MINUTES OF THE SEPTEMBER 11, 2019 REGULAR COUNCIL MEETING

The following are the Minutes of the September 11, 2019 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 Bag, Erik DeLine, Frank Jaconetta and Councilwoman Jennifer Polidori. Councilman Ekamon Venin was excused from the Meeting.

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

MAYOR PRESENTATIONS AND UPDATES:

Mayor Serra announced the New Jersey Department of Environmental Protection and the Environmental Protection Agency are scheduled to be at the Borough on Thursday, September 12, 2019 from 10am-4pm to provide guidance and answers regarding the Chemours/DuPont site mitigation process. Mayor Serra urged those residents with concerns or questions to stop at the Borough and speak with the representatives from both of the agencies who oversee the mitigation process.

PUBLIC COMMENTS:

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

KAREN DEAN, Central Avenue

Ms. Dean commented on the removal of trees in the area of Central Avenue and thanked Mr. Hinton, Shade Tree Commissioner for his assistance.

DAPHNE SEMET, Summit Avenue

Ms. Semet commented on the growing deer population throughout the Borough and her concerns with Lyme disease, vehicular accidents and the destruction of shrubbery and plantings. Ms. Semet provided some input and suggested a committee be formed to address these issues.

Mayor Serra responded and stated Morris County has begun to address the issue with a countywide initiative plan in an effort to reduce the deer population. Mayor Serra stated he would support and encourage a program within Passaic County to manage and address the growing deer population. Mayor Serra stated he would reach out to the Environmental Committee to request they contact the County to form an action plan to help control the deer population. Mayor Serra stated he would also follow-up with the County Administrator to further explore management plans.

RANDY HINTON, Montclair Avenue

Mr. Hinton provided some details for a presentation being held on September 25, 2019 in Riverdale that involves talks on controlling the bear and deer population and invited Mayor Serra to attend. Mayor Serra stated in an effort to be successful in controlling the population of deer, other communities would need to be involved and he would be in favor of the County establishing a strategy.
JEFF KINON, Ringwood Avenue

Mr. Kinon commended the efforts of those involved with the 9/11 Ceremony held this evening and thanked the Governing Body for sponsoring the event.

Motion moved by Councilwoman Reicher, second by Councilman DeLine 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 August 14, 2019. All voted in favor of the motion.

BILL LISTS:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Current Fund</td>
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<tr>
<td>Clerk’s Account</td>
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<td>Open Space Trust</td>
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</table>

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

PETITIONS: None

CONSENT AGENDA:
(Council Members Required Resolution 19-179 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 Resolution 19-179 for individual action from that Agenda,

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

1. Resolution 19-174 Award Of Bid For Traffic Light Repairs To Jen Electric, Inc. In The Amount Of $23,571.00 Under Morris County Co-Op Contract #37
2. Resolution 19-175 Appointing Timothy Smith As A Part Time Recycling Center Aid At An Hourly Rate Of $10.61
3. Resolution 19-176 Approving A Chapter 159 Resolution Providing For The Insertion Of A Special Item Of Revenue In The 2019 Budget (2019 Drive Sober Or Get Pulled Over Grant)
4. Resolution 19-177 Dismissal Of Heather D. LaBate Following A Working Test Period
5. Resolution 19-178 Authorizing The Approval Of Pay Estimate #1 To Cifelli & Son General Contracting, Inc. In Connection With The Montclair Avenue Improvement Project Phase 1 In The Amount Of $75,759.30

Motion moved by Councilwoman Reicher, second by Councilman Baig to approve the Consent Agenda. All voted in favor of the motion.
RESOLUTION 19-174

WHEREAS, the Traffic Light at the intersection of Hamburg Turnpike and Ringwood Avenue has been damaged on numerous occasions; and

WHEREAS, it has long been recommended it be re-located to allow for better vehicle turning radius at that intersection; and

WHEREAS, the developer of property at that intersection has agreed to allow the Borough to re-locate this light on that corner property; and

WHEREAS, the developer has also agreed to pay for a large portion of the re-location providing the Borough with $21,785.50 for said purpose; and

WHEREAS, Jen Electric, Inc. has provided a quote under the Morris County Co-Op in the amount of $23,571.00 to undertake this re-location; and

WHEREAS, funding for this work has been included in account #9-01-44-905-101 with PO #19-00897.

