

MINUTES OF THE MARCH 8, 2023 REGULAR COUNCIL MEETING

The following are the Minutes of the March 8, 2023 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 Serra read a short prayer and led participants in saluting the flag. He then read the Open Public Meeting Law Statement of Compliance.

A Roll Call indicated the following members were present: Mayor Michael Serra, Council President Jennifer Polidori, Councilmen William Baig, Ekamon Venin, Erik DeLine and Councilwoman Maria Kent. Councilman Bobby Cruz was excused from the Meeting.

Also present were Borough Attorney, Mark Semeraro, Borough Administrator, Paula Cozzarelli and Borough Clerk, Elizabeth Brandsness.

MAYOR PRESENTATION AND UPDATES: None

MEETING OPEN FOR PUBLIC COMMENTS:

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

GARDNER SEMET, Summit Avenue

Mr. Semet stated there was a loss of power in the area of Summit Avenue, Glen Court and parts of Hill Top Court due to a fallen tree and expressed his concerns with trees in the area. Mr. Semet stated the deer invade the underbrush causing the soil to recede and the tree canopy to break down. Mr. Semet suggested ways to manage the deer population and the purchase of a bucket truck to assist with the removal of trees.

Mayor Serra responded and stated several concerns would need to be addressed prior to the purchase of a bucket truck; liability, maintenance costs and training. Mayor Serra stated the fallen tree was on the removal list submitted by the Shade Tree Commission. Ms. Cozzarelli commented on the Budget process and stated trees that are deemed dangerous should be removed. Mayor Serra stated the Shade Tree Commission should continue to monitor shade trees and report concerns to the arborist. Mayor Serra commented on the deer population and stated the County should implement a deer management program to reduce and control the deer population

ANNE TACINELLI, Lambert Street

Ms. Tacinelli, member of the Shade Tree Commission, stated unsafe and hazardous trees were not removed the last few months of 2022 nor in the beginning of 2023. Ms. Tacinelli stated it was the Shade Tree Commission's understanding that trees could not be removed until the budget is approved. Ms. Tacinelli commented on organized approaches in dealing with the overpopulation of deer that are destroying residents' properties and the underbrush. Ms. Tacinelli requested the funding for tree removal be authorized to ensure tagged trees are removed as soon as possible.

Ms. Cozzarelli responded and stated the Borough is operating on a temporary budget and the Shade Tree Commission may request funds for the removal of hazardous trees. Ms. Cozzarelli urged the Commission to arrange for the removal of dangerous trees. Councilwoman Kent to follow up with the Shade Tree Commission and Ms. Cozzarelli to coordinate the removal of trees deemed dangerous on the Shade Tree List.

JEFF KINON, Ringwood Avenue

Mr. Kinon commented on the culling of deer in Bergen County communities and stated the group has been successful and does not charge a fee for the service. Mr. Kinon requested the Mayor and Council consider culling to control the deer population. Mayor Serra stated a few towns do cull the deer but they have the land mass that allows for the activity. Mayor Serra stated he would research for alternative methods for deer management.

GEORGE POPOV, Colfax Avenue

Mr. Popov commented on a leaking storm drain pipe on his neighbor’s property located on Colfax Avenue and stated this has been an ongoing issue and requested the Borough address the matter. Ms. Cozzarelli provided a brief history and stated this outfall pipe had been inspected by the engineers in the past and there was no determination the pipe was failing. Ms. Cozzarelli stated the engineers would inspect and reevaluate the pipe once again and if required the Borough would be repairing the pipe. Ms. Cozzarelli stated there is no date for the inspection but this would be included in the Capital Budget if it is necessary to be repaired.

Motion moved by Councilwoman Polidori, second by Councilman Baig to close the Meeting for public comments. All voted in favor of the motion.

MINUTES:

Motion moved by Councilman DeLine, second by Councilman Baig to approve the Regular Meeting Minutes of February 22, 2023. All voted in favor of the motion. Councilman Venin voted present.

Motion moved by Councilman DeLine, second by Councilman Baig to approve the Closed Session Meeting Minutes of February 22, 2023 All voted in favor of the motion. Councilman Venin voted present.

