Avenue**

Ms. Torsiello remarked on the DuPont clean-up which she said began in 1988. Mayor Serra stated the clean-up process for the contamination began in 1988 but the documents for the project began earlier. Ms. Torsiello commented when she was on council she had voted for DuPont to remediate the area. Ms. Torsiello requested the Governing Body consider additional CAG meetings to provide the residents with information. Mayor Serra stated he would agree with a new CAG and cautioned for members to be respectful and allow residents to voice their concerns. Councilman Jaconetta suggested Governor Murphy attend the CAG meetings and become familiar with the remediation plan.

**ANNE TACINELLI, Lambert Street**

Ms. Tacinelli commented on the signage and insufficient lighting on streets primarily in the south end of the Borough and inquired as to the status. Mayor Serra replied some progress has been made and stated the interim DPW Supervisor and the Police Chief will continue to follow up and address the issue.

Ms. Tacinelli commented on projects at Lakeside Middle School and requested Councilman Baig provide notification informing the community of any new developments for projects. Ms. Tacinelli complimented the Board of Education for the school curriculum provided for students. Mayor Serra agreed and added the Pompton Lakes School District has been chosen as one of the top ten schools in North Jersey for education and the fourth safest school in the country.

Ms. Tacinelli praised the efforts of the Governing Body for the clean-up of the lake and stated that she is uncertain superfund is the way to go, however she feels uncertain that DuPont/Chemours will completely eradicate the contamination. Ms. Tacinelli spoke of the pros and cons of RCRA and CERCLA and her concern for residents living on top of the plume. Ms. Tacinelli stated residents living in the plume area should have the option of staying or leaving the area.

Mayor Serra stated residents moving into plume area homes and change ownership are not retested for vapor intrusion. Mayor Serra advised new homeowners to hire an independent contractor to have their home tested. Mayor Serra stated the tax revaluation determined the value of homes in the plume area have increased.

**KAREN DEAN, Central Avenue**

Ms. Dean stated she was a former member of the first CAG (Citizens For A Clean Pompton Lakes) and felt the Governing Body did not offer support for the group. Mayor Serra disagreed with her comment and stated the Governing Body did support the CAG members. Ms. Dean questioned if swimming would be permissible after the DuPont/Chemours clean-up to which Mayor Serra replied that swimming is not permitted in many New Jersey lakes due to contaminants from fertilizers and animals.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton requested an update on the status for resuming programming on PLTV 77; Mr. Boyle replied the process is almost completed and he is waiting for a response from Cablevision.

Mr. Hinton stated he is not sure if it should go to a Superfund Status or not however his major concern is for the clean-up of the plume and the health of the residents.

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

**MINUTES:**

Motion moved by Councilman DeLine, second by Councilman Jaconetta to approve the Regular Meeting Minutes of February 14, 2018. All voted in favor of the motion.

**BILL LISTS:**

Current Fund	\$ 408,088.83
Capital Fund	\$ 133,404.11
Recreation Trust	\$ -0-
Open Space Trust	\$ -0-
Clerk Trust	\$ -0-
Other Trust	\$ -0-
Unemployment Trust	\$ -0-
Dog Trust	\$ 1,096.20
PLMAC #2	\$ -0-

Motion moved by Councilman Baig, second by Councilman Venin 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 18-72 Pompton Lakes Sustainable Land Use Pledge Resolution
2. Resolution 18-73 Approving The Submission Of The Passaic County Open Space And Farmland Preservation Trust Fund Application Pompton Lake Morris Canal Greenway Ramapo River
3. Resolution 18-74 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 Solitude Lake Management
4. Resolution 18-75 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 Stormwater Compliance Solutions, LLC
5. Resolution 18-76 Affirming The Borough Of Pompton Lakes Support Of Title VIII Of The Civil Rights Act Of 1968 And New Jersey Law Against Discrimination
6. Resolution 18-77 Approving An Application For A Passaic County Community Development Block Grant F.Y. 2018 ADA Compliant Curb Cuts
7. Resolution 18-78 Authorizing Refund Of Other Lien Block 100 Lot 32
8. Resolution 18-79 Authorizing Refund Of Other Lien Block 3000 Lot 33