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 awarded to Jen Electric, Inc. for Traffic Light repairs in the amount of $23,571.00 under Morris County Co-Op #37.

RESOLUTION 19-175

WHEREAS, the Superintendent of Public Works has recommended that Timothy Smith be appointed a part time Recycling Center Aid on an as needed basis; and

WHEREAS, given his prior employment and experience with the Borough of Pompton Lakes, including work at the center, supports said recommendation.

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 appoints Timothy Smith as a part time Recycling Center Aid at an hourly rate of $10.61.

RESOLUTION 19-176

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division Of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Borough of Pompton Lakes wishes to amend its 2019 Budget to include an amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Pompton Lakes hereby requests the Director of Division of Local Government Services to approve the insertion of an item in the budget of the year 2019 in the sum of .................................................................$5,500.00

which is now available as a revenue from:
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
Public and Private Revenues Offset with Appropriations:
2019 Drive Sober Or Get Pulled Over Grant

BE IT FURTHER RESOLVED, that a like sum of ..............................................$5,500.00

be and the same is hereby appropriated under the caption of:
General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
2019 Drive Sober Or Get Pulled Over Grant

RESOLUTION 19-177

WHEREAS, Heather D. LaBate was hired on February 11, 2019 as a Laborer 1 with the Department of Public Works; and

WHEREAS, on May 7, 2019, she was notified that her probationary period had been extended in order for her to acquire a Class B CDL as required by the Borough; and

WHEREAS, July 15, 2019, she was provided a second notice that her probationary period would be extended one final time to August 9, 2019 for not meeting the full range of job responsibilities, including lack of acquiring a Class B CDL; and

WHEREAS, on August 9, 2019, Heather D. LaBate was dismissed for failing to meet the objectives of her working test period.

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 accepts the determination of the Superintendent of Public Works that Heather D. LaBate did not meet the necessary requirements to become a permanent employee upon the completion of her working test period.

RESOLUTION 19-178

WHEREAS, Cifelli & Son General Contracting, Inc. was awarded the contract for the Montclair Avenue Improvement Project Plan 1 in the amount of $99,370.00; and

WHEREAS, pay estimate #1 has been approved by Ferriero Engineering in the amount of $75,759.30 for work completed to date; and

WHEREAS, the Treasurer has certified that funds are available in Capital Budget Account #C-04-55-853-902

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 pay estimate #1 from Cifelli & Son General Contracting, Inc. in the amount of $75,759.30.

SEPARATE ACTION RESOLUTIONS:

RESOLUTION 19-179

WHEREAS, 9 Hamburg Urban Renewal, LLC has applied to the Borough of Pompton Lakes for Long Term Tax Exemption for property located at 9 Hamburg Turnpike, Block 2800 Lot 11, in accordance with the provisions of NJSA 40A:20-8; and

WHEREAS, said statute requires that the Application be submitted to and addressed by the Mayor and approved by a Resolution of the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that the Application of 9 Hamburg Urban Renewal, LLC for Long Term Tax Exemption be and the same is hereby approved in accordance with the provisions of NJSA 40A:20-8.

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

Mr. Ragno offered an explanation for Resolution 19-179 and stated as part of the Redevelopment process this Resolution provides for a long term tax exemption for property located at 9 Hamburg Turnpike.
Motion moved by Councilwoman Reicher, second by Councilman Jaconetta to approve Resolution 19-179.

