

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

The following are the Minutes of the March 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, 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 UPDATES:**

Mayor Serra commented on the yearly OEM Seminar held this evening prior to the Council Meeting and stated OEM, CERT and the Flood Advisory Board provided presentations alerting residents of the necessary actions taken during emergencies. Mayor Serra said preparedness by the residents and the town is crucial when an emergency occurs and he trusted the actions and how emergencies are managed in the Borough. Mayor Serra cautioned residents to wait for officials to provide notification and proceed accordingly during emergencies. Mayor Serra reminded residents to register for emergency notifications through the Borough website.

Mayor Serra commented on the recent news articles that had appeared in the newspaper regarding DuPont/Chemours and again expressed his disappointment with the content of the articles. Mayor Serra stated the content within the articles did not convey all the facts and was the opinion of the writer.

### **BUSINESS IMPROVEMENT DISTRICT BUDGET**

#### **Resolution 18-88**

#### **RESOLUTION AUTHORIZING ADOPTION OF A BUDGET IN THE AMOUNT OF \$607,859.85 FOR THE SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF POMPTON LAKES FOR THE YEAR 2018**

Motion moved by Councilman Baig, second by Councilman Reicher to introduce the B.I.D. Budget in the amount of \$607,859.85 for the year 2018.

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

Resolution 18-88 will be adopted on April 25, 2018.

Councilwoman Reicher commented on the proposed B.I.D. Budget and stated the \$607,859.85 budgeted amount is generated through commercial property owners and does not impact residents. Mayor Serra stated the money generated through commercial property owners provides for improvements in the business district. Councilman Baig added that some of the funds are surplus from previous years.

#### **PUBLIC COMMENTS:**

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

**KEN MONTANYE, Butler Museum**

Mr. Montanye commented on the Butler Museum and provided Mayor and Council with brochures for the museum. Mr. Montanye invited the Governing Body to visit their museum and said the members would provide help and support in establishing a Historical Museum for the Borough of Pompton Lakes.

**ALAN BIRD, Curator of the Butler Museum**

Mr. Bird detailed the process for establishing a Historical Museum and stated acquiring a museum is a learning experience for all residents. Mr. Bird advised of suitable locations as well as the maintaining of a museum. Mr. Bird stated a master plan should be established and offered some suggestions for funding and grants.

Mayor Serra thanked Mr. Bird for providing the information and stated that he and Council would like to tour the Butler Museum and would follow up with him to make the arrangements.

**KEVIN MCAULIFFE, Lincoln Avenue**

Mr. McAuliffe commented on the hiring of a new DPW Superintendent and projects he would hope the Borough would initiate in the near future. Mr. McAuliffe expressed some concerns with an area located in the Pond Hole parking lot and requested the area be properly maintained.

Mayor Serra agreed that the area is in need of maintenance and requested Mr. Boyle contact Mr. O'Rourke, DPW Superintendent to monitor and clean the area in question. Mayor Serra stated the new Superintendent will be meeting with various groups to discuss and address areas of concerns.

**MARTHA CURITOMAY, Poplar Street**

Ms. Curitomay thanked the Governing Body for their help in rectifying the raccoon situation at her home. Ms. Curitomay commented on a pending lawsuit involving DuPont. Mayor Serra replied and stated the Borough does not have any knowledge of pending lawsuits with DuPont.

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

**MINUTES:**

Motion moved by Councilman DeLine, second by Councilman Barranco to approve the Regular Meeting Minutes of March 14, 2018. All voted in favor of the motion. Councilwoman Reicher was excused.

**BILL LISTS:**

Current Fund	\$ 817,406.85
Capital Fund	\$ 274,654.28
Recreation Trust	\$ 3,960.47
Open Space Trust	\$ -0-
Clerk Trust	\$ -0-
Other Trust	\$ 117.87
Unemployment Trust	\$ -0-
Dog Trust	\$ 412.20
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 18-86 Authorizing Refund Of Other Lien Block 100 Lot 25.017
2. Resolution 18-87 Authorizing Refund Of Tax Overpayment Block 9401 Lot 6
3. Resolution 18-89 Extending Grace Period For BID Bills
4. Resolution 18-90 Authorizing The Use Of Hershfield Park By The Bicycle Touring Club Of North Jersey During The Ramapo Rally
5. Resolution 18-91 Refund Of Tax Overpayment Block 3100.01 Lot 17
6. Resolution 18-92 Appointing Part Time Telecommunication Officers for Employment in Pompton Lakes Police Department

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

**RESOLUTION NO. 18-86**

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>	
REILLY, JOSEPH P 17 MOUNTAINSIDE DRIVE POMPTON LAKES, NJ 07442	17-00004	4/26/17	100 / 25.017	\$ 2,903.38	TWR AS CST EBURY FUND 1 NJ LLC PO BOX 37695 BALTIMORE, MD 21297-3695
			Premium	\$26,900.00	
			<b>TOTAL</b>	<b><u>\$29,803.38</u></b>	