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

**RESOLUTION NO. 18-72**

**WHEREAS**, land use is an essential component of overall sustainability for a municipality; and

**WHEREAS**, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

**WHEREAS**, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

**WHEREAS**, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

**NOW THEREFORE**, we the Borough of Pompton Lakes resolve to take the following steps with regard to our municipal land use decisions with the intent of making Pompton Lakes a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

### **RESOLUTION NO. 18-73**

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes are desirous of submitting an application for funding through the Passaic County Open Space and Farmland Preservation Trust Fund to improve the Pompton Lakes Morris Canal Greenway along the Ramapo River.

**WHEREAS**, pursuant to the State Shared Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, the aforesaid project is in the best interest of the Borough of Pompton Lakes; and

**WHEREAS**, the Mayor and Council obtained public comment of the proposed application at meetings held on Wednesday, February 28, 2018; and

**NOW, THEREFORE BE IT RESOLVED** the Mayor and council of the Borough of Pompton Lakes do hereby confirm endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED**, the Mayor and Council certify the resolution for the application to be presented to the Passaic County Department of Planning.

**RESOLUTION NO. 18-74**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Solitude Lake Management; and

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

**WHEREAS**, Pompton Lakes desires to enter into contract with Solitude Lake Management 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 exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from February 28, 2018 through December 31, 2018; and

**WHEREAS**, Solitude Lake Management has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 28th day of February, 2018, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Borough of Pompton Lakes is authorized to engage Solitude Lake Management for the purpose of providing aquatic vegetation management for Pompton & Twin Lakes..
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Solitude Lake Management.

Said Solitude Lake Management shall be engaged pursuant to contract to be entered by and between Solitude Lake Management 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 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. 18-75**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Stormwater Compliance Solutions, LLC; and

**WHEREAS**, the Treasurer has certified that funds are available in the 2018 Capital Budget for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Stormwater Compliance Solutions, 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 \$9,500.00; and

**WHEREAS**, the term of the contract will be from February 28, 2018 through December 31, 2018; and

**WHEREAS**, Stormwater Compliance Solutions, LLC has submitted a Business Entity Disclosure Certification in compliance with law.

**NOW THEREFORE BE IT RESOLVED**, this 28th day of February, 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 Stormwater Compliance Solutions, LLC for site inspection of catch basins and outfalls with the Borough.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Stormwater Compliance Solutions, LLC shall be engaged pursuant to contract to be entered by and between Stormwater Compliance Solutions, 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.

**RESOLUTION NO. 18-76**

**WHEREAS**, the Borough of Pompton Lakes supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Borough of Pompton Lakes to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Borough of Pompton Lakes further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Borough of Pompton Lakes do hereby approve the following resolution.

**BE IT RESOLVED**, that within available resources, the Borough of Pompton Lakes will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

**BE IT FURTHER RESOLVED**, that the Borough of Pompton Lakes shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

**BE IT FURTHER RESOLVED**, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

**RESOLUTION NO. 18-77**



**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey desires to apply for a 2018 Passaic County Community Development Block Grant; and

**WHEREAS**, the Mayor and Council have reviewed the application and understand the terms and conditions under which the application is made; and

**WHEREAS**, the Mayor and Council authorizes the application for and use of funds from the Passaic County Community Development Block Grant Program for activities described in the proposal and, if awarded funds, shall implement the activities in a manner to ensure compliance with all applicable Federal, state and local laws and regulations; and

**WHEREAS**, there is no requirement to match any grant funds received by the Borough; and

**WHEREAS**, the project listed in the application includes the installation of ADA compliant curb cuts on various streets within the Borough of Pompton Lakes;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, hereby authorizes the Borough to file said application; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby authorized to represent the Borough in all matters relating to this application, which includes signing and executing all relative documents.

This resolution was approved by the Mayor and Council of the Borough of Pompton Lakes at a regular scheduled meeting held on the 28th day of February, 2018. Signed and sealed before me.

