

MINUTES OF THE JANUARY 4, 2023 REORGANIZATION MEETING

The following are the Minutes of the January 4, 2023 Reorganization Meeting of the Mayor and Council of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building at 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 6:30 pm.

Mayor Michael Serra read the Open Public Meetings Law Statement of Compliance and led participants in saluting the flag.

Elizabeth Brandsness, Municipal Clerk, read the results of the November 8, 2022 General Election results stating she was in receipt of the certification by Passaic County Clerk, Danielle Ireland-Imhof as follows:

William Baig received a total number of 2,191 votes and is elected to Council for a three-year term,

Jennifer Polidori received a total number of 2,252 votes and is elected to Council for a three-year term.

Administration of Official Oath of Office to Council Members

Senator Kristin Corrado, Senator Joe Pennacchio, Assemblymen Brian Bergen and Jay Webber join elected Council Members William Baig and Jennifer Polidori for the Oath of Office.

Mayor Serra requested a Roll Call of the 2023 Members of Council. Ms. Brandsness presented the roll call as follows: Mayor Michael Serra, Councilmen William Baig, Bobby Cruz, Ekamon Venin, and Councilwomen Maria Kent and Jennifer Polidori. Councilman Erik DeLine joined remotely.

Also in attendance, Borough Administrator, Paula Cozzarelli and Municipal Clerk, Elizabeth Brandsness.

Mayor Serra congratulated and thanked the newly elected Council Members and invited Councilman Baig and Councilwoman Polidori to address the public.

Councilman Baig and Councilwoman Polidori both thanked Senator Corrado, Senator Pennacchio, Assemblymen Bergen and Webber for attending the meeting and for administering the Oath of Office.

Councilman Baig reflected on his past involvement serving on the Board of Education and as a member of the Police Department. Councilman Baig stated he would like to thank all those who supported him and he looks forward to serving the residents.

Councilwoman Polidori thanked Councilman Baig for his advice and direction these many years and stated she was pleased to run alongside him. Councilwoman Polidori also thanked those who supported her and stated she would continue to proudly serve the residents of Pompton Lakes.

APPOINTMENTS:

Mayor Serra stated he is aware of concerns regarding the billing for legal services and requested the Governing Body move into Closed Session to discuss the appointment for Borough Attorney.

Attorney Doug Doyle, who represents the law firm of Decotiis, Fitzpatrick, Cole & Giblin, LLP, responded and stated he understands there are concerns related to the billing going back to May of 2022. Mr. Doyle assured the Governing Body and the taxpayers of the community that if there is an error in the billing, it would be corrected and if there are credits due to the Borough, they would be applied. Mr. Doyle also stated he is available to the Governing Body to answer any other general questions they may have concerning the Billing process. Mr. Doyle noted he would like to make sure everyone is comfortable and hopefully the firm will represent the Borough in the upcoming year.

Councilwoman Polidori stated she would like to table the appointment for the Borough Attorney at this time and hold a Closed Session in one week with Borough Attorney, Mark Semeraro present.

All were in favor of tabling the appointment of the Borough Attorney until the next Council Meeting and holding a Closed Session to further discuss the matter.

Mayor Serra noted the Attorney would be a holdover from the previous year. Mr. Doyle stated the holdover assures the Borough is not left without legal counsel.

Mayor Serra presented the following nominations for one-year appointments of the 2023 Borough Officials:

Councilwoman Polidori requested to also table the appointments of the Auditor and Risk Manager for one month. Councilwoman Polidori stated the postponement of the appointments would provide Council the opportunity to further review the Request for Qualifications submissions and to achieve a better understanding for the qualifications and ratings of the candidates.

After discussion, all were in favor of scheduling a Closed Session Meeting for January 25, 2022 with the Auditor and Risk Manager present along with other potential candidates for professional services. RFQ's will be discussed as well as review of rating scores.

ADOPTION OF 2023 BY-LAWS OF THE COUNCIL OF THE BOROUGH OF POMPTON LAKES:

- **Motion to approve the Re-adoption of the 2023, By-Laws of the Council of the Borough of Pompton Lakes by Councilman Cruz, Second by Councilman Venin.**

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

ONE-YEAR APPOINTMENTS:

Borough Administrator – Paula Cozzarelli

Borough Treasurer – Paula Cozzarelli

Borough Attorney -- Mark J. Semeraro, Esq., DeCotiis, Fitzpatrick, Cole, and Giblin, LLP (Tabled)

Borough Prosecutor – David C. Stanziale, LLC

Borough Public Defender – David A. Amadio

Borough Auditor – James Cerullo, Wielkotz & Company, LLC (Tabled)

Assessment Search Official – Elizabeth Brandsness

Tax Search Official – Meghan Mulraney

Bond Counsel - Robert Beinfield, Hawkins, Delafield and Wood, LLP

Insurance Risk Manager – Craig Josephson, Hundertmark Agency (Tabled)

Municipal Engineer – Ferriero Engineering

NOMINATION OF COUNCIL PRESIDENT/ASSIGNMENTS FOR 2023:

Mayor Serra presented the following nomination for Council President for 2023, Council Assignments and Appointments.

- **Motion moved by Councilwoman Polidori, second by Councilman Cruz to approve the Nominations for the 2023 one- year appointments of Borough Officials.**

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

COUNCIL PRESIDENT

Jennifer Polidori to serve as **Council President** for 2023.

- **Motion moved by Councilman Venin, second by Councilwoman Kent to Approve Nomination of Council President for 2023. All voted in favor of the motion.**

COUNCIL ASSIGNMENTS

CIVIC ACTIVITIES CHAIRMAN:

Mayor Serra to nominate **Bobby Cruz** to serve as **Civic Activities Chairman** for 2023.

FINANCE CHAIRMAN:

Mayor Serra to nominate **Ek Venin** to serve as **Finance Chairperson** for 2023.

LICENSE AND ORDINANCE CHAIRMAN:

Mayor Serra to nominate **Erik DeLine** to serve as **License and Ordinance Chairman** for 2023.

PUBLIC WORKS CHAIRMAN:

Mayor Serra to nominate **Maria Kent** to serve as **Public Works Chairperson** for 2023.

PUBLIC SAFETY CHAIRMAN:

Mayor Serra to nominate **Bill Baig** to serve as **Public Safety Chairman** for 2023.

NOMINATION OF COUNCIL MEMBERS:

Mayor Serra presented the following nominations for Council Members for 2023:

CIVIC ACTIVITIES MEMBER:

Mayor Serra to nominate **Erik DeLine** to serve as **Civic Activities Member** for 2023.

FINANCE MEMBERS:

Mayor Serra to nominate **Bill Baig and Maria Kent** to serve as **Finance and Personnel Members** for 2023.

LICENSE AND ORDINANCE MEMBER:

Mayor Serra to nominate **Bobby Cruz**, as **License and Ordinance Member** for 2023.

PUBLIC WORKS MEMBER:

Mayor Serra to nominate **Jennifer Polidori**, to serve as **Public Works Member** for 2023.

PUBLIC SAFETY MEMBER:

Mayor Serra to nominate **Ek Venin**, to serve as **Public Safety Member** for 2023.