**RESOLUTION NO. 18-87**

**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

<u>BLOCK / LOT</u>	<u>NAME</u>	<u>AMOUNT</u>		<u>REASON</u>
9401 / 6	Gordon, William & Barbara 803 Ramapo	\$ 2,509.00	2018/Q1	1

	Avenue Pompton Lakes, NJ 07442			
		<b>Total</b>	<b>\$ 2,509.00</b>	

**RESOLUTION NO. 18-89**

**WHEREAS**, The 2018 Business Improvement District Budget will not be approved until April 25, 2018; and

**WHEREAS**, The Tax Collector requires time to prepare and mail the tax bills; and

**WHEREAS**, State law requires the grace period to extend at least 25 days after the bills are postmarked.

**NOW, THEREFORE, BE IT RESOLVED**, that the grace period for the April 1, 2018 BID Tax be extended to May 25, 2018.

**RESOLUTION NO. 18-90**

**WHEREAS**, over the years, the Bicycle Touring Club of North Jersey has utilized Hershfield Park as a rest stop during their annual Ramapo Rally; and

**WHEREAS**, the club has provided the necessary information to coordinate this event with the Pompton Lakes Police Department; and

**WHEREAS**, a certificate of insurance will be issued to the Borough for use of the park prior to the event date of August 19, 2018; and

**WHEREAS**, any additional use permits will be secured prior to the event date as well; and

**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 approves the request of the Bicycle Touring Club of North Jersey to utilize Hershfield Park on Sunday, August 19, 2018, for the Ramapo Rally.

**BE IT FURTHER RESOLVED**, that any and all conditions for the use must be met by Monday, August 13, 2018 through coordination with the Pompton Lakes Police Department and Administration and 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. 18-91**

**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

BLOCK /LOT	NAME	AMOUNT		REASON
3100.01 / 17	D'Arcy, Jane 17 Iron Forge Square Pompton Lakes, NJ 07442	\$ 778.85	2015/Q4	2

		\$ 792.76	2017/Q4	2
	<b>Resolution Total</b>	<b>\$ 1,571.61</b>		

**RESOLUTION NO. 18-92**

**WHEREAS**, there is a need to appoint and employ two part-time Telecommunication Officers in the Pompton Lakes Police Department; and

**WHEREAS**, Chief of Police Moises Agosto has recommended to the Borough Administrator the appointment of Unique Daniels and Vincenzo Canfora.

**NOW, THEREFORE, IT IS RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes that **Unique Daniels and Vincenzo Canfora** shall be and are hereby appointed to the position of part time Telecommunication Officers for the Borough of Pompton Lakes Police Department; and

**BE IT FURTHER RESOLVED**, the hourly rate for the position of Telecommunication Officer shall be the hourly rate established for part-time public safety dispatcher in the PLBEA contract.

**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 18-09**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Mr. Boyle stated this Ordinance allows the Borough to expend the cap bank from two percent to three and one-half percent. Mr. Boyle stated this would become a financial tool if there were economic issues.

Motion moved by Councilman DeLine, second by Councilman Barranco to open the Meeting for public comments on Ordinance No. 18-09. All voted in favor of the motion.

**PETER CHAZOTTE, Woodlawn Avenue**

Mr. Chazotte questioned the purpose of the Cap Bank and whether the budget would be increased or if it was just in reserve. Mr. Boyle stated the budget is below the appropriations cap and this does not affect the budget or the tax rate but it provides the Borough the opportunity to use the cap bank to offset a specific increase or emergency in the future years.

Motion moved by Councilman DeLine, second by Councilman Baig to close the Meeting for public comments on Ordinance No. 18-09. All voted in favor of the motion.

Motion moved by Councilman DeLine, second by Councilman Reicher to approve Ordinance No. 18-09 for Final Adoption.

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

**MAYOR MICHAEL SERRA:**

Motion moved by Mayor Serra, second by Councilman DeLine to approve the appointment of Kelley Halewicz as a member of the Board of Health (unexpired term to 12/31/19). All voted in favor of the motion.

Mayor Serra reported on the following.

- commented on the recent snowstorm and thanked the Superintendent and DPW for the work they provided to the community. Mayor Serra reminded residents the DPW provides other services and during a snow event those services may be delayed or canceled.
- commented on CTO day and the topics of interest the students presented during their mock meeting. Mayor Serra stated the students spoke about concerns they have and were creative in addressing the issues.
- commented on the recycling/paper schedule posted in the Borough calendar for the month of April and advised the schedule was incorrect and advised residents to refer to the Borough website for the correct schedule
- commented on the newly installed TV monitor system in Council Chambers and requested Councilman Venin display the emergency and non-emergency registration formats on the website. Mayor Serra reminded residents to sign up on the website or contact Sharon Sonne in the Records Department.

