

MINUTES OF THE AUGUST 15, 2018 REGULAR COUNCIL MEETING

The following are the Minutes of the August 15, 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, Councilmen William Baig, Erik DeLine, Frank Jaconetta, Ekamon Venin and Councilwoman Jennifer Polidori. Councilwoman Terri Reicher 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 congratulated the Pompton Lakes/Riverdale Little League Boys All-Stars for winning the 8-10 Baseball District 2 Champions, Section 1 Champions and NJ State Champions. Mayor Serra invited the coaches to come forward to present Certificates of Achievement to the members of the team.

Mayor Serra thanked all the volunteers involved with National Night Out (NNO) especially to Dawn Gosson for organizing and coordinating the activities for a successful night. Mayor Serra also stated he appreciated the community support for providing a fun filled evening.

PUBLIC COMMENTS:

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

RANDY HINTON, Montclair Avenue

Mr. Hinton commented on Resolution 18-158 authorizing the bid for equipment for the Fire Department and requested additional input as to the type of equipment. Mr. Boyle replied the equipment is standard apparatus for the Fire Department.

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 DeLine, second by Councilwoman Polidori to approve the Regular Meeting Minutes of July 18, 2018. All voted in favor of the motion. Councilman Jaconetta voted present.

BILL LISTS

| | |
|---------------------|-----------------|
| Current Fund | \$ 5,086,387.62 |
| Capital Fund | \$ 83,831.25 |
| Recreation Trust | \$ 14,392.07 |
| Unemployment | \$ 322.84 |
| Dog Trust Account | \$ 58.80 |
| Other Trust Account | \$ 8,138.20 |
| Clerk's Account | \$ 300.00 |
| Open Space Trust | \$ -0- |

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

PETITIONS: None**CONSENT AGENDA:**

(Council Members Required Resolution 18-161 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 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 18-153 Passaic County Senior Citizen Week August 20 To August 24, 2018
2. Resolution 18-154 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 Epiphany Community Services
3. Resolution 18-155 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 Reaching Software
4. Resolution 18-156 Award Of A Bid For Painting Of Borough Hall To Murray Paving And Concrete In An Amount Not To Exceed \$9,315.88 Under ESCNJ Contract 16/17-54 GC1
5. Resolution 18-157 Awarding The Bid And Authorization To Execute A Contract For The 2018 Inlet Reconstruction/Reset Program To John Garcia Construction Co., Inc. In An Amount Not To Exceed \$37,990.00
6. Resolution 18-158 Award Of A Bid For Fire Department Equipment To AAA Emergency Supply In The Amount Of \$42,360.35 under State Contract #A80945-A80965
7. Resolution 18-159 Authorizing And Directing The Planning Board To Investigate 10 Ivy Street, 20 Ivy Street, Locust Street Lot And 519 Ringwood Avenue AKA Block 2300 Lot 1, Block 2300 Lot 7, Block 2300 Lot 10 And Block 2600 Lot 2, Respectively, As Areas In Need Of Redevelopment
8. Resolution 18-160 Authorization For The Mayor And Clerk To Execute The FY 2019 Pompton Lakes Municipal Alliance Contract
9. Resolution 18-161 Appointment of Steven Wendowski To Serve As Secretary/Treasurer To The Pompton Lakes Fire Department Effective July 1, 2018
10. Resolution 18-162 Approval Of A Promotion For Barbara Cichon To Keyboarding Clerk #4 Effective August 20, 2018
11. Resolution 18-163 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 Darmofalski Engineering Associates, Inc.
12. Resolution 18-164 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 DMK Services, LLC
13. Resolution 18-165 Designating A Portion Of The Borough Of Pompton Lakes As An Area In Need Of Redevelopment (9 Hamburg Turnpike – Block 2800 Lot 11)
14. Resolution 18-166 Authorizing Refund Of Other Lien Block 3100 Lot 2
15. Resolution 18-167 Appointing Sgt. Jonathan Williams And Detective Brian Zimmermann As Municipal Humane Law Enforcement Officers For The Borough Of Pompton Lakes

Motion moved by Councilman DeLine, second by Councilman Baig to approve the Consent Agenda. All voted in favor of the motion.