COUNCIL LIAISONS:

Mayor Serra presented the following nominations for Council Liaison Appointments for 2023:

Maria Kent as Liaison to the **Recreation Commission**

Erik DeLine as Liaison to the **Library**

Bobby Cruz as Liaison to the **Municipal Alliance**

Bobby Cruz as Liaison to the **Board of Education**

Erik DeLine as Liaison to the **Veterans Committee**

Bill Baig as Liaison to the **Senior Citizens**

Bobby Cruz as Liaison to the **Youth Advisory/Sport Groups**

Ek Venin as Liaison to the **Historic Commission**

FINANCE AND PERSONNEL:

Ek Venin as Liaison to the **Borough Administrator**

Ek Venin as Liaison to the **Borough Treasurer**

Ek Venin as Liaison to the **Tax Collector**

Ek Venin as Liaison to the **Assessor**

Ek Venin as Liaison to the **Auditor**

Ek Venin, Bill Baig, Maria Kent as Liaisons to the **Salary Review Committee**

Bill Baig as Liaison to the **Board of Education**

Ek Venin as Liaison to the **Planning Board**

LICENSES AND ORDINANCES:

Erik DeLine as Liaison to the **Borough Attorney**

Erik DeLine as Liaison to the **Magistrate (courts)**

Erik DeLine as Liaison to the **Board of Adjustment**

Erik DeLine as Liaison to the **Building Inspector**

Maria Kent as Liaison to the **Shade Tree Commission**

PUBLIC WORKS (DPW):

Maria Kent as Liaison to **Streets and Roads**

Maria Kent as Liaison to **Buildings and Grounds**

Maria Kent as Liaison to **Parks and Playgrounds**

Maria Kent as Liaison to **Lighting**

Maria Kent as Liaison to **Borough Engineer**

Maria Kent as Liaison to **Environmental Protection Committee**

Maria Kent as Liaison to **Passaic County Solid Waste**

Maria Kent as Liaison to **Solid Waste and Recycling**

PUBLIC SAFETY:

Bill Baig as Liaison to **Police**

Bill Baig as Liaison to **Fire**

Bill Baig as Liaison to **First Aid**

Bill Baig as Liaison to **Police Reserve-Special Police Class II**

Bill Baig as Liaison to **Office of Emergency Management**

Bobby Cruz as Liaison to **CERT**

Maria Kent as Liaison to **Board of Health**

Maria Kent as Liaison to **North Jersey Flood Control**

Maria Kent as Liaison to **208 Water Quality N.E. Basin**

Erik DeLine as Liaison to **M.U.A.**

Maria Kent as Liaison to **Flood Advisory Board**

COUNCIL APPOINTMENTS:

Mayor Serra presented the following nominations for Council Appointments for 2023:

BUSINESS IMPROVEMENT DISTRICT:

Bill Baig as Liaison to the **Business Improvement**

ENVIRONMENTAL CAG:

Mike Serra as Liaison to the **Environmental CAG**

HEALTH CAG:

Mike Serra as Liaison to the **Health CAG**

CHAMBER OF COMMERCE:

Bill Baig as Liaison to the **Chamber of Commerce**

OPEN SPACE:

Mike Serra, Jennifer Polidori, Maria Kent as Liaisons to the **Open Space Committee**

FLOOD ADVISORY BOARD:

Maria Kent as Liaison to the **Flood Advisory Board**

TRAILS COMMITTEE:

Erik DeLine as Liaison to **Trails Committee**

REDEVELOPMENT AGENCY COMMITTEE:

Erik DeLine as Liaison to **Redevelopment Agency Committee**

FINANCE:

Ek Venin as Class III Member to the **Planning Board** (Finance Chair to delegate responsibility)

APPOINTMENTS:

POLICE:

Mayor Serra presented the following nominations Appointments for 2023:
(As directed by Police Chief Derek Clark)

Class II Special Officer Appointments:

Jason Ekkers, Walter J. Gosson, Thomas Kiritsis, Mark C. Sonne, Emily Butera and Hector Alcantara (term to 12/31/23)

(Special Officers will be sworn in at a later date)

Crossing Guard Appointments – Full Time:

Namalene Singh, Raymond Hollenstein, Marilyn Bellavia, Carol Smith, Stephen Rigoll, Joseph Hart, Marilyn Lane, Richard Pierce, Evelyn Zynczak, Christine Wheeler, William F. Brown, Jimmy Demarco, Robert Sudol, Jaquelin Foy, Scott McLaren and Doreen Apgar (term to 12/31/23)

Crossing Guards - Part-Time:

Wayne Miller, Stephanie Hunt, Emily Butera and Doreen Menary (term to 12/31/23)

Police Matron Appointments:

Sharon A. Sonne, Mildred B. Stires, Stephanie Hunt, Stephanie Phillippe, and Stacey Griffin (term to 12/31/23)

- **Motion moved by Councilman Baig, second by Councilman Venin to approve Class II Special Officers, crossing Guards, Police Matron Appointments. All voted in favor of the motion.**

BOARD/COMMISSION/COMMITTEE/AGENCY/COALITION APPOINTMENTS:

Mayor Serra presented the following Board Appointment nominations for 2023:

Board of Health:

Kelly Halewicz, Member (3 year term to 12/31/25), **Valarie Quigley**, Member (3- year term to 12/31/25)

Library Board:

Open Position, Trustee, 5-year term to 12/31/27, **Melissa Serra**, Mayor's Alternate (1 year term to 12/23)

Zoning Board of Adjustment:

Stephen Baig, Member (4 year term to 12/31/26), **Maureen Bernstock**, Member (4 year term To 12/31/26), **Jared Luciani**, Alternate #2 (2 year term to 12/31/24), **Open Position** Alternate #3 (2 year term to 12/31/24)

Planning Board:

Mike Serra, Class I (1-year term to 12/31/23), **Steve Edgeller**, Alternate #2, (2-year term to 12/31/24), **John Keating**, Class II (1-year term to 12/31/23), **Open Position**, Class IV (4-year term to 12/31/26), **Richard Fracaro**, Class IV (4-year term to 12/31/26), **Ek Venin**, Class III (1 year term to 12/31/23)

Flood Advisory Board:

Josephine Brown, Member (3-year term to 12/31/25), **Julie Doncoes**, Member, (3-year term to 12/31/25), **Lauren Simpson**, Member, (3-year term to 12/31/25)

COMMISSION APPOINTMENTS:

Historic Commission:

Edward Crowley, Alternate #2 (2-year term to 12/24), **Dr. Keith Lockwood**, Class B (4-year term to 12/26)

Recreation Commission:

Dana D'Amico, Commissioner (5 year term to 12/31/27), **Beth Wazani**, Commissioner, (to fill unexpired term until 12/31/25), **Bernadette Chillemi**, Commissioner, (to fill an unexpired term to 12/31/26), **Open Position**, Alternate #1 (unexpired term to 12/31/23), **Open Position**, Alternate #2 (5 year term to 12/31/27)

Shade Tree Commission:

Madeline Denti, Commissioner (5 year term to 12/27)