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

ORDINANCES:

ORDINANCES FOR FIRST READING AND INTRODUCTION: None
(Ordinance will be presented for second reading and final adoption on September 25 2019)

ORDINANCE NO. 19-22

ORDINANCE AUTHORIZING TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES IN CONNECTION WITH THE REDEVELOPMENT PLAN FOR BLOCK 2800, LOT 11 AND ADOPTING AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT FOR PAYMENT IN LIEU OF TAXES WITH 9 HAMBURG URBAN RENEWAL, LLC, PURSUANT TO N.J.S.A. 40A:20-1, ET. SEQ.

Mr. Ragno stated this Ordinance 19-22 approves all the terms within the financial agreement for the Payment In Lieu Of Taxes (PILOT) for property located at 9 Hamburg Turnpike.

Motion moved by Councilwoman Reicher, second by Councilman Baig to approve Ordinance No. 19-22 for Introduction.

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

ORDINANCES FOR SECOND READING AND FINAL ADOPTION: None
(This Ordinance has been advertised and posted on the Municipal Bulletin Board)

MAYOR SERRA:

Mayor Serra reported on the following.

Motion moved by Mayor Serra, second by Councilman Baig to appoint Patrolman Daniel Cottrell as a Deputy Coordinator for the Office of Emergency Management. All voted in favor of the motion.

- acknowledged and thanked the residents, various organizations, girl and boy scouts, emergency personnel, school band, and dignitaries who attended and participated in the 9/11 Service held this evening. Mayor Serra reminded all on this National Day of Service and Remembrance to continue to pay tribute to those individuals lost during the day’s events and to the first responders who assisted. Mayor Serra thanked office staff for their help in organizing the event.
- the DEP and the EPA would be available for residents on September 12, 2019 and stated he appreciated the DEP’s attendance for the past few weeks
- attended a welcome back breakfast for the staff within the schools
- met with Tilcon and discussed several upcoming projects. Mayor Serra stated Tilcon continues to work with the community in an effort to continue to address complaints resident may experience.
- paving will begin on September 30, 2019 on several roadways in the south end of the Borough as well as Cross Street, Montclair Avenue and Broad Street. Mayor Serra stated additional notification prior to paving would be sent to residents.
- attended the Stigma Free meeting and explained the perception of being a stigma free community. Mayor Serra stated the designation would help to identify mental health issues aimed at eradicating the stigma associated with
mental illness by raising awareness and creating a supportive environment that achieves wellness and recovery.

- attended a benefit for a resident who is experiencing health issues and acknowledged the support by the community. Mayor Serra also thanked the Elks Lodge and Councilwoman Polidori for their support.
- commented on the events held during Pompton Day. Mayor Serra thanked the Recreation Commission along with the many volunteers who helped in making this annual event a success. Mayor Serra noted the Recreation Commission continually seeks new ideas for Pompton Day.

COUNCILWOMAN REICHER:

Councilwoman Reicher reported on the following.

- commented on Pompton Day and provided some background for the annual event. Councilwoman Reicher acknowledged and thanked all those involved who helped organize the event.
- attended the 9/11 Ceremony prior to the Council Meeting and remarked on the community wide service honoring those who lost their lives on September 11th. Councilwoman Reicher stated she appreciated having the children (Boy and Girl Scouts) attend the Ceremony to pay tribute to the victims and heroes of 9/11 and the promise to never forget. Councilwoman Reicher thanked the staff for organizing the event.
- commented on the disposal of plastic bags and recycling containers at locations within the community and questioned the current policy for the disposal of plastic bags within the Borough. Mr. Boyle responded and provided some input on recycling and stated the costs and reimbursements for recyclables has shifted and the Borough continues to explore cost efficient ways to manage disposal of recyclables.
- announced the Annual River Clean Up is scheduled for September 29, 2019; volunteers are needed to assist.
- questioned whether the process has begun for providing information/phone number for the rental of the new apartments located on Lakeside Avenue. Mayor Serra to contact the developer for additional information.

COUNCILMAN VENIN:

Councilman Venin was excused from the Meeting.

COUNCILMAN BAIG:

Councilman Baig reported on the following.