RESOLUTION NO. 18-153

WHEREAS, Americans are living longer and healthier lives, the Senior Citizen population continues to grow; and

WHEREAS, Passaic County is the home for some 86,403 citizens ages 60 and older; and

WHEREAS, the Passaic County Board of Chosen Freeholders and the Mayor and Council of the Borough of Pompton Lakes are committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, older adults in Passaic County and especially in Pompton Lakes play an important role by contributing their experience, knowledge, wisdom and lifelong accomplishments; and

WHEREAS, these special citizens have led us through times of conflict, depression, peace while being witness to many of our Country's milestones.

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 it hereby joins with the Passaic County Board of Chosen Freeholders to proclaim August 20 to August 24, 2018 as Passaic County Senior Citizen Appreciation Week.

BE IT FURTHER RESOLVED, by the Mayor and Council that it joins with the Board of Chosen Freeholders to annually honor our Senior Citizens during the third week of August.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Clerk of the Board and those Senior Citizen Organizations that serve the Borough of Pompton Lakes.

RESOLUTION NO. 18-154

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Epiphany Community Service; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Epiphany Community Service 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 \$8,500.00; and

WHEREAS, the term of the contract will be from October 1, 2018 through September 30, 2019; and

WHEREAS, Epiphany Community Service has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, 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 Epiphany Community Service for the purpose of providing ongoing evaluation of the Pompton Lakes Prevention Coalition.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Epiphany Community Service.

Said Epiphany Community Service shall be engaged pursuant to contract to be entered by and between Epiphany Community Service 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. 18-155

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Reaching Software; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Reaching Software 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 \$2,000.00; and

WHEREAS, the term of the contract will be from October 1, 2018 through September 30, 2019; and

WHEREAS, Reaching Software has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, 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 Reaching Software for the purpose of providing a data base in support of Epiphany Community Services.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Reaching Software.

Said Reaching Software shall be engaged pursuant to contract to be entered by and between Reaching Software 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. 18-156

WHEREAS, the Borough of Pompton Lakes desires to undertake the painting of Borough Hall; and

WHEREAS, Murray Paving and Concrete has been awarded a contract to provide such service through the Educational Service Commission of New Jersey; and

WHEREAS, the Treasurer has certified funds are available for such purpose; 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 awards a bid for the painting of Borough Hall to Murray Paving and Concrete under ESCNJ Contract #16/17-54 GC1.

RESOLUTION NO. 18-157

WHEREAS, on July 12, 2018, the Borough of Pompton Lakes received quotes for the 2018 Inlet Reconstruction/Reset Program; and

WHEREAS, 2 General Contractors provided quotes for said improvements; and

WHEREAS, based upon the review of the quotes submitted it has been determined that John Garcia Construction Co., Inc. provided the "Lowest Responsible Quote" for said improvements; and

WHEREAS, Ferriero Engineering, Inc. and the Borough Administrator recommend award of the bid to John Garcia Construction Co., Inc.; and

WHEREAS, the Treasurer has certified funds are available in the Capital Budget for said purpose.

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 a bid for the 2018 Inlet Reconstruction/Reset Program to John Garcia Construction, Co., Inc. located at 183 Friar Lane, Clifton, NJ 07013 in an amount not to exceed \$37,990.00.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute a contract with John Garcia Construction Company, Inc.

RESOLUTION NO. 18-158

WHEREAS, the Pompton Lakes Fire Department has requested various equipment through the 2018 Budget; and

WHEREAS, AAA Emergency Supply has provided pricing for said equipment through State Contract # A80945-A80965; and

WHEREAS, funding for this purchase has been budgeted for in Capital Account C-04-55-851-904.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that a bid be hereby awarded to AAA Emergency Supply for the purchase of Fire Department equipment in the amount of \$42,360.35 under State Contract A-80945-A80965.