At a meeting held on February 28, 2018, the Council of the Borough of Pompton Lakes adopted the following resolution:

The Council for the Borough of Pompton Lakes authorizes the application for and use of funds from the Passaic County Community Development Block Grant Program for activities described in the proposal and, if awarded funds, shall implement the activities in a manner to ensure compliance with all applicable Federal, state and local laws and regulations.

**RESOLUTION NO. 18-78**

Pursuant to the facts as stated therein, I respectfully request the adoption of the following resolution:

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective liens, and

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to pay the indicated amount to the holder of the lien certificates as hereinafter shown below:

	<u>LC#</u>	<u>DOS</u>	<u>B/L</u>	<u>Amount</u>	<u>Pay to the Lien Holder</u>
GOLAUB RAMESHA 21 BARBARA DR POMPTON LAKES, NJ 07442	17-00005	4/26/17	100 / 32 21 BARBARA DR	\$12,646.12	C & E TAX LIEN FUND 1 PO BOX 5021 PHILADELPHIA, PA 19111-5021
			Premium	\$24,500.00	
			TOTAL	<b><u>\$37,146.12</u></b>	

**RESOLUTION NO. 18-79**

Pursuant to the facts as stated therein, I respectfully request the adoption of the following resolution:

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective liens, and

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to pay the indicated amount to the holder of the lien certificates as hereinafter shown below:

	<u>LC#</u>	<u>DOS</u>	<u>B/L</u>	<u>Amount</u>	<u>Pay to the Lien Holder</u>
MEYER, SALLY 78 OLD DENVILLE ROAD BOONTON, NJ 07005	16-00006	4/21/16	3000 / 33 322 WANAQUE AVE	\$19,607.65	MTAG AS CUST ATCF11 NJ,LLC P.O. BOX 54292 NEW ORLEANS, LA 70154
			Premium	\$84,000.00	
			<b>TOTAL</b>	<b>\$103,607.65</b>	

**RESOLUTIONS FOR SEPARATE ACTION: None**

**ORDINANCES:**

**ORDINANCES FOR FIRST READING AND INTRODUCTION: None**  
(Ordinance will be presented for second reading and final adoption on )

**ORDINANCES FOR SECOND READING AND FINAL ADOPTION:**  
(These Ordinances have been advertised and posted on the Municipal Bulletin Board)

**ORDINANCE 18-07**

**AN ORDINANCE AUTHORIZING TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES IN CONNECTION WITH THE REDEVELOPMENT PLAN FOR PART OF BLOCK 6200 LOT 1 AND ADOPTING AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT FOR PAYMENT IN LIEU OF TAXES WITH LAKESIDE COMMONS URBAN RENEWAL, LLC IN ACCORDANCE WITH NJSA 40A:20-1 ET SEQ**

Mr. Ragno stated the purpose of the Ordinance provides a financial agreement for the payment in lieu of taxes for the Lakeside Commons Urban Renewal LLC project.

Motion moved by Councilman DeLine, second by Councilwoman Reicher to open the Meeting for public comments on Ordinance No. 18-07. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 18-07.

Motion moved by Councilman Venin, second by Councilman Jaconetta to close the Meeting for public comments on Ordinance No. 18-07. All voted in favor of the motion.

Motion moved by Councilman Baig, second by Councilman DeLine to approve Ordinance No. 18-07 for Introduction.

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

**ORDINANCE 18-08**

Mr. Ragno stated this Ordinance permits the Borough to continue leasing a portion of the North Jersey Police Radio Association Tower.

Motion moved by Councilman DeLine, second by Councilman Jaconetta to open the Meeting for public comments on Ordinance No. 18-08. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 18-08.

Motion moved by Councilwoman Reicher, second by Councilman Venin to close the Meeting for public comments on Ordinance No. 18-08

Motion moved by Councilman DeLine, second by Councilman Venin to approve Ordinance # 18-08. All voted in favor of the motion.

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

**MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following.

- announced that the Borough is in the process regarding negotiations for the management of the Radio Station. Mayor Serra stated the only requirement at this time is that the station become a “Local Station” and become involved with the town in which they are willing to do so. Mayor Serra hoped it would be operating within three months.
- attended meetings regarding the budget

**COUNCILWOMAN REICHER:**

Councilwoman Reicher reported on the following.