COMMITTEE APPOINTMENTS:**Awards Program Committee:**

Derek Clark, Chief of Police, Jason Ekkers, Fire Department Chief, Mark Sonne, First Aid Squad Chief, Citizen (Art Kaffka) (1 year term to 12/31/23)

Local Emergency Management Planning Committee:

Albert Evangelista, William Baig, Daniel Cottrel, Mayor Michael Serra, Paula Cozzarelli, Daniel O'Rourke, Tim Duffy, Derek Clark, Ryan Cichon, Jason Ekkers, Dennis Dakake, Mary Ann Orapello, Walter Gosson, Sharon Sonne, Mark Sonne, Richard Berdnik, Borough Engineer, Frank Truait, Nancy Franceschi, Deborah Ross, Michael London, John Wegele, Billy J. Doty, Paul Amoroso, Salvatore Poli, Trooper Joseph Palach, Rob Scott, Tom Kiritsis, Tilcon, Plant Manager/Safety Officer (1 year term to 12/31/23), Trends Reporter, (*Open*)

Environmental Committee:

Michael Sciacchetano, Member (3 year term to 12/31/25), **Chris Sudol**, (3 year term to 12/31/25)

Trails Committee:

Francis Beideman, Bill Brown, Josie Brown, Erin Chazotte, Cheryl Cruz, Cristianne Jennings, Lauren Venin (1-year term to 12/31/23)

AGENCY APPOINTMENTS:**Redevelopment Agency:**

Ken Ross Member (5 year term to 12/31/27), **Erik DeLine**, Member (1 year term to 12/31/23)

COALITION APPOINTMENTS:**Pompton Lakes Prevention Coalition:**

Bobby Cruz/Local Governmental Agency (Councilmember)

Brian Vanderstadt/Law Enforcement (Police)

Jake Herinko/School (Principal/Superintendent Designee)

Elizabeth Brandsness – Media (Borough Clerk)

Karen Murphy/Youth Serving Organization (Coordinator Youth-Teen Center)

Macie Loustan/Youth (Chairperson Youth Taskforce)

Barbara Murphy/Civic - Volunteer Group (Director Recreation Department)

Open Position/Business

Donna Andelora/Religious Group (St. Mary's Parish)

Sherrine Schultd/Organization – Reducing Substance Abuse (Prevention Coalition (W/P University)

Joan Sullivan/Parent Member)

Open Position (Business Official)

Paula Cozzarelli (Coalition Coordinator)

Open Position (Project Director)

(1-year term to 12/31/23)

- **Motion moved by Councilman Venin, second by Councilwoman Kent to approve Board, Commission, Committee, Agency, Coalition Appointments. All voted in favor of the motion.**

CONSENT AGENDA:

No Council Member Required Any Consent Agenda Item To Be Pulled 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 23-01 Designating Depositories For Borough Funds

2. Resolution 23-02 Authorizing Treasurer To Disburse Funds
3. Resolution 23-03 Authorizing A Temporary Budget For The Borough Of Pompton Lakes For The Year 2023
4. Resolution 23-04 To Authorize Treasurer To Transfer Funds Between Accounts For Investment Purposes and Payables
5. Resolution 23-05 To Approve Use Of Consent Agenda On All Future Council Agendas
6. Resolution 23-06 To Designate Official Newspapers
7. Resolution 23-07 To Establish Petty Cash Funds For Pompton Lakes Police Department and Finance Department
8. Resolution 23-08 To Establish Change Funds For The Office Of The Borough Clerk, The Office Of The Tax Collector, The Building Department, The Health Department, The Police Records Department and the Recycling Center
9. Resolution 23-09 Appointing The Public Agency Compliance Officer For 2023
10. Resolution 23-10 To Fix The Amount Of A Service Charge For Checks Returned For Insufficient Funds
11. Resolution 23-11 Authorizing The Tax Collector To Hold A Yearly Tax Sale
12. Resolution 23-12 Setting Forth The Rate Of Interest To Be Charged If Quarterly Taxes Exceed The Grace Period After Which They Are Payable
13. Resolution 23-13 To Appoint Tax Search Officer For 2023
14. Resolution 23-14 Appointing Official Tax Assessment Officer For 2023
15. Resolution 23-15 Authorizing The Municipal Clerk To Release Executive Session Minutes In Accordance With The Open Public Meetings Act
16. Resolution 23-16 Designating 2023 Council Meetings Borough Of Pompton Lakes
17. Resolution 23-17 Adopting Tower and Towing Fees For The Year 2023 As Required By Administrative Code Sections 5-23.1 (B TO D)
18. Resolution 23-18 Authorizing The Issuance Of A Towing License To Malanga’s Automotive
19. Resolution 23-19 of the Borough Council regarding Emergency Remote Meeting Protocol, Procedures And Requirements For Public Participation At Remote Meetings

➤ **Motion moved by *Councilwoman Polidori*, second by *Councilman Baig* to approve the Consent Agenda. All voted in favor of the motion.**

RESOLUTION 23-01

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Pompton Lakes finds and declares that State law requires the designation of one or more official depositories for municipal funds; and

BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, a municipal corporation of the State of New Jersey that the following Commercial Banks be designated as depositories for the Borough funds to the extent permitted by statutes:

Wells Fargo	115 Wanaque Avenue Pompton Lakes, N.J. 07442
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Bankers Trust Co. Custodian for State of N.J. Cash Management Fund Dean Witter Trust Company	2 Montgomery Street Jersey City, N.J. 07302
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Columbia Bank	413 Wanaque Avenue Pompton Lakes, N.J. 07442
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TD	1 Wanaque Avenue Pompton Lakes, N.J. 07442
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BE IT FURTHER RESOLVED that the Treasurer be authorized to transfer funds between depositories as the need of the Borough may require, and

BE IT FURTHER RESOLVED that no withdrawal will be made from any account in either depository except as authorized by statute or resolution of the Mayor and Council, and

RESOLUTION 23-02

BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, a municipal corporation of the State of New Jersey that the Treasurer is hereby authorized to disburse such sums of money as may be required from time to time to meet the Borough's payroll, hospitalization, surgical and other medical benefit premiums, pension contributions, social security taxes and such other tax levies or other payments as may be required by laws or regulation to be paid on date prior to regular meetings of the Mayor and Council.

BE IT FURTHER RESOLVED that the Treasurer, in the event it is necessary to make such a disbursement under the conditions specified above, will obtain and hereby directed to obtain, approval and confirmation of any such disbursements at the next succeeding meeting of the Mayor and Council.

RESOLUTION 23-03

WHEREAS: N.J.S.A. 40A:4-19 authorizes the adoption of a temporary budget to provide for payment of necessary expenses until a permanent budget is adopted; and

WHEREAS: the Mayor and Council desire to adopt a temporary budget for the year 2023;

NOW, THEREFORE, IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POMPTON LAKES, COUNTY OF PASSAIC, STATE OF NEW JERSEY THAT there be and there is hereby appropriated a sum not to exceed \$3,976,864.99 as per the attached detail, as the Temporary Budget for the year 2023.