RESOLUTION NO. 18-159

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain areas of New Jersey shall be a public purpose and, further, that municipal, public or private corporations may be authorized by law to undertake such development and redevelopment; and

WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the Local Redevelopment and Housing Laws (NJSA 40A:12A-1 *et seq*), allowing for the substantial improvement to, and turnaround of,

underutilized, unused, fragmented, deteriorated and generally blighted properties through the careful design, writing and implementation of redevelopment plans; and

WHEREAS, the State of New Jersey Development and Redevelopment Plan encourages smart growth principles to be observed and applied in the State, specifically in those areas either previously developed or designated for development; and

WHEREAS, the Borough Council has heretofore adopted a Redevelopment Plan for Downtown Pompton Lakes which, among the purposes of the redevelopment plan, is the planning, zoning, acquisition, clearance, reconstruction, rehabilitation and redevelopment of which local areas to promote the public health, safety, morals and welfare and to stimulate the proper growth of Downtown Pompton Lakes; and

WHEREAS, the primary objectives of the Borough redevelopment effort are to improve the quality of life of Borough residents and improve the economic foundation of the Borough so that long term property tax stability is achieved for all Borough taxpayers; and

WHEREAS, in furtherance of the aforesaid purposes, the Borough Council desires to refine the redevelopment area so as to achieve the aforesaid objectives; and

WHEREAS, it appears that within this general area there exists property (land), buildings and other improvements which, by reason of faulty arrangement of design, deleterious land use, obsolescence or obsolete layout or other factors, have remained stagnant, unproductive, underutilized and undervalued and may be detrimental to the safety, health, morals or welfare of the Borough as specifically recommended to be studied by the Planning Board.

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, pursuant to NJSA 40A:12-1 *et seq.*, the Planning Board is hereby authorized and directed to undertake a preliminary investigation to determine whether the property in the proposed redevelopment area, as further defined in this Resolution and as depicted of the official map of the Borough of Pompton Lakes, is a redevelopment area in accordance with the criteria set forth at NJSA 40A:12A-5; and

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing respecting the proposed redevelopment area, being specifically those locations, Blocks and Lots as set forth in the title to this Resolution, and said public hearing shall be conducted after public notice is given in accordance with NJSA 40A:12-6 and, after completing the hearing and deliberation, the Planning Board shall submit a recommendation to the Mayor and Council whether the delineated area, or any part thereof, be or not be determined to be a redevelopment area; and

BE IT FURTHER RESOLVED that, in the event the proposed areas are designated as redevelopment areas, the Borough shall be authorized to use all those powers provided by the Legislature for use in a redevelopment area other than the power of eminent domain to accomplish the goals of redevelopment; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 18-160

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Pompton Lakes Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Pompton Lakes Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Passaic.

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 recognizes the following:

1. The Borough of Pompton Lakes Council has submitted a strategic plan for the Pompton Lakes Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR \$22,440.00
Cash Match \$5,610.00
In-Kind \$16,830.00

2. The Borough of Pompton Lakes Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

3. The Mayor and Clerk are authorized to execute the FY 2019 Pompton Lakes Municipal Alliance Contract.

RESOLUTION NO. 18-162

WHEREAS, Barbara Cichon has been employed by the Borough of Pompton Lakes since 2007; and

WHEREAS, over the years, she has taken on additional responsibilities in support of the Clerk's office; and

WHEREAS, based upon her request, the Personnel Committee met with the Borough Administrator who provided a case and recommendation for said promotion; and

WHEREAS, the Personnel Committee has concurred with the recommendation and supports said promotion.

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 promotion of Barbara Cichon to Keyboarding Clerk #4 with a base salary adjustment of \$1,750 effective August 20, 2018.

RESOLUTION NO. 18-163

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Darmofalski Engineering Associates, Inc.; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Darmofalski Engineering Associates, Inc. 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 August 15, 2018 through December 31, 2018; and

WHEREAS, Darmofalski Engineering Associates, Inc. has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, 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 Darmofalski Engineering Associates, Inc. for the purpose of providing a data base in support of Stream Cleaning Oversight.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Darmofalski Engineering Associates.