- thanked Mr. Grayberg on his presentation this evening and the efforts by the members of the Flood Advisory Board
- anticipates additional conceptals this spring for the Redevelopment Agency
- reported on the many activities and accomplishments of the BID
- commented on ribbon cuttings for a new book store located at the train station and the new ownership of the Cardinal Auto
- Ms. Brandsness met with Ken Herman, Board of Election Administrator, to discuss and plan for the division of District Three
- concerns for pedestrians in the crosswalks on Wanaque Avenue and advised motor vehicles to be prepared to stop
- commented on the Purim Holiday tradition

Mayor Serra thanked the Tech committee for arranging the installation of the monitor system in Council Chambers.

**COUNCILMAN JACONETTA:**

Motion moved by Councilman Jaconetta, second by Councilman DeLine to approve request for Cub Scout Pack 88 and 9038 to close Hershfield Park Place between Ramapo Avenue and Arcadia Road for the Soapbox Derby scheduled for Saturday, May 2, 2018 (rain date Saturday, May 26, 2018) from 9:00am to 4:00pm – Pompton Lakes/Riverdale First Aid Squad not on duty. Police to assist with traffic control – traffic cones and barricades. Board of Education confirmed that no events or activities are scheduled at Hershfield Park. (Police/Fire/First Aid to be notified).

Councilman Jaconetta reported on the following.

- thanked the Tech Committee and the Trails Committee for their accomplishments and Steve Grayberg for providing the Lake Management Plan
- welcomed two new businesses in the Borough; Station One Book, Bottle and Vintage Shop and Johnston and Sons Auto

Mayor Serra commented on the cancer benefit hosted by Mary Beth Morton which has raised approximately \$200,000.00 in the past twenty years. Mayor Serra thanked Ms. Morton and the residents who have supported the cause.

Mayor Serra reminded everyone that the Easter Egg Hunt will be held on March 25, 2018 at the tennis courts in Hershfield Park between the hours of 2:00pm-3:00-pm for grades K-6.

**COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- monitors have been installed in the Council Chambers and thanked the Governing Body for supporting the initiative
- he and Carly Boniello will be sponsoring a “Drug Take Back Awareness” on March 11, 2018 from 10:00am to 1:00pm in the Municipal Building
- commented on the Pompton Lakes School District as being one of the safest schools out of the 200 plus school districts

Mayor Serra announced that all parents are welcome to attend Prevention Coalition meetings held at the office located at 274 Wanaque Avenue every fourth Thursday of the month.

**COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- commented on the Police Department report for the month of January and the year-end report for 2018
- congratulated Pompton Lakes athletes for earning sporting events awards
- the winter sports assembly for the high school will be held on March 5, 2018 at 7:00pm
- announced the high school performance “Guys and Dolls” will be held on March 22, 23 and 24, 2018 at 7:00pm and March 24, 2018 at 2:00pm
- commented on the Volunteer Fire Department report

**COUNCILMAN BARRANCO:**

Councilman Barranco was excused.

**COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- the Police and Fire Departments were honored by Catholic Charities for the support they have given to their organization during the year
- also attended the ribbon cuttings for the new book store that has been located at the train station and the new ownership of the Cardinal Auto
- attended the Flood Advisory Board (FAB) meeting and stated the annual OEM seminar will be held on March 21, 2018 from 7- 8pm. Councilman DeLine added this seminar will offer information about flooding events and other emergency situations.
- the Storm Water Management Committee is planning a rain barrel workshop on April 21, 2018 at Hershfield at 10:00am – 12:00pm. Rain barrels will be provided but added kits should be purchased prior to the workshop.
- the FAB is planning a river assessment which provides input for annual river work. CERT will participate and drones will be used to map some hazardous areas
- the Trail Maintenance Committee will meet on March 4, 2018 at 2-4pm at the Willow Field parking lot
- National Trails Day, June 1, 2018, the trails in Hershfield Park will be cleared
- the Morris Canal Greenway project has begun construction

**JOSEPH RAGNO, Borough Attorney**

Mr. Ragno requested one Closed Session for negotiations.

**KEVIN BOYLE, Borough Administrator**

Mr. Boyle reported on the following.