YEAR 2023 TEMPORARY BUDGET

\$3,976,864.99

RESOLUTION 23-04

WHEREAS, the Borough of Pompton Lakes, a municipal corporation of the State of New Jersey, normally has total average balances in excess of \$200,000.00 in its various general, capital, public assistance, payroll and other accounts in its depositories,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to transfer these non-interest bearing accounts to negotiable certificates of deposit in either Borough depository in cooperation with the bank management's rate of interest, as prescribed in Reg. O, published by the Federal Reserve System on January 21, 1970, and

BE IT FURTHER RESOLVED, that the Treasurer is also authorized to transfer funds from savings deposits to checking accounts, and from checking accounts to savings deposits as the needs of the Borough may require, and

BE IT FURTHER RESOLVED, that the Treasurer's signature be affixed to any order of transfer of funds as heretofore outlined and authorized.

RESOLUTION 23-05

BE IT RESOLVED that the Clerk of the Borough of Pompton Lakes shall be directed to place in that portion of the Agenda known as the "**Consent Agenda**" any Resolutions not requiring more than the majority vote of the Council, and of which no Councilmember notifies said Clerk of their objections.

RESOLUTION 23-06

BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, a municipal corporation in the County of Passaic, New Jersey that the **SUBURBAN TRENDS, THE RECORD, THE HERALD NEWS, AND THE STAR LEDGER** are hereby designated the official newspapers for the publication of legal notices required by law to be published by the municipality, and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized to place any legal notices of the Borough in any newspaper authorized to carry such legal notices, if the needs and interest of the Borough are best served thereby.

RESOLUTION 23-07

WHEREAS, it is necessary from time to time to make minor cash purchases, not exceeding \$50.00 as the occasion arises for the Police Department and Borough Departments,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes that a Petty Cash fund of Fifty Dollars (\$50.00) be given to the Police Department, and Two Hundred Dollars (\$200.00) to the Finance Department. These funds are to be returned to the Borough's **GENERAL ACCOUNT** no later than the 24th day of December each year.

RESOLUTION 23-08

WHEREAS, it is necessary from time to time to make change as the occasion arises for the offices of the Municipal Clerk, Tax Collector, Building Department, Health Department, Police Records Department, and Recycling Center.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes that a fund of One Hundred Dollars (\$100.00) be maintained by the Municipal Clerk, a fund of Two Hundred Fifty Dollars (\$250.00) be maintained by the Tax Collector's Office, a fund of One Hundred Dollars (\$100.00) be maintained by the Building Department, a fund of One Hundred Dollars (\$100.00) be maintained by the Health Department, a fund of Fifty Dollars (\$50.00) be maintained by the Police Records Department, and a fund of Twenty-five Dollars (\$25.00) be maintained by the Recycling Center.

RESOLUTION 23-09

WHEREAS, N.J.A.C. 17:27-3.5 requires the Borough of Pompton Lakes to appoint a Public Agency Compliance Officer (hereinafter referred to as a P.A.C.O.); and

WHEREAS, the P.A.C.O. is the liaison between the Department of the Treasury, Division of Contract Compliance and the contract vendor, and

WHEREAS, the P.A.C.O. also serves as the Borough's point of contact for all matters concerning the implementation and administration of Department of the Treasury regulations and statutes including but not limited to contract procedures pertaining to equal opportunity in connection with contract vendors and construction contractors; and

WHEREAS, the Mayor and Council desire to comply with applicable laws and regulations in this matter.

NOW, THEREFORE, IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POMPTON LAKES THAT Paula Cozzarelli shall be and is hereby appointed to be the Public Agency Compliance Officer for the Borough of Pompton Lakes.

RESOLUTION 23-10

BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, as follows:

1. A service charge shall be added to any account owing to the municipality if payment tendered on the account was by a check or other written instrument which was returned for insufficient funds;
2. Whenever an account owing to the municipality is for a Tax or Special Assessment, the service charge shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien. The service charge shall be \$20.00 per check or other written instrument.

RESOLUTION 23-11

WHEREAS, Chapter 99, P.L. of 1997, known as N.J.S.A. 54:5-19 directs the Tax Collector to hold a yearly tax sale; and

WHEREAS, Chapter 99, P.L. of 1999, known as N.J.S.A. 54:5-26 and N.J.S.A. 54:4-104.48 permits a maximum fee of \$25.00 for making a notice of tax sale for each of two weeks proceeding the date of the tax sale; and

WHEREAS, the Tax Collector is responsible for property tax collection;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Pompton Lakes authorizes the Tax Collector to hold a yearly tax sale per State statute and to charge \$25.00 for each of two tax sale mailings.

RESOLUTON 23-12

WHEREAS, R.S. 54:4-66 provides that taxes are payable in quarterly installments on February 1st, May 1st, August 1st, and November 1st in each year, and

WHEREAS, N.J.S.A. 40:56-32 provides that installments on assessment are due on the anniversary of the second month following their confirmation, and

WHEREAS, N.J.S.A. 54:4-67 authorized municipalities to provide a grace period not exceeding ten days without additional charge for interest; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes that no interest shall be charged if any installment of taxes is made within the tenth calendar day following the date on which the same becomes payable, but when an installment is received after the expiration of the grace period, the delinquent balance shall bear interest from the due date at a rate of 8% per annum on that portion of the delinquency which is less than or equal to \$1,500 and at 18% per annum on that portion of the delinquency which is in excess of \$1,500.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes that the Tax Collector be and is hereby authorized to charge an additional 6% penalty on a total delinquency in excess of \$10,000 at year end in accordance with R.S. 54:4-67, Chapter 75, PL 1991.

RESOLUTION 23-13

BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, a municipal corporation in the County of Passaic, that **MEGHAN MULRANEY** be and is hereby appointed as the **OFFICIAL TAX SEARCH OFFICER** of the Borough of Pompton Lakes for the year 2023.

RESOLUTION 23-14

BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, a municipal corporation in the County of Passaic, that **ELIZABETH BRANDSNESS** be and is hereby appointed as the **OFFICIAL ASSESSMENT SEARCH OFFICER** of the Borough of Pompton Lakes for the year 2023.

RESOLUITON 23-15

WHEREAS, the Open Public Meetings Act calls for the production of minutes from Executive Sessions and provides for said minutes to remain privileged communications - confidential until such time that same, pursuant to law, shall be released to the public; and

WHEREAS, the Mayor and Borough Council periodically review and approve Executive Session minutes as to their completeness; and

WHEREAS, subsequent to said approval, minutes may become available to the public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that the Municipal Clerk shall have the authority to release Executive Session minutes to the public upon request after consultation with the Municipal Attorney and it is determined that the specific Executive Session minutes in accordance with the law be released to the public.

BE IT FURTHER RESOLVED that this Resolution shall be considered on an annual basis at the Reorganization Meeting of the Mayor and Council.