Said Darmofalski Engineering Associates, Inc. shall be engaged pursuant to contract to be entered by and between Darmofalski Engineering Associates, Inc. and the Borough 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. 18-164

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from DMK Services, LLC; and

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

WHEREAS, Pompton Lakes desires to enter into contract with DMK Services, 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 August 15, 2018 through December 31, 2018; and

WHEREAS, DMK Services, LLC. has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 15th day of August, 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 DMK Services, LLC to perform river de-snagging as approved by N.J.D.E.P.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said DMK Services, LLC shall be engaged pursuant to contract to be entered by and between DMK Services, 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. 18-165

WHEREAS, on May 23, 2018, the Borough Council of the Borough of Pompton Lakes adopted a Resolution (Number 18-119) authorizing and directing the Pompton Lakes Planning Board to undertake a preliminary investigation to determine whether the property in the proposed, updated downtown redevelopment area (Block 2800 Lot 11, 9 Hamburg Turnpike), in the Borough of Pompton Lakes, is a redevelopment area in accordance with the criteria set forth in the New Jersey Local Redevelopment and Housing Law (N.J.S.A 40A:12A-1 et seq.); and

WHEREAS, the primary objectives of the Borough of Pompton Lakes downtown redevelopment effort as indicated in the aforesaid Council resolution is to: 1) improve property conditions in the Borough; 2) improve the quality of life of Borough residents; and 3) improve the economic foundation of the Borough so that long-term property tax stability is realized by all Pompton Lakes taxpayers; and

WHEREAS, the Local Redevelopment and Housing Law (LRHL) allows for the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated, or in the alternative may help achieve the policy and planning goals and objectives of the State of New Jersey Development and Redevelopment Plan; and

WHEREAS, on April 22, 2009 the Borough Council of the Borough of Pompton Lakes adopted the Downtown Pompton Lakes Redevelopment Plan, Ordinance Number 09-01. The full title of the Ordinance is:

AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR THOSE PROPERTIES LOCATED ALONG, OR IN THE IMMEDIATE VICINITY OF, WANAQUE AVENUE IN THE BOROUGH OF POMPTON LAKES, DESIGNATING THE BOROUGH COUNCIL OF THE BOROUGH OF POMPTON LAKES AS THE REDEVELOPMENT ENTITY FOR THE DOWNTOWN POMPTON LAKES REDEVELOPMENT AREA AND ESTABLISHING THE DOWNTOWN REDEVELOPMENT AREA ZONING DISTRICTS (DRA-1 AND DRA-2) USING THE PRE-EXISTING DBD-1 AND DBD-2 ZONES WITH CERTAIN MODIFICATIONS INCLUDED IN THIS PLAN. CHAPTER 190 OF THE CODE OF THE BOROUGH OF POMPTON LAKES ENTITLED ‘ZONING AND LAND USE’ IS HEREBY AMENDED TO INCLUDE THE DRA-1 AND DRA-2 ZONES.

This Redevelopment Plan has as its primary objective the “... provision in Downtown Pompton Lakes for capital investment in quality mixed use properties, including the provision of quality retail and residential opportunities, as well as quality community facilities developed in concert with the pre-existing service businesses in Downtown Pompton Lakes...”; and

WHEREAS, the Pompton Lakes Planning Board authorized the Planning Consultants, Maser Consulting, to conduct a study of the proposed, updated potential redevelopment area and make a recommendation as to whether the area identified by the Council satisfies the criteria of the LRHL; and

WHEREAS, on June 19, 2018 the Pompton Lakes Planning Board conducted a public hearing pursuant to the LRHL and following publication and wide distribution of a notice of hearing and following the preparation of a map of the potential area in need of redevelopment; and

WHEREAS, the Planning Board considered the Redevelopment Investigation Report, said report having been provided to the property owners and made available to the general public; and

WHEREAS, on June 19, 2018, the Pompton Lakes Planning Board adopted a Resolution finding that the area referenced herein qualifies under N.J.S.A. 40A: 12A-1 et seq. as an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Pompton Lakes that, based upon the recommendation of the Pompton Lakes Planning Board and recognizing the diligent work of the Board, the property located at Block 2800 Lot 11, as further identified by the Planning Board at their June 19, 2018 meeting, is hereby designated as an area in need of redevelopment pursuant to the provisions of NJSA 40A:12A-1 et seq.

BE IT FURTHER RESOLVED that the Borough Council will NOT be authorizing the use of eminent domain condemnation regarding this matter.

BE IT FURTHER RESOLVED that the above property is intended to be included in the Downtown Pompton Lakes Redevelopment Plan, as specified in Ordinance Number 09-01, upon adoption by the Borough Council of an Ordinance adding the properties included in this Resolution to said Downtown Redevelopment Plan.