- provided the reports for the Police Department, Fire Department and First Aid Squad for the month of August
- announced the Pompton Lakes Education Foundation has received approximately $200,000.00
- the Board of Education received a thank you note from Dawn Gosson for their participation in National Night Out
- an increase to the number of students who participate in the Advanced Placement (AP) courses in the last seven years
- a color has been chosen for the dome at the High School and it will be painted, at no cost, by the contractor of the new apartment building (former Salvation Army)
- the dedication of the new field at Lakeside Middle School has been scheduled for October 15, 2019 at 6:00pm
- Ashley Lucyk, Prevention Coalition Coordinator reported the Coalition participated in National Night Out and distributed give-a-way bags providing drug education material. Ms. Lucyk met with Dr. Amoroso, Pompton Lakes Superintendent, to coordinate the 2019 student drug survey.
- through grant funding provided by Chilton Hospital a Mental Health First Aid Training course will be held on October 7 & 8 from 8:30am-12:30pm at the Civic Center
• Glow House Kids will be sponsoring a Red Cross Blood Donation program on September 18, 2019 from 3:30pm – 7:00pm
• the Chamber of Commerce “Unlock Treasure Chest” contest was successful
• commented on the following events to be held: Concert at the Library on September 19, 2019, Paper Shredding on October 5, 2019, Car Show, October 13, 2019 and the BID Bucks sale on November 6, 2019 at Colombia Bank.
• commented on the solemn 9/11 Ceremony this evening and appreciated all those who attended

Mayor Serra stated the Borough will celebrate its 125th Anniversary next year and the Historic Commission has begun to plan the celebration for July 25, 2020.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

• thanked all the volunteers who helped and assisted with the service and observance for the 18th Anniversary of the September 11th events. Councilman DeLine noted the attendance and commitment by the community to never forget the day’s horrific attacks and the heroism of the first responders.
• announced Councilman Venin was participating in the 9/11 Promise Run and congratulated him for his efforts
• commented on the successful Pompton Day and stated the event continues grow with new events and vendors. Councilman DeLine stated the weather was perfect and thanked the many volunteers.
• provided details for the PRIDE photo contest and stated the contest will continue through September
• Passaic County is in the process of updating the hazard mitigation plan. The OEM Coordinator, Al Evangelista will provide input and recommendations. A meeting is scheduled for October 10, 2019 at the Passaic County Safety Academy in Wayne, NJ.
• the Storm Water Management Committee received an updated draft of the Rutgers Flood Plain Restoration and Implementation Plan. This study will help to find the best way to utilize properties in the south end of the Borough that were acquired and preserved through Green Acres and Blue Acres.

Mayor Serra provided an update for river mitigation and stated a permit was issued for the contractor to continue work in the rivers to remove shoals and debris near Joe Grill Field. Mayor Serra reported Wayne Township has applied for a grant to work in the rivers and they are now waiting for the State permits.

COUNCILMAN JACONETTA:

Councilman Jaconetta reported on the following.

• commented on Pompton Day and thanked all those involved with planning the day’s events
• commented and reflected on the 9/11 Ceremony and thanked everyone who participated in the event
• the Health Educator from Chilton Hospital provided an update during the Board of Heath meeting for the Stigma-Free training
• reported on the number of volunteer hours provided by the Shade Tree Commission
• commented on the spring pruning and tree removal list and thanked Mr. Boyle for contacting the tree removal contractor

Mayor Serra commented on the meeting with JCP&L, the Shade Tree Commission and OEM to address concerns of power outages in certain areas within the Borough. Mayor Serra stated JCP&L will begin to trim branches and maintain power lines in an effort to avoid outages.
COUNCILWOMAN POLIDORI:

Councilwoman Polidori reported on the following.