RESOLUTION 23-16

WHEREAS, Public Laws of 1975, Chapter 23, Open Public Meetings Act, permits the Mayor and Council to establish a schedule of regular Council Meetings,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes:

1. The Meetings will be held in the Municipal Building,
25 Lenox Avenue, Pompton Lakes, NJ 07442
2. The Meetings will begin at 7:30pm.
3. Special Meetings may be called by the Mayor as required.
4. The dates for the Regular Council Meetings are as follows:

January 4, 2023– 6:30pm	Reorganization Meeting
January 11 and 25, 2023	July 19, 2023
February 8 and 22, 2023	August 16, 2023
March 8 and 22, 2023	September 13 and 27, 2023
April 12 and 26, 2023	October 11 and 25, 2023
May 10 and 24, 2023	November 8, 2023
June 14 and 28, 2023	December 6, 2023

The Agenda format for the Regular Meeting is as follows:

1. Call to Order, Prayer, Flag Salute, Statement of Compliance, Roll Call, Borough Officers, Mayor Presentations
2. Meeting Open for Public Comment
3. Approval of Minutes
4. Authorized Bills and Claims
5. Presentation of Petitions
6. Consent Agenda - Resolutions
7. Resolutions for Separate Action
8. Introduction of Ordinances – First Reading
9. Ordinances for Second Reading and Adoption
10. Mayor’s Report
11. Council Committee Reports
12. Tabled Items
13. Meeting Open for Public Comment
14. Privilege of the Floor
15. Adjourn to Executive Session When Required
16. Adjournment

All Meetings will be conducted under the Roberts Rules of Order Parliamentary Procedure.

This Resolution shall be mailed to the Suburban Trends, the Record, and the Star Ledger Newspapers, posted on the bulletin board in the Municipal Building and mailed to any who request and pay for same.

RESOLUTION 23-17

WHEREAS, the Borough Administrative Code, §5-23.1 (B), (C) and (D) require that the Mayor and Council adopt a fee schedule for Towers and Towing within the Borough.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that the following Tower and Towing fees are hereby adopted for the year 2023.

1. The fees set forth in the fee schedule below are adopted pursuant to NJSA 56:13-16 (i).
2. Towers may not assess charges in excess of the attached schedule during the year 2023.

3. FEE SCHEDULE

CARS (LIGHT)	\$150.00 PER HOUR PLUS PARTS
TRUCKS (MEDIUM/ HEAVY)	\$200.00 PER HOUR PLUS PARTS

TOWING – Basic

LIGHT DUTY- up to 10,000 lbs.	HOOK-UP \$155
MEDIUM DUTY- 10,001-16,000 lbs.	\$300.00 PER HOUR
HEAVY DUTY- 16,001 and above	\$500.00 PER HOUR
DECOUPLING FEE (IF TOW IS NOT PERFORMED)	½ OF BASIC RATE

ON-HOOK MILEAGE

LIGHT DUTY	\$7.00/ PER LOADED MILES
MEDIUM DUTY	N/A
HEAVY DUTY	N/A

RECOVERY/ WINCHING (In Addition to Towing – per truck including driver)

LIGHT/ MEDIUM DUTY 10,001-16,000 lbs.	\$350.00 PER HOUR CHARGED IN ½ HOUR INCREMENTS OF \$175.00 PER ½ HOUR
HEAVY DUTY 16,001 and above	\$650.00 PER HOUR

SPECIALIZED RECOVERY EQUIPMENT

ROTATOR/ CRANE RECOVERY UNIT	\$1200.00 PER HOUR
TRACTOR WITH LANDOLL TRAILER OR DETACH TRAILER	\$500.00 PER HOUR
TRACTOR/ TRANSPORT HAULER ONLY	\$350.00 PER HOUR
REFRIGERATED TRAILER W/ TRACTOR	\$550.00 PER HOUR
BOX TRAILER W/ TRACTOR	\$500.00 PER HOUR
AIR CUSHION UNIT	\$1000.00 PER HOUR
LIGHT TOWER	\$250.00 PER HOUR
PALLET JACK	\$200.00 FLAT RATE
ROLLERS	\$200.00 FLAT RATE
ANY OTHER SPECIALIZED EQUIPMENT	\$300.00 PER HOUR
LOADER/ BACKHOE/ TELESCOPIC HANDLER/ BULLDOZER/ BOBCAT	\$400.00 PER HOUR EACH
FORKLIFT	\$400.00 PER HOUR
DUMP TRUCK/ DUMP TRAILER W/ TRACTOR	\$400.00 PER HOUR
ROLL-OFF WITH CONTAINER	\$400.00 PER HOUR PLUS DISPOSAL
RECOVERY SUPERVISOR VEHICLE	\$150.00 PER HOUR
SCENE SAFETY EQUIPMENT, COMMUNICATION EQUIPMENT, TRAFFIC MANAGEMENT EQUIPMENT, ETC.	\$250.00 PER HOUR EACH TYPE USED
RECOVERY SUPPORT VEHICLE/ TRAILER ADDITIONAL RECOVERY EQUIPMENT	\$350.00 PER HOUR

LABOR- ALL LABOR MIN OF 1 HOUR

ACCIDENT MINOR CLEAN-UP AND DISPOSAL OF DEBRIS	\$75.00 PER HOUR ONE HOUR MINIMUM PLUS ABSORBANT MATERIALS USED
RECOVERY SUPERVISOR AND/ OR LEVEL III RECOVERY SPECIALIST	\$250.00 PER HOUR *CHARGES LIMITED TO 1 PER INCIDENT
CERTIFIED TOWING OPERATOR	\$125.00 HOUR PER MAN
MANUAL LABORERS	\$125.00 PER HOUR PER MAN

STORAGE – PER CALENDAR DAY (INSIDE RATES TWO TIMES OUTSIDE RATE)

CARS/ LIGHT TRUCKS -10' X 20' SPACE	\$50.00 PER DAY
TRUCKS (DUAL WHEELS)/ SINGLE AXLE	\$125.00 PER DAY
TRACTOR/ DUMP TRUCK/ TRACTOR AND TRAILER COMBO/ TRAILERS	\$125.00 PER UNIT PER DAY
BUSES	\$150.00 PER DAY

ROLL-OFF	\$125.00 PER DAY FOR EACH
CARGO/ACCIDENT DEBRIS/ LOAD STORAGE/ VEHICLE COMPONENTS 10' x 20' SPACE	\$50.00 PER SPACE USED PER DAY
RENTAL OF ANY TOW COMPANY SUPPLIED TRAILER POST INCIDENT	\$500.00 PER DAY

**** STORAGE BILLED PER CALENDAR DAY****

ADDITIONAL SERVICES/ NOTES

FUEL/ HAZ-MAT/ CARGO SPILLS CLEAN-UP AND DISPOSAL	TIME AND MATERIAL
HAZMAT AND TRASH RECOVERY	SURCHARGED 10%
SUBCONTRACTOR MARK-UP	20%
ADMINISTRATIVE CHARGE ONLY AFTER 3 RD VISIT TO VEHICLE	CARS ONLY - \$50.00
ADMINISTRATION CHARGE	MEDIUM/ HEAVY TRUCK - \$200.00
AFTER HOURS RELEASE	\$85.00
NOTIFICATION DOCUMENTATION FEE	\$75.00
TARPING/ WRAPPING VEHICLE	\$90.00 PER CAR \$250.00 PER TRUCK
FUEL SURCHARGE	ACTIVATED NOVEMBER 2022

NOTE: AFTER THE FIRST HOUR, ALL HOURLY BILLABLE RATES WILL BE CHARGED IN HALF HOUR INCREMENTS.