### **COUNCILWOMAN REICHER:**

Councilwoman Reicher reported on the following.

- commented the OEM Emergency Preparedness seminar and stated the seminar is a valuable resource for residents. Councilwoman Reicher stated she recently experienced a power outage in her home and provided some useful advice in the event of an outage.
- also commented on CTO Day and commended the students for their insightful approach to handling situations involving Mayor and Council matters
- the lake cleanup is continuing and warned boaters of changes to turbidity curtain as equipment is relocated within the lake
- commented on the Easter Egg Hunt sponsored by the Recreation Commission and stated despite the cold weather there were many families who attended
- commented on activities offered to residents by the Recreation Commission
- commented on internship opportunities at the Borough for college age students
- wished everyone a happy holiday

Councilwomen Reicher requested one Closed Session on personnel.

Mayor Serra reported this would be the last week the DPW would pick up cut branches from the recent storm. Mayor Serra stated residents should place branches curbside in neat piles or they do have the option to bring them to the Recycling Center. After this week, the DPW will resume the normal pick- schedule for branches and brush.

Mayor Serra commented on damage to signage at Veterans Park and thanked Joe Aungst for taking the initiative and making the repairs to the damaged sign at no cost to the Borough.

### **COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- also thanked members of OEM for the presentation this evening
- thanked the Recreation Commission for sponsoring the Easter Egg Hunt
- Pompton Lakes High School students participated in the program to support Parkland students
- commented on the first place awards the FBLA students achieved in the State Competition
- at the BID meeting, it was recommended that much work is needed in the Pond Hole parking lot, including drainage and realigning the striping to increase parking spaces. The BID is seeking to arrange a Corp Planning meeting with the Borough, Passaic County, engineers and the BID.
- replacement of flower planters and marketing programs in the business district were discussed
- at the BID meeting Ms. Zablocki provided a presentation for the Library Foundation with regard to a Holiday House Tour and information for the One Book, One Town program

- members of the Prevention Coalition will be distributing ID checking guides to local bars and liquor stores
- HAWC Club will be participating in the “sticker shock” campaign on April 28, 2018 which helps to educate the public about selling and serving alcohol to anyone under the age of 21.
- the Prevention Coalition requested a Proclamation from the Governing Body acknowledging the “sticker shock” campaign
- a presentation titled “Current Drug Trends” was provided at the Coalition meeting

#### **COUNCILMAN BARRANCO:**

Motion moved by Councilman Barranco, second by Councilman Venin to approve the request for Lakeside Middle School to close a portion of (Lakeside Avenue from Van Avenue to Mandeville Street) for the 8<sup>th</sup> Grade Awards Ceremony scheduled for Monday, June 18, 2018 (rain date Tuesday, June 19, 2018) from 6:15pm to 8:30pm and to make Van Avenue between Lakeside Avenue and Lenox Avenue a one-way street from 6:00-8:30pm. Police/Fire/First Aid to be notified.

Councilman Barranco reported on the following.

- appreciated Mr. Aungst for repairing and reinstalling the sign at the Veterans Memorial and thanked the DPW for their assistance with restoring the area after the storm damage
- hydrant flushing will begin on April 16, 2018
- thanked the DPW and MUA for their efforts with snowplowing during the recent snowstorm
- the MUA presented the 2018/19 budget for adoption
- the Library Board is sponsoring a college essay writing seminar on April 18, 2018. Councilman Barranco commented on his appreciation for town library and stated his children are frequent visitors to the library.

Mayor Serra said he thanked the MUA for their assistance with plowing during the snowstorm. Mayor Serra reminded residents that there will be a change in water color during the hydrant flushing.

#### **COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- thanked the various groups who participated in the OEM Seminar and stated the session can be viewed on PLTV 77 as well as the Borough website and you tube
- thanked Councilman Jaconetta for substituting for him at the Flood Advisory Board meeting
- attended the Easter Egg Hunt and appreciated all the volunteers who helped to make it a success
- the CTO Day event is posted on PLTV 77
- the Recreation Commission sponsors events for the entire community

Mayor Serra commended and thanked the high school Zonta Club for their help with community events. Mayor Serra also reminded parents to have their children registered for summer camp in a timely manner.

#### **COUNCILMAN JACONETTA:**

Councilman Jaconetta reported on the following.