RESOLUTION NO. 18-166

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> |
|---|------------|------------|-------------------------------|---------------------------|---|
| GENCARELLI INVESTMENTS 97 BART PLACE HAZLET, NJ 07730 | 17-00008 | 4/26/2017 | 3100 / 2 1 LAKESIDE AVE | \$10,834.31 | US BANK C/F PC6 STERLING NATI US BANK GLOBAL CORP TRUST SRV 50 SOUTH 16 TH ST SUITE 2050 PHILADELPHIA, PA 19102 |
| | | | Premium | \$2,800.00 | |
| | | | TOTAL | <u>\$13,634.31</u> | |

RESOLUTION NO. 18-167

WHEREAS, the New Animal Cruelty Enforcement Law, P.L. 2017 c. 331, (the “New Law”) was signed into law on January 16, 2018; and

WHEREAS, the New Law revises the enforcement of animal cruelty laws in the State of New Jersey by transferring the power of humane law enforcement from the New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA) and county societies for the prevention of cruelty to animals (county societies) to a county prosecutor animal cruelty task force in each county, and a municipal humane law enforcement officer appointed in each municipality; and

WHEREAS, the New Law requires the governing body of each Municipality to appoint at least one municipal humane law enforcement officer, approved by the chief law enforcement officer of the municipality, who is responsible for animal welfare within the jurisdiction of the

municipality, and who is to enforce and abide by the animal cruelty laws of the State and ordinances of the municipality; and

WHEREAS, Moises Agosto, Chief of Police for the Borough of Pompton Lakes Police Department recommends the appointment of Sgt. Jonathan Williams and Detective Brian Zimmermann to serve as the Municipal Humane Law Enforcement Officers for the Borough; and

NOW, THEREFORE IT IS RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby concurs with the recommendation of Chief Agosto of the Borough of Pompton Lakes Police Department, and appoints Sgt. Jonathan Williams and Detective Brian Zimmermann to serve as the Municipal Humane Law Enforcement Officers for the Borough; and

BE IT FURTHER RESOLVED, that all other Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTIONS FOR SEPARATE ACTION:

RESOLUTION NO. 18-161

RESOLUTION 18-161 APPOINTMENT OF STEVEN WENDOWSKI TO SERVE AS SECRETARY/TREASURER TO THE POMPTON LAKES FIRE DEPARTMENT EFFECTIVE JULY 1, 2018

WHEREAS, Ronald Fusaro, Chief of the Pompton Lakes Fire Department, has notified the Borough Administration that William Pehush, Department Secretary and John Keating, Department Treasurer, have tendered their resignations; and

WHEREAS, Chief Fusaro has recommended the appointment of Steven Wendowski to serve in the dual role of secretary/treasurer to the Pompton Lakes Fire Department effective July 1, 2018 at a combined salary of \$2,335 for 2018 on a biweekly basis.

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 confirms the recommendation of Chief Fusaro and appoints Steven Wendowski to the position of secretary/treasurer of the Pompton Lakes Fire Department effective July 1, 2018 at an annual salary of \$2,335 for 2018.

BE IT FURTHER RESOLVED that our thanks and best wishes be extended to William Pehush and John Keating for their dedicated service to the Pompton Lakes Fire Department.

Motion moved by Councilman Jaconetta, second by Councilman Venin to approve Resolution 18-161.

Councilman Baig stated the Fire Department requested the Resolution be pulled from the agenda. Councilman Baig stated the resolution is in conflict with their by-laws so therefore the by-laws will need to be amended.

Councilman Jaconetta recommended Resolution 18-161 be pulled from the agenda, seconded by Councilman Venin. All voted in favor of the motion.

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: None
(*These Ordinances have been advertised and posted on the Municipal Bulletin Board*)

MAYOR MICHAEL SERRA:

Mayor Serra reported on the following.

Motion moved by Mayor Serra, second by Councilman DeLine by to approve Anabel Accardi to the Pompton Lakes Prevention Coalition (Business) to fill an unexpired term 12/31/18. All voted in favor of the motion.