****CHARGES FOR ALL TRUCKS/RECOVERY EQUIPMENT ARE INCLUSIVE OF THE OPERATOR. YOU MAY NOT SEPARATELY CHARGE FOR AN OPERATOR THAT DRIVES/OPERATES THE TRUCK/RECOVERY EQUIPMENT.**

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

RESOLUTION 23-18

WHEREAS, N.J.S.A. 40:48-2.49 authorizes municipalities to establish by ordinance reasonable, non-exclusionary and non-discriminatory regulations for the towing and storage of vehicles;

WHEREAS, the Mayor and Council has established criteria and procedures for the selection of towing contractors for the Borough of Pompton Lakes and shall at a public meeting, consider the issuance of a license; and

WHEREAS, Malanga’s Automotive, 39 Hamburg Turnpike, Riverdale has made proper application and documentation for licensing towing operators; and

WHEREAS, an investigation and inspection has been completed by the Police Department and that nothing of a prohibitive nature was revealed and have recommended to proceed in this matter in regards to the applicant; and

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. Authorizes the issuance of a license to Malanga’s Automotive and the Borough Clerk shall issue the license
2. That the above named party adhere to all rules and regulations for enforcing towing road services and storage of vehicles or be subject to sanction and/or termination.
3. Annual license fee \$100.00 and term of the license to expire December 31, 2023
4. This resolution shall take effect immediately upon adoption according to law.

RESOLUTION 23-19

WHEREAS, the purpose of N.J.A.C. 5:39-1 et seq, Emergency Remote Meeting Protocol for Local Public Bodies, is to ensure that local public bodies can continue to conduct official business in

an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public; and

WHEREAS, a "Declared Emergency" means a public health emergency pursuant to the Health Powers Act (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

WHEREAS, if during a declared emergency the Borough of Pompton Lakes (the "Borough") holds a physical meeting in a location where, pursuant to State/Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting, the Borough Council shall either:

- 1) Hold the public meeting at another location with adequate capacity for the reasonable expected attendance by the public; or
- 2) Hold the public meeting as both an in-person and a remote public meeting; and

WHEREAS, no in person meeting shall proceed if the room capacity does not permit any member of the public to attend; and

WHEREAS, a public meeting held in person shall not prohibit members of the public from attending in person; and

WHEREAS, pursuant to N.J.A.C. 5:39-1, if the Borough holds a remote meeting to conduct public business they shall use electronic communication technology routinely used in business settings that can be accessed by the **public** at no cost **and** with participant capacity consistent with the reasonable expectations of the public body for the type of public meeting being held and shall, at minimum, not be limited to fewer than 50 public participants (beyond those persons required to conduct business at the meeting); and

WHEREAS, remote public meetings may be held by the Borough in a format as selected by the governing body, by means including but not limited to, audio-only teleconferencing, electronic communications platforms with video and audio or live streaming via the internet and shall, additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment; and

WHEREAS, when the Borough holds a remote public meeting they shall allow members of the public to make public comment by audio or by audio and video if the meeting is being held over both; and

WHEREAS, any remote public meeting where sworn testimony is being taken shall be broadcast by video as well as audio and all individuals giving sworn testimony shall appear by video in addition to audio; and

WHEREAS, any presentation or documents that would otherwise be viewed or made available to members of the public physically attending a local public meeting shall be made visible on a video broadcast of the remote public meeting or made available on the internet website of the Borough; and

WHEREAS, in addition to making public comments at any remote public meeting, the Borough Council, in advance of the remote meeting shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form by a reasonable deadline as shall be established and posted on the website in advance of the remote public meeting; and

WHEREAS, public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and

WHEREAS, a reasonable time limit shall be placed on the reading of written comments, which shall be read from their beginning until the time limit is reached; and

WHEREAS, the electronic communications used for a remote public meeting shall have a function that allows the Borough to mute the audio of all members of the public as well as allow members of the public to mute themselves and same shall be announced at the beginning of every remote public session; and

WHEREAS, adequate notice of the remote public meeting shall also include, in addition to the OPMA requirements of N.J.S.A. 10: 4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on their internet website in the manner as set forth at N.J.A.C. 5:39-1.5; and

WHEREAS, at the commencement of a remote public meeting the Borough Clerk shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason or reasons it was not adequately provided as set forth in N.J.A.C. 5:39-1.5(g); and

WHEREAS, prior to the commencement of a remote public meeting the Borough Council shall make a copy of the agenda available to the public for download on the website and shall post same at the building where the meeting would otherwise be held, including posting of same at any designated and clearly delineated handicap access entrance to the building; and

WHEREAS, in support of and respect for an open, fair and informed decision-making process, the Borough Council recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

WHEREAS, in an effort to preserve the intent of open government and maintain a positive environment for citizen input and Borough Council decision making, it has been decided that policies and rules should be established to promote civility and maintain decorum at local public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h); and

WHEREAS, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Mayor or his designee or the Borough Manager shall mute or continue muting the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

WHEREAS, disruptive conduct at a public or remote public meeting includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity; and

WHEREAS, any member of the public who continues to act in a disruptive manner at a remote public meeting after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and

WHEREAS, if time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment and, if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting; and

WHEREAS, the content of the electronic notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person and the notice must be viewable from the outside; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Pompton Lakes that the standards and procedures for emergency remote meeting protocol as set forth in this resolution and as codified in N.J.A.C. 5:39-1 et seq. are hereby established and adopted; and

BE IT FURTHER RESOLVED that procedures and requirements for public participation are hereby established and adopted in order to safeguard public participation in any public or remote public meetings in the Borough of Pompton Lakes and shall apply to all members of the public in attendance at any public or remote public meeting in the Borough of Pompton Lakes

RESOLUTIONS FOR SEPARATE ACTION:

1. **Resolution 23-20** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Engineering Services To Ferriero Engineering Inc.

Motion to Approve Resolution 23-20 Councilman Baig, second Councilwoman Kent.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

2. **TABLED - Resolution 23-21** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Attorney Services To Decotiis, Fitzpatrick, Cole, And Giblin, LLP

Motion to Table Resolution 23-21 Councilwoman Polidori, Second Councilman Baig.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

3. **TABLED -Resolution 23-22** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Risk Manage Services To David M. Hundertmark Agency Inc.

Motion to Table Resolution 23-22 Councilman Cruz, Second Councilwoman Polidori.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

4. **Resolution 23-23** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Grant Writing Services To Millennium Strategies LLC

Motion to Approve Resolution 23-23 Councilwoman Kent, Second Councilman Venin.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

5. **Resolution 23-24** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Municipal Planner Services To Colliers Engineering & Design

Motion To Approve Resolution 23-24 Councilman Baig, Second Councilman Venin.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

6. **TABLED - Resolution 23-25** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Municipal Auditor Services To Wielkotz & Company LLC

Motion to Table Resolution 23-25 Councilwoman Polidori, Second a Councilman Cruz.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

7. **Resolution 23-26** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Information Technology Services To Quikteks

Motion To Approve Resolution 23-26 Councilman Venin, Second Councilwoman Kent.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

8. **Resolution 23-27** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Labor Attorney Services To Apruzzese, Mcdermott, Maestro & Murphy, P.C.