- commented on the 9/11 Ceremony held this evening marking the 18th Anniversary and praised the community support in observance of the day’s events displayed during the service. Thanked all first responders for protecting and assisting the community.
- commented on Pompton Day and thanked all the volunteers for a wonderful day. Councilwoman Polidori referenced the community spirit throughout the day’s events and the spectacular fireworks display enjoyed by all.
- commented on the Carnival sponsored by the Pompton Lakes Elks and complemented the membership for the fundraising efforts.
- thanked the Elks Lodge members for their support and to those who attended the benefit for a resident who is experiencing medical issues.
- wished all Pompton Lakes sports teams good luck as they approach a new season.
- the next two dates for “Coffee with the Council” will be held on October 7, 2019 and November 4, 2019 at Starbucks. Councilwoman Polidori encourages residents to meet with Council Members to discuss concerns or to ask questions.
- encouraged the community to attend the River Cleanup on September 29, 2019.
- the Halloween Hunt will take place on October 20, 2019 and stated residents should check the Recreation Commission website for additional activities.
- welcomed students back to school.
- commented on the involvement of Council Members in other charities and nonprofit organizations other than those established in Pompton Lakes. Councilwoman Polidori acknowledged Councilman DeLine for his participation in an organization called Homeless Solutions.

Mayor Serra thanked the DPW for assisting during Pompton Day.

Mayor Serra stated homeowners should follow the regulations for trash collection as follows: trash containers must have a secure lid and trash with liquids in the containers will not be collected. Homeowners who do not follow the regulations will receive a decal tag advising the homeowner the reason their trash was not picked up.

PROFESSIONAL REPORTS:

JOSEPH RAGNO, Borough Attorney

Mr. Ragno had no report.

KEVIN BOYLE, Borough Administrator

Mr. Boyle reported on the following.

- Passaic County Improvement Authority - Foreclosed Property Program
- New Jersey Future-Green Infrastructure Tool Kit
- N.J.D.O.T. Newsletter - Summer 2019
- DHHS - Coalition Grant 19/20 final payment has been received
- Millennium Strategies - August Report
- CDBG Curb Ramp Pre-Con Meeting -9/10/19 Agenda
- Passaic County - Interpretive Plan Workshop 9/26

TABLED ITEMS: None

MEETING OPEN FOR PUBLIC COMMENTS:
Motion moved by Councilman DeLine, second by Councilwoman Polidori to open the Meeting for Public Comments. All voted in favor of the motion.

JIMMY ROSE, Colfax Avenue

Mr. Rose commented on the negative impact from the increasing deer population in the town and suggested Passaic County Mayors form an alliance and appeal to the County to discuss the management of the overpopulation of deer throughout the County.

KEITH LOCKWOOD, Center Street

Mr. Lockwood thanked the Mayor and Council for sponsoring the 9/11 Ceremony this evening. Mr. Lockwood provided some family background on his ancestry and their past history and association with the Borough. Mr. Lockwood offered to assist with the planning of the Borough’s 125th Anniversary Celebration.

RANDY HINTON, Montclair Avenue

Mr. Hinton stated he attended Pompton Day and thanked Karen Murphy for her efforts. Mr. Hinton thanked the Governing Body for sponsoring the 9/11 Ceremony.

Mr. Hinton commented with his concerns for maintenance on the trails of the Morris Canal Greenway. Mayor Serra stated he would address the issue.

Mr. Hinton provided pamphlets for the spotted lanternfly and the emerald ash boar; invasive insects that pose a threat to shade trees. Mr. Hinton questioned how the Governing Body would like to address the issue and suggested sending pamphlets to residents. Mayor Serra stated a mailing is costly and he would continue to explore the matter.

PETER CHAZOTTE, Woodlawn Avenue

Mr. Chazotte commented on Ordinance 19-22 and questioned the duration for the PILOT agreement. Mayor Serra replied and stated the PILOT agreement would be for thirty years.

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

PRIVILEGE OF THE FLOOR: None

RESOLUTION TO ADJOURN INTO CLOSED SESSION: None

ADJOURNMENT:

Motion moved by Councilman Jaconetta, second by Councilwoman Reicher to Adjourn the Meeting at 9:02PM. All voted in favor of the motion.

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

September 11, 2019