BILL LISTS: None

Current Fund	\$
Capital Fund	\$
Recreation Trust	\$
Unemployment	\$
Dog Trust Account	\$
Other Trust Account	\$
Clerk’s Account	\$
Open Space Trust	\$

PETITIONS: None

CONSENT AGENDA:

(No Council Members Required Resolution Any Resolutions to Be Pulled from the Consent Agenda)

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 from that Agenda, and

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

1. Resolution 23-83 Accepting the Resignation Of Naffen Tsaie (Part-Time Dispatcher) From The Pompton Lakes Police Department
2. Resolution 23-84 Approving An Application For A Passaic County Community Development Block Grant FY 2023 *(Repaving Hershfield Street and Ackerman Place)*
3. Resolution 23-85 Approving An Application For A Passaic County Community Development Block Grant FY 2023 *(Sidewalk And Parking Upgrades At Lakeside Park And Along Lakeside Avenue From Chalen Court To Grant Avenue)*
4. Resolution 23-86 Supporting Title VIII Of The Civil Rights Act Of 1968 – Federal Fair Housing Law
5. Resolution 23-87 Amending Resolution No. 23-76 Salary And Wages For The Borough Of Pompton Lakes For Calendar Year 2023
6. Resolution 23-88 Appointing Ryan Gosiker To The Position Of Coordinator For The Pompton Lakes Prevention Coalition Effective March 13, 2023
7. Resolution 23-89 Authorizing The Approval Of Payment #4 To AB Designs Contracting Corp For Pompton Lakes Library Improvements In The Amount Of \$3,660.00

8. Resolution 23-90 Authorizing Cancellation Of Taxes For 100% Disabled Veteran Block

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

Mayor Serra commented on Resolution 23-88 Appointing Ryan Gosiker To The Position Of Coordinator For The Pompton Lakes Prevention Coalition Effective March 13, 2023. Mayor Serra stated the Borough is pleased with the appointment and welcomed Mr. Gosiker.

RESOLUTION 23-83

WHEREAS, Naffen Tsaie, notified the Chief of Police that she would be resigning from her position of Part-Time Dispatcher effective February 28, 2023; and

WHEREAS, her formal letter dated February 28, 2023 is on file with 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 it hereby accepts this letter of resignation and thanks Naffen for her service to the Borough and wishes her well in her future endeavors.

RESOLUTION 23-84

WHEREAS, the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey desires to apply for a 2023 Passaic County Community Development Block Grant; and

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

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

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

WHEREAS, the project listed in the application includes repaving of Hershfield Street and Ackerman Place;

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

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

RESOLUTION 23-85

WHEREAS, the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey desires to apply for a 2023 Passaic County Community Development Block Grant; and

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

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

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

WHEREAS, the project listed in the application includes sidewalk and parking upgrades at Lakeside Park and along Lakeside Avenue from Chalen Court to Grant Avenue;

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

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

RESOLUTION 23-86

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

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

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

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

RESOLUTION 23-87

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes that the following annual salaries and hourly rates be amended and established for stated positions.

Be It Further Resolved that annual salaries are retroactive to January 1, 2023 and hourly rates be effective the date of March 8, 2023.

<u>Administrative</u>	<u>2023</u>
Coalition Coordinator	\$42,000.00
<u>Fire Department</u>	
Acting Fire Official	\$25.50/hour
Fire Finance Officer	\$1,264.00

Fire Department Secretary	\$1,264.00
Fire Alarm Assistant Superintendent**	\$1,759.00

****NOTE** that in addition to the base salary described here the Fire Alarm Superintendent and the Fire Alarm Assistant Superintendent shall receive an additional stipend of two(2) hours emergency call-out time at fifteen (\$15.00) dollars per hour for emergency call-out.

Recreation Commission

Recreation Director	\$11,981.00
Seasonal Recreation Sr. Aide	\$16.00/hour
Summer Camp Director	\$3,672.00
Assistance Camp Director	\$2,550.00

RESOLUTION 23-88

WHEREAS, the Borough Administrator, Paula Cozzarelli, has recommended the hiring of a full-time Prevention Coalition Coordinator for continued compliance with the Federal Drug Free Communities, “DFC” Grant; and

WHEREAS, the position of Pompton Lakes Prevention Coalition Coordinator was advertised; and

WHEREAS, the Borough Administrator interviewed two candidates for the position of Prevention Coalition Coordinator; and

WHEREAS, the Borough Administrator recommends that Ryan Gosiker be hired and appointed to the full-time the position of Pompton Lakes Prevention Coalition Coordinator with a starting salary of \$42,000.00 and an effective start date of March 13, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Ryan Gosiker be appointed to the full-time, non-union, non-civil service position as Coordinator of the Pompton Lakes Prevention Coalition effective March 13, 2023 at a starting salary of \$42, 000.

BE IT FURTHER RESOLVED, that the Treasurer has certified that sufficient uncommitted funds are available in the 2023 temporary budget and shall be appropriated in the 2023 adopted budget for the purposes set forth herein and made a part of this resolution.

RESOLUTION 23-89

WHEREAS, AB Designs Contracting Corp. was awarded the contract for Pompton Lakes Library Improvements in the amount of \$183,000; and

WHEREAS, payment #4 has been recommended to be paid by James P. Cutillo & Assoc. in the amount of \$3,660.00 for the Library Improvement Project; and

WHEREAS, the Treasurer has certified funds are available in the Capital Budget account #C-04-55-855-904.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey hereby authorize payment #4 to AB Designs Contracting Corp. in the amount of \$3,666.00 for the Library Improvements Project.