Motion moved by Mayor Serra, second by Councilman Baig to accept the resignation of Andrew Silverstein Class IV Member of the Planning Board effective at the conclusion of the August 21, 2018 Planning Board meeting and approve the appointment of Michael Simone to the Planning Board as Class IV Member to fill the unexpired term through 12/31/19. All voted in favor of the motion.

- thanked Mr. Silverstein for his years of dedicated service as a member of the Planning Board
- attended the successful Elks Lodge Car Show
- the Elks Lodge will be sponsoring a Carnival scheduled for August 29, 30, 31 and September 1 & 2, 2018
- commented on the dedication service and naming of the bridge honoring Sgt. Peter Kamper
- acknowledged National Night Out and thanked the municipal staff for their assistance during the event. Mayor Serra stated the event was well attended by residents and thanked Dawn Gosson for organizing the event. Mayor Serra also thanked the vendors who donated food and merchandise.
- will meet with the DEP Commissioner, some residents, local politicians and invited guests to discuss the progress of the mitigation projects by DuPont/Chemours
- the work on Pompton Lake has been completed and he is pleased with the end results. Mayor Serra stated he received very few complaints during the project. Mayor Serra commented on upgrades within the area of Lakeside School and the installation of new equipment at Rotary Park. Mayor Serra is optimistic the project will be completed by Pompton Day.
- Mayor Serra stated vendors are still being sought to participate in Pompton Day and volunteers are always welcomed. Anyone interested should contact Karen Murphy or Borough Offices.
- congratulated the Little Leaguers who received certificates of recognition this evening
- commented on past flooding in Pompton Lakes and was pleased the Borough endured the recent heavy rains without any flooding issues. Mayor Serra thanked the many groups who have assisted with the cleaning of the rivers and to the Borough Administrator, Mr. Boyle for assisting with securing the permits.
- commented on the successful Senior Picnic

COUNCILWOMAN REICHER:

Councilwoman Reicher was excused.

COUNCILMAN JACONETTA:

Councilman Jaconetta reported on the following.

- also thanked Mr. Silverstein for his service to the Borough, wished him well and looks forward to the appointment of Mr. Simone on the Planning Board
- also congratulated the Little League Champions on their win
- thanked the many volunteers who assisted with National Night Out
- attended the dedication ceremony for Sgt. Peter Kamper and stated he appreciated the comments made by Mayor Serra and former Mayor Cole during the service
- congratulated and welcomed Councilwoman Polidori

COUNCILWOMAN POLIDORI

Councilwoman Polidori reported on the following.

- commented on the achievements of the Little League Baseball Team, efforts of the recreation volunteers for organizing the Senior Picnic, and the success of National Night Out. Councilwoman Polidori thanked all the departments for their service.

- attended the Recreation Department meeting and commented on the well-attended Fifth Grade Dance, the Field Hockey Camp, and Summer Day Camp
- the Recreation Commission is focusing their efforts on Pompton Day and seeking additional vendors

The following motion is presented on behalf of the Chamber of Commerce regarding the 19th Annual Classic Car Show to be held on Sunday, October 14, 2018/Rain Date October 21, 2018 from 8:00am through 5:00pm:

Police/Fire/First Aid to be notified on the following requests. Chamber of Commerce to contact Police Department and St. Mary's Church to coordinate traffic control. Certificate of Insurance to be provided to the Borough.

Motion moved by Councilwoman Polidori, second by Councilman Jaconetta to approve the following requests made by the Chamber of Commerce

- to hold the 19th Annual Classic Car Show and close Wanaque Avenue from 8:00am – 5:00pm (Street Closure – between Pompton and Lakeside Avenues)
- to hang a banner on Wanaque Avenue advertising the 19th Annual Classic Car Show from September 17, 2018 through October 22, 2018
- for permission to use the Pond Hole Parking Lot during the 19th Annual Classic Car Show

Mayor Serra invited residents to attend Recreation Commission meetings held on the fourth Tuesday of the month in the Civic Center.

COUNCILMAN VENIN:

Councilman Venin reported on the following.