Motion to Approve Resolution 23-27 Councilman Baig, Second Councilman Venin.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

9. **Resolution 23-28** Resolution Of The Borough Of Pompton Lakes Authorizing The Award Of A Contract For Professional Bond Counsel Services To Hawkins, Delafield & Wood LLP

Motion To Approve Resolution 23-28 Councilman Cruz, Second Councilwoman Kent.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

10. **Resolution 23-29** Resolution Confirming Appointment Of AHS Hospital Corp. For Public Health Nursing Services Pursuant To Contract – January 1, 2023 Through December 31, 2023

Motion To Approve Resolution 23-29 Councilwoman Polidori, Second Councilman Baig.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

11. **Resolution 23-30** Resolution Confirming Appointment Of Atlantic Health System / Chilton Medical Center As The Official Facility For Occupational Health Services Pursuant To Contract – January 1, 2023 Through December 21, 2023

Motion To Approve Resolution 23-30 Councilman Venin, Second Councilwoman Polidori.

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

RESOLUTION 23-20

WHEREAS, the Borough of Pompton Lakes has a need to acquire professional Engineering Services for the year of 2023; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40:11-1 et seq. provides for the award of professional services without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay to Play Law", N.J.S.A. 19:44-20.5 the Borough sought professionals to perform the desired professional services through the use of a "fair and open" process as defined in N.J.S.A. 19:44A:20.7; and

WHEREAS, as required by law the Borough solicited a Request for Qualifications for professional services through the utilization of the Borough and NJ League of Municipalities' websites and opened and read aloud submissions on December 8, 2022; and

WHEREAS, the Treasurer has certified that funds will be made available in the 2023 temporary and adopted budgets to cover the cost of solicited services; and

WHEREAS, the term of the contract shall be January 1, 2023 through December 31, 2023; and

WHEREAS, Ferriero Engineering Inc. has submitted required documentation pursuant to N.J.S.A.: 10:5-31 et seq., 52:32-44 et seq., N.J.A.C. 17:27-1 et seq. and 19:44A – 20.27 (advisory only).

NOW THEREFORE BE IT RESOLVED, this 4th day of January, 2023 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The award of contract for professional engineering services be awarded to Ferriero Engineering Inc., 180 Main St., P.O. Box 571, Chester, NJ 07930 as set forth in the professional's response to the Request for Qualifications.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract with Ferriero Engineering Inc.

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.

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

RESOLUTION 23-21 - TABLED**RESOLUTION 23-22 - TABLED****RESOLUTION 23-23**

WHEREAS, the Borough of Pompton Lakes has a need to acquire professional Grant Writing Services for the year of 2023; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40:11-1 et seq. provides for the award of professional services without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay to Play Law", N.J.S.A. 19:44-20.5 the Borough sought professionals to perform the desired professional services through the use of a "fair and open" process as defined in N.J.S.A. 19:44A:20.7; and

WHEREAS, as required by law the Borough solicited a Request for Qualifications for professional services through the utilization of the Borough and NJ League of Municipalities' websites and opened and read aloud submissions on December 8, 2022; and

WHEREAS, the Treasurer has certified that funds will be made available in the 2023 temporary and adopted budgets to cover the cost of solicited services; and

WHEREAS, the term of the contract shall be January 1, 2023 through December 31, 2023; and

WHEREAS, Millennium Strategies LLC **has** submitted required documentation pursuant to N.J.S.A.: 10:5-31 et seq., 52:32-44 et seq., N.J.A.C. 17:27-1 et seq. and 19:44A - 20.27 (advisory only).

NOW THEREFORE BE IT RESOLVED, this 4th day of January, 2023 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

3. The award of contract for professional engineering services be awarded to Millennium Strategies LLC, 60 Columbia Road, Building B, Suite 230, Morristown, NJ, 07960 as set forth in the professional's response to the Request for Qualifications.
4. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract with Millennium Strategies LLC.

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.

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

RESOLUTION 23-24

WHEREAS, the Borough of Pompton Lakes has a need to acquire professional Municipal Planner Services for the year of 2023; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40:11-1 et seq. provides for the award of professional services without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay to Play Law", N.J.S.A. 19:44-20.5 the Borough sought professionals to perform the desired professional services through the use of a "fair and open" process as defined in N.J.S.A. 19:44A:20.7; and

WHEREAS, as required by law the Borough solicited a Request for Qualifications for professional services through the utilization of the Borough and NJ League of Municipalities' websites and opened and read aloud submissions on December 8, 2022; and

WHEREAS, the Treasurer has certified that funds will be made available in the 2023 temporary and adopted budgets to cover the cost of solicited services; and

WHEREAS, the term of the contract shall be January 1, 2023 through December 31, 2023; and

WHEREAS, Colliers Engineering & Design has submitted required documentation pursuant to N.J.S.A.: 10:5-31 et seq., 52:32-44 et seq., N.J.A.C. 17:27-1 et seq. and 19:44A - 20.27 (advisory only).

NOW THEREFORE BE IT RESOLVED, this 4th day of January, 2023 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The award of contract for professional engineering services be awarded to Colliers Engineering & Design, 331 Newman Springs Road - Suite 203, Red Bank, NJ 07701 07960 as set forth in the professional's response to the Request for Qualifications.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract with Colliers Engineering & Design.

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.

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

RESOLUTION 23-25 - TABLED

RESOLUTION 23-26

WHEREAS, the Borough of Pompton Lakes has a need to acquire professional Information Technology Services for the year of 2023; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40:11-1 et seq. provides for the award of professional services without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

WHEREAS, pursuant to the New Jersey Local Unit "Pay to Play Law", N.J.S.A. 19:44-20.5 the Borough sought professionals to perform the desired professional services through the use of a "fair and open" process as defined in N.J.S.A. 19:44A:20.7; and

WHEREAS, as required by law the Borough solicited a Request for Qualifications for professional services through the utilization of the Borough and NJ League of Municipalities' websites and opened and read aloud submissions on December 8, 2022; and

WHEREAS, the Treasurer has certified that funds will be made available in the 2023 temporary and adopted budgets to cover the cost of solicited services; and

WHEREAS, the term of the contract shall be January 1, 2023 through December 31, 2023; and

WHEREAS, Quikteks has submitted required documentation pursuant to N.J.S.A.: 10:5-31 et seq., 52:32-44 et seq., N.J.A.C. 17:27-1 et seq. and 19:44A - 20.27 (advisory only).

NOW THEREFORE BE IT RESOLVED, this 4th day of January, 2023 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The award of contract for professional engineering services be awarded to Quikteks, 373E Route 46 west, Fairfield, NJ 07004 as set forth in the professional's response to the Request for Qualifications.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract with Quikteks.

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.