- the Flood Advisory Board will be sponsoring a rain barrel seminar on April 28, 2018 at 10:00am at Hershfield Park. Councilman Jaconetta said the seminar is full but anyone wishing to attend may have a barrel delivered to construct at home; the fee for the barrel kit is \$30.00.
- commented on climate tracking
- \$740,000.00 has been spent on desnagging, desilting, etc. on the local rivers and he believes it has made an impact on nuisance flooding
- also commented on the use of a drone to track the condition of the rivers
- commented on the successful Easter Egg Hunt and thanked all the volunteers
- thanked Ms. Brandsness for organizing CTO Day

- commended the CTO students for their presentations
- thanked Mr. Evangelista, Ms. Venin and Mr. Rose for the OEM presentations
- thanked the DPW and Mr. O'Rourke, Superintendent, for the work they provided during the snowstorm

**COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- the Flood Advisory Board members walk through sections of the rivers to locate obstacles such as fallen trees, shoals, etc. Flying a drone through the river system will help detect problem areas that are not viable by foot.
- also thanked Mr. Evangelista, Ms. Venin and Mr. Rose for their presentations and offered ways to prepare for in the event of an emergency
- commented on the Lenox School Tricky Tray and the number of attendees who supported the event
- thanked the Butler Museum members for attending tonight's Meeting. Councilman Venin commented on establishing a historical museum and stated the Borough would need to develop a plan and strategy for a museum.
- thanked the CTO students for their presentations

Mayor Serra said he received an invitation from the VFW to participate in the Memorial Day Parade on May 27, 2018. The parade will assemble at 10:45am and the services will be held at 11:30am at the Veterans Memorial Park.

**JOSEPH RAGNO, Borough Attorney**

Mr. Ragno had no report.

**KEVIN BOYLE, Borough Administrator**

Mr. Boyle reported on the following.

- 3/10-3/12/18 Storm–Received Preliminary Damage Assessment report from Mr. Evangelista
- Passaic County Environmental Programs - Computer/Electronics  
Compost/Rain Barrel  
Tire Recycling  
Household Hazardous Waste  
Shred It
- Concord Energy Services-Community Energy Aggregation
- Letter from Marlene E. Smith – Retirement Effective 4/1/18
- Letter from Frelinghuysen/Pascrell-Assistance to Firefighters Grants
- Pompton Lakes Dredging -Community Update #72
- Passaic County Spotlight-March 2018

**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.

**MIKE SIMONE, W. Lenox Avenue**

Mr. Simone stated he forwarded a letter to Governor Murphy expressing his opinion in regard to the DuPont/Chemours cleanup in Pompton Lakes. Mr. Simone stated the letter included his disappointment with the Record newspaper for the negative comments in recent articles and wished the newspaper would include some of the positives the town offers.

**PETER CHAZOTTE, Woodlawn Avenue**



Mr. Chazotte questioned when the lake cleanup would be completed. Councilwoman Reicher replied she recently spoke with Mr. Epps, Chemours Project Manager, and he informed her the lake cleanup is primarily completed with two projects remaining; depositing of the eco-layer and restoring the cove. Mayor Serra stated the plan calls for Chemours to complete the project by the fall of 2018.

Mr. Chazotte, who lives in a flood area, stated that the effects of river mediation have proven effective.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton commented on the articles published in the Record and the information the articles contained regarding the DuPont/Chemours and stated not everyone is in agreement with the article but the issue does exist. Mr. Hinton also acknowledged the ongoing mitigation efforts by DuPont/Chemours and the Governing Body. Mayor Serra said the reporter for the Record should have spoken with the DEP and/or the EPA to receive an accurate and factual account of the DuPont/Chemours operations.

Mr. Hinton stated he spoke with Mr. Epps and the arborist for the town to discuss a plan for planting trees after the lake project is completed to determine which trees would be favorable for the area around the lake.

Mayor Serra announced Kevin McGraff has been added to the list of volunteers who would be adding geese eggs. Mayor Serra considers the program to be a success; over 600 geese eggs have been added within the last five years. Mayor Serra publicly thanked these volunteers.

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

**PRIVILEGE OF THE FLOOR:**

Councilman DeLine would like host another training session

Councilman Jaconetta announced that he would not be available for the April 11, 2018 Council Meeting but informed the Governing Body that he supported the budget.

Councilman Baig wished everyone a happy holiday.

**RESOLUTION TO ADJOURN INTO CLOSED SESSION:**

Motion moved by Councilman Barranco, second by Councilman Jaconetta to adjourn into Closed Session at 8:56pm. 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 on personnel. 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 9:14pm. All voted in favor of the motion.

Mayor Serra stated personnel matters were discussed in Closed Session.

**ADJOURNMENT:**

Motion moved by Councilman Jaconetta, second by Councilwoman Reicher to Adjourn the Meeting at 9:15 PM. All voted in favor of the motion.

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

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

**March 28, 2018**