- thanked Mr. Silverstein for his service on the Planning Board and wished him well
- congratulated the Little League Team on their win and also thanked the coaches for their instruction and training during baseball season
- thanked all the volunteers who participated in the successful National Night Out
- recognized the Open Space Committee and Flood Advisory Board members who spend numerous hours of their time, hard work and commitment to the community
- thanked the Police Department for posting signage reminding motor vehicles to stop for pedestrians at crosswalks. Mayor Serra then commented on a new type of deterrent being considered at crosswalks in the downtown area. Mayor Serra urged motorists to stop for pedestrians in crosswalks or risk receiving a summons.

COUNCILMAN BAIG:

Councilman Baig reported on the following.

- also thanked Mr. Silverstein for his many years of service to the Borough and welcomed Mike Simone to the Planning Board
- attended the dedication service for Sgt. Peter Kamper and his service to the community
- commented on the successful National Night Out and thanked Ms. Gosson for her hard work. Councilman Baig also thanked the many volunteers and organizations who participated.
- commented on the Senior Picnic and reported the seniors enjoyed the festivities, food and music
- congratulated the Pompton Lakes Riverdale Little League All Stars on their Championship
- commented on the First Aid Squad and Police Department reports for the month of July, 2018
- the Prevention Coalition Coordinator reported the drug “take back” event was successful. The Coalition attended National Night Out to promote their mission and bring awareness to the community as to the consequences of drug abuse and will

also participate in Pompton Day. The Coalition plans to provide a presentation for parents during “Back to School” night at Lakeside Middle School.

- the Junior Varsity Cheerleaders requested the Board of Education consider allowing them to attend away football games
- the installation of the turf field at Lakeside Middle School has been postponed due to the delayed delivery of the light stations
- the Lakeside Middle School gymnasium floor was recently damaged by a water pipe breakage and the Board of Education has approved the replacement of the floor
- goals and objectives are being reviewed by the Board of Education to prepare for the upcoming year
- the BID will mail letters notifying merchants of acceptable trash for pick up in the downtown area
- during the BID meeting merchants discussed the redemption for BID Bucks

Mayor Serra reminded the community that it is illegal to unload trash in downtown receptacles; these receptacles are for business merchants only.

Mayor Serra stated the Prevention Coalition will be attending “Back to School” night at Borough schools to promote the prevention of substance abuse and encouraged parents to attend these programs.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- expressed his gratitude to Mr. Silverstein for his years of service on the Planning Board. Councilman DeLine commented on Mr. Silverstein’s vision and dedication towards the progression of redevelopment during his tenure. Councilman DeLine welcomed Mr. Simone to the Planning Board.
- attended the service for the dedication of the bridge in memory of Sgt. Peter Kamper
- congratulated the Little League Baseball Champions
- attended National Night Out and commented on the growth of the event in recent years. Councilman DeLine attributed the success of the event to Dawn Gosson for her hard work as well as the support of the community.
- commented on the “Complete Streets Plan” and the concept plan for areas of concern. Councilman DeLine stated the NJDOT has created a video detailing ideas and development for the plan. Councilman DeLine stated a survey would be forthcoming to collect input from residents to determine adequate walking and biking plans for the Borough; the concept is preliminary.
- attended the Senior Picnic and thanked the Recreation Commission, volunteers and seniors for a successful event
- commented on the importance and significance of investing in river mitigation in the Borough. Councilman DeLine acknowledged the Flood Advisory Board for taking the initiative to offer assistance to those communities who experienced flooding during the recent rain storms.
- commented on the Community Rating System program and the possibility of attaining additional CRS activity points through the Rutgers Watershed Management Plan and moving closer to achieving a class four rating
- commented on the reimbursement process from FEMA for the removal of trees that resulted from a past storm
- Storm Water Management will sponsor a Rain Garden Workshop and is scheduled for October 13, 2018
- the Lake Restoration Committee has organized a lake clean up for August 18, 2018 and will begin at 10:00am at the Lakeside Avenue boat launch; rain date is August 19, 2018.
- Trail Maintenance Day is scheduled for Sunday, August 19, 2018. All volunteers will meet in the Willow Field parking lot at 8:30am
- attended the Elks Car Show
- “Recycle Coach” a free program, is available to residents to help keep track of waste collection and recycling schedules on their own calendars. More information can be found on the Borough website.