- EPA Pompton Lake Dredging - Community Update #71
- Passaic County Community Development Block Grant - 3/21/18 Round Table discussion
- MEL Safety Institute - Elected Officials Online Training
- Passaic County Spotlight-February 2018
- Murry House -FD & PD Public Servants of the Year
- N.J.D.O.T. Municipal Aid Award - \$220,000.00 to repave Montclair Ave for next year
- 2018 Council Budget Hearing -2/28/18 at 6:30pm

**TABLED ITEMS: None**

**MEETING OPEN FOR PUBLIC COMMENTS:**

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

**MILLIE TORSIELLO, Midland Avenue**

Ms. Torsiello questioned whether any progress has been made for a new supermarket at the former A&P shopping plaza. Mayor Serra replied the Borough has been actively pursuing a replacement supermarket for the community. Mayor Serra commented on the location of other major supermarkets in the area and large box stores who sell groceries and stated it is difficult to find an interested business for the location. Mayor Serra stated he met with corporate business representatives and was told the Borough may be best suited for a specialty market.

**MIKE SIMONE, West Lenox Avenue**

Mr. Simone stated during his earlier comments he did not want to diminish the health issues of residents who live in the plume area. Mr. Simone said we can only move forward and have the lead agencies, DEP and the EPA oversee the clean-up.

Mayor Serra stated only those who live in the plume area can experience what it is like to live in the plume and he too would like answers.

**EVELYN PROFIT, Schuyler Avenue**

Ms. Profit stated as an informed citizen, she is not anxious for the Borough to become a Superfund site and expressed her frustration with the clean-up process progressing very slowly. Ms. Profit then commented on the experimental hydraulic water system Chemours plans to install and stated DuPont/Chemours would not offer any protection to the residents and requested the support from the Governing Body. Ms. Profit said she has concerns and fears Chemours would not be able to finish the work and possibly file bankruptcy. Mayor Serra replied the Federal Government indicated funds would be available to continue the mediation process.

**TED L'ESTRANGE, Otisville, New York**

Mr. L'Estrange presented the Governing Body with information regarding the harvesting of organs overseas.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton questioned the definition for outfalls and Mr. Grayberg provided an explanation and stated it is the drainage of water. Mr. Hinton commented on the OEM seminar scheduled for March 21, 2018 from 7- 8pm and encouraged residents to attend. Mr. Boyle stated once Channel PLTV77 is broadcasting all past meetings that have been archived will be accessible for viewing. Mr. Hinton questioned whether new curbing will be installed on Whitney Avenue; Mayor Serra replied yes curbing is included.

Mr. Hinton agreed with Councilwoman Reicher that a pedestrian should have the right of way. Councilman DeLine cautioned pedestrians must follow the rules of the road.

Mr. Hinton also commented on a proposed radio station and the Morris Canal Greenway. Mr. Hinton commented on the removal of trees in the wooded lot in the area of Whitney Avenue and questioned

whether anyone was monitoring the area. Mayor Serra replied the Police Department is aware of the destruction in the area.

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

**PRIVILEGE OF THE FLOOR:**

Councilwoman Reicher congratulated Mary Beth Morton on the success of the benefit she sponsored for cancer.

**RESOLUTION TO ADJOURN INTO CLOSED SESSION:**

Motion moved by Councilman DeLine, second by Councilman Jaconetta to adjourn into Closed Session at 9:55pm. All voted in favor of the motion.

**BE IT HEREBY RESOLVED**, pursuant to NJSA 10:4-13 and 10: 4-12 that the Mayor and Council of the Borough of Pompton Lakes hold Closed Session for contract negotiations. It is expected that the discussions undertaken in Closed Session on this date can be made public at the time official action is taken by the Mayor and Council to release same.

Motion moved by Councilman Venin, second by Councilman Jaconetta to open the Meeting at 9:02pm. All voted in favor of the motion.

Mayor Serra stated contract negotiations was discussed in Closed Session.

**ADJOURNMENT:**

Motion moved by Councilwoman Reicher, second by Councilman Jaconetta to Adjourn the Meeting at 10:03 PM. All voted in favor of the motion.

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

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

**February 28, 2018**