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

RESOLUTION 23-27

WHEREAS, the Borough of Pompton Lakes has a need to acquire professional Labor Attorney Services for the year of 2023; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40:11-1 et seq. provides for the award of professional services without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

WHEREAS, pursuant to the New Jersey Local Unit “Pay to Play Law”, N.J.S.A. 19:44-20.5 the Borough sought professionals to perform the desired professional services through the use of a “fair and open” process as defined in N.J.S.A. 19:44A:20.7; and

WHEREAS, as required by law the Borough solicited a Request for Qualifications for professional services through the utilization of the Borough and NJ League of Municipalities’ websites and opened and read aloud submissions on December 8, 2022; and

WHEREAS, the Treasurer has certified that funds will be made available in the 2023 temporary and adopted budgets to cover the cost of solicited services; and

WHEREAS, the term of the contract shall be January 1, 2023 through December 31, 2023; and

WHEREAS, Apruzzese, McDermott, Mastro & Murphy, P.C. has submitted required documentation pursuant to N.J.S.A.: 10:5-31 et seq., 52:32-44 et seq., N.J.A.C. 17:27-1 et seq. and 19:44A - 20.27 (advisory only).

NOW THEREFORE BE IT RESOLVED, this 4th day of January, 2023 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The award of contract for professional engineering services be awarded to Apruzzese, McDermott, Mastro & Murphy, P.C. 25 Independence Boulevard, PO Box 112, Liberty Corner, NJ 07938 as set forth in the professional’s response to the Request for Qualifications.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract with Apruzzese, McDermott, Mastro & Murphy, P.C.

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.

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

RESOLUTION 23-28

WHEREAS, the Borough of Pompton Lakes has a need to acquire professional Bond Counsel Services for the year of 2023; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40:11-1 et seq. provides for the award of professional services without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

WHEREAS, pursuant to the New Jersey Local Unit “Pay to Play Law”, N.J.S.A. 19:44-20.5 the Borough sought professionals to perform the desired professional services through the use of a “fair and open” process as defined in N.J.S.A. 19:44A:20.7; and

WHEREAS, as required by law the Borough solicited a Request for Qualifications for professional services through the utilization of the Borough and NJ League of Municipalities’ websites and opened and read aloud submissions on December 8, 2022; and

WHEREAS, the Treasurer has certified that funds will be made available in the 2023 temporary and adopted budgets to cover the cost of solicited services; and

WHEREAS, the term of the contract shall be January 1, 2023 through December 31, 2023; and

WHEREAS, Hawkins, Delafield & Wood LLP has submitted required documentation pursuant to N.J.S.A.: 10:5-31 et seq., 52:32-44 et seq., N.J.A.C. 17:27-1 et seq. and 19:44A - 20.27 (advisory only).

NOW THEREFORE BE IT RESOLVED, this 4th day of January, 2023 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The award of contract for professional engineering services be awarded to Hawkins, Delafield & Wood LLP, 1 Gateway Center – 24th Floor, Newark, NJ 07102 as set forth in the professional's response to the Request for Qualifications.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract with Hawkins, Delafield & Wood LLP.

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.

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

RESOLUTION 23-29

BE IT RESOLVED by the Municipal Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that the appointment of AHS Hospital Corp., 475 South Street, Morristown, New Jersey for Public Health Nursing Services is hereby confirmed, subject to the execution of contract by and between the parties and the provision of such documents as required by NJSA 19:44-20.5 for the award of a contract.

BE IT RESOLVED that AHS Hospital Corp. is a 501-(c)(3) nonprofit organization not subject to pay-to-play disclosure laws.

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.

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

RESOLUTION 23-30

BE IT RESOLVED by the Municipal Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that the appointment of Atlantic Health System/Chilton Medical Center, 97 West Parkway, Pompton Plains, New Jersey as the Official Facility for Occupational Health Services located at 242 West Parkway, Pompton Plains, New Jersey is hereby confirmed, subject to the execution of a contract by and between the parties and the provision of such documents as required by State statute for contracts to be awarded for non-fair and open appointments.

BE IT RESOLVED that Atlantic Health System / Chilton Medical Center is a 501-(c)(3) nonprofit organization not subject to pay-to-play disclosure laws.

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.

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

INTRODUCTION OF ORDINANCES – FIRST READING AND INTRODUCTION (*These Ordinances will be presented for Second Reading and Final Adoption on January 25, 2023*)

ORDINANCE 23-01

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

ORDINANCE 23-02

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

ORDINANCE 23-03

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

ORDINANCE 23-04

AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES BOARD OF EDUCATION

- **Motion to approve Ordinance No. 23-01, 23-02, 23-03 & 23-04 for Introduction Councilman Baig, Second Councilman Venin.**

Roll Call: Baig yes, Cruz yes, DeLine yes, Kent yes, Polidori yes, Venin yes.

ORDINANCES FOR SECOND READING AND FINAL ADOPTION: None.

PROFESSIONAL REPORTS:

Attorney Doyle had no report

ADMINISTRATOR'S REPORT:

- noted we are moving into the 2023 budget year
- the Borough continues to move along with approved programs
- recently applied for a FEMA Grant for COVID relief funding for disinfection and sanitizing public areas
- congratulated Council President Polidori and Councilman Baig on their re-election
- wished everyone a Happy and Healthy New Year

MAYOR SERRA'S NEW YEARS DAY ADDRESS:

Mayor Serra wished everyone a happy and prosperous New Year and thanked all first responders who have provided the Borough with outstanding service during the past year. Mayor Serra also thanked the teachers for their devotion in providing excellent educational services to our students along with the Borough staff.

Mayor Serra reminded the community of the time capsule that is buried in the Library front lawn scheduled to be opened on January 1, 2050

Mayor Serra once again congratulated *Councilman Baig* and *Councilwoman Polidori* on their appointments and stated he looks forward to working with them.

MEETING OPEN FOR PUBLIC COMMENTS:

- **Motion moved by Councilwoman Polidori, second by Councilwoman Kent to Open the Meeting for public comments. All voted in favor of the motion.**

RANDY HINTON, Montclair Avenue

Mr. Hinton congratulated Councilwoman Polidori and Councilman Baig on their appointments. Mr. Hinton inquired as to why there is only one public session in tonight's meeting and also questioned why the adoption of the By-laws states "2023" by-laws.

Mayor Serra responded and stated the Reorganization meeting has one public session opposed to regular council meetings that have two.

Attorney Doyle responded as to Mr. Hinton’s inquiry of the Borough By-laws stating the By-laws are readopted each year and this year the 2023 By-Laws are adopted as such, next year the 2024, By-Laws will be adopted and so forth each year.

Mr. Hinton wished everyone a Happy New Year.

DAVID FARANICK, Federal Hill Road

Commented on the Borough Christmas decorations and requested the Borough consider putting decorations on the south end of town next year.

Mayor Serra stated he will consider the request and speak to the Business Improvement District on the matter.

- **Motion moved by Councilman Venin, second by Councilman Cruz to Close the Meeting for public comments. All voted in favor of the motion.**

ADJOURNMENT:

- **Motion moved by Councilwoman Polidori, second by Councilman Baig to adjourn the meeting at 7:08 PM. All voted in favor of the motion.**

ATTEST _____
ELIZABETH BRANDSNESS, RMC
Municipal Clerk

APPROVED BY: _____
MICHAEL A. SERRA
Mayor

January 4, 2023