Mayor Serra commented on the combined efforts to successfully secure a business for the former A&P location that was located in the Pompton Lakes Towne Square.

Mayor Serra reported on a meeting he attended along with Councilman Baig, Mr. Boyle and Mr. Ragno, Borough Attorney to discuss a radio station.

JOSEPH RAGNO, Borough Attorney

Mr. Ragno had no report.

KEVIN BOYLE, Borough Administrator

Mr. Boyle reported on the following.

- Surrendering to Rising Seas-N.J.D.E.P. Buyouts
- 2018 Passaic County Co-op (PCERCPS)-National Gas Bid TBD
- N.J. Civic Service - Promotional Announcement - Chief of Police
- Passaic County Board of Taxation-2018 Certification of Tax Rate
- Plum Law Partners, LLC- PILOT Review
- Chemours - 2nd Quarter 2018 Program Report
- FEMA - Scoping Meeting DR4368 N.J. "Riley"
- EPA/Pompton Lakes Dredging-Community Update #89 #90 #91 #92
- PD Monthly Report-June 2018
- J.A. Montgomery Risk Control-Bulletin & Program Invite
- Pedestrian/Bicycle Improvement Project /NJDOT/-Concepts Michael Baker
- Rutgers/Floodplain Management Plan -7/23 Meeting Notes
- Letter from N.J.D.O.T. - Grant Opportunities
- Burgis Associates - COAH Recommendation
- NR Educational Services Comm. - July Monthly Report
- Millennium Strategies-July Monthly Report

TABLED ITEMS: None

MEETING OPEN FOR PUBLIC COMMENTS:

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

MILLIE TORSIELLO, Midland Avenue

Ms. Torsiello thanked the Recreation Commission for sponsoring the Senior Picnic. Ms. Torsiello requested an update for a property maintenance issue on Broad Street. Mayor Serra responded and stated the property maintenance complaint is being addressed and the property would be cleared. Mayor Serra also noted issues and complaints by residents in the area and stated Tilcon has complied with these concerns.

RANDY HINTON, Montclair Avenue

Mr. Hinton questioned if the meeting with the NJDEP was opened to the public; Mayor Serra responded the meeting is not opened to the public. Mr. Hinton commented on the dedication ceremony for Sgt. Peter Kamper and National Night Out.

Mr. Hinton stated he observed a downed oak tree in the vicinity of 88 Albany Avenue causing a blockage in the river. Mayor Serra replied he would have someone inspect the area and the tree would be removed.

Mr. Hinton reported the following for the Shade Tree Commission: removal of two maple trees in the Pond Hole, pruning of pine trees located near tennis courts and pruned trees at the First Aid Squad.

MICHAEL SIMONE, West Lenox Avenue

Mr. Simone thanked the Governing Body for his appointment as a member of the Planning Board. Mr. Simone also commended Mr. Silverstein for the work he provided to the community during his tenure on the Planning Board.

Mr. Simone expressed his dismay with reporting and published articles that have appeared in the Record newspaper. Mr. Simone stated the articles lack the many positive events that have occurred in the Borough and provided some examples.

Mr. Simone then commented on the service dedicating the bridge between Pompton Lakes and Wayne in honor of Sgt. Peter Kamper and stated he was pleased with the attendance. Mr. Simone welcomed Councilwoman Polidori and reminded her it is hard work but the rewards are immense.

MILLIE TORSIELLO, Midland Avenue

Ms. Torsiello stated the “Hometown News” paper published an article acknowledging the Boys Baseball Championship Game. Mayor Serra stated unfortunately the “Hometown News” newspaper is not delivered to all homes in Pompton Lakes.

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

PRIVILEGE OF THE FLOOR:

Mayor Serra commented on creating a Pompton Page for Facebook to publicize town events and assigning additional staff to post the information.

RESOLUTION TO ADJOURN INTO CLOSED SESSION:

ADJOURNMENT:

Motion moved by Councilman Jaconetta, second by Councilman Venin to Adjourn the Meeting at 8:55PM. All voted in favor of the motion.

ATTEST: _____ APPROVED BY: _____
ELIZABETH BRANDSNESS, RMC **MICHAEL SERRA**
MUNICIPAL CLERK **MAYOR**

August 15, 2018