BE IT FURTHER RESOLVED, that the Treasurer has certified that sufficient uncommitted funds are available in the Capital Budget account #C-04-55-855-904 to fund the above contract obligation.

RESOLUTION 23-90

WHEREAS, the Tax Assessor has determined that the property owner of Block [REDACTED] to be eligible for a 100% Disabled Veteran Exemption effective, August 10, 2022; and

WHEREAS, Taxes on the property have been paid through February 1, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the proper officers be and are hereby authorized and directed to cancel the taxes and refund tax payments.

Block/Lot	Location	Taxes Refunded	Period
		\$5,418.00	2022 Q3 and Q4
		<u>\$3,483.00</u>	2023 Q1
TOTAL REFUND		\$8,901.00	

SEPARATE ACTION RESOLUTIONS: None

ORDINANCE FOR FIRST READING AND INTRODUCTION:

(Ordinance will be presented for second reading and final adoption on)

ORDINANCE FOR SECOND READING AND FINAL ADOPTION:

(These Ordinances have been advertised and posted on the Municipal Bulletin Board)

ORDINANCE 23-09

AN ORDINANCE AMENDING SECTION 50-3 OF THE CODE OF THE BOROUGH OF POMPTON LAKES ENTITLED “COMPENSATION” BY INCREASING THE COMPENSATION TO MEMBERS OF THE POMPTON LAKES MUNICIPAL UTILITIES AUTHORITY

Motion moved by Councilman DeLine, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 23-09. All voted in favor of the motion.

No one from the public wished to comment.

Motion moved by Councilman Baig, second by Councilwoman Polidori to close the meeting for public comments on Ordinance No. 23-09. All voted in favor of the motion.

Motion moved by Councilman DeLine, second by Councilman Baig to approve Ordinance No. 23-09 for Final Adoption.

Roll Call: Councilman Venin, Yes, Councilman Baig, Yes, Councilman Cruz, Excused, Councilman DeLine, Yes, Councilwoman Kent, Recused, Councilwoman Polidori, Yes.

ORDINANCE 23-10 Pulled

AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES COUNTY OF PASSAIC, STATE OF NEW JERSEY VACATING THE RIGHT OF WAY DESIGNATED AS LOCUST STREET IN THE BOROUGH

Motion moved by Councilman DeLine, second by Councilwoman Polidori to pull Ordinance 23-10.

Roll Call: Councilman Venin, Yes, Councilman Baig, Yes, Councilman Cruz, Excused, Councilman DeLine, Yes, Councilwoman Kent, Yes, Councilwoman Polidori, Yes.

MAYOR MICHAEL SERRA:

Mayor Serra reported on the following.

- met with the County Administrator to discuss the proposed Senior Housing project located at the former County Garage. The Building will prioritize housing for Pompton Lakes veterans and seniors and open up to Northern County veterans and seniors.
- attended an event sponsored by Colombia Bank with Bank Manager, Gene Hoffman, for those residents new to town. Mayor Serra thanked Mr. Hoffman and Colombia Bank for all they do for the community.
- performed several weddings
- Mayor and Council discussed the following;

1. Dates for the Town Wide Garage Sale and agreed to September 30, 2023 with a rain date of October 1, 2023
 2. Woman's Club to sponsor Child Abuse Awareness campaign and display pinwheels at Municipal Building and Library gardens
 3. Christ Church requesting a 5k run Charity Race to benefit Ukraine – time and date to be determined
- Vietnam Veterans will sponsor a commemorative ceremony scheduled for March 29, 2023 at 11:00am. The service will be at the Veterans Memorial and the public is invited to attend.

COUNCIL PRESIDENT POLIDORI:

Councilwoman Polidori reported on the following.

- attended the community dinner and thanked Pompton Reformed Church for sponsoring the event
- thanked Walter Gosson, Assistant Chief of the Pompton Lakes Riverdale First Aid Squad, who provided an informative presentation on the fundamentals of the First Aid Squad (FAS). Anyone interested in volunteering should call the FAS.
- attended the *Cancer Benefit* sponsored by Mary Beth Morton and thanked her for organizing the event
- thanked local resident, Shaun Horgan, for performing along with his band during a fundraiser event for the Lakeside Middle School PTA
- attended the *Winter Sports Ceremony* and congratulated all the students who participated in winter sports
- thanked Ms. Cozzarelli and Dan O'Rourke for their assistance with organizing the disposal of landscape materials for disabled and senior residents. Additional details to follow.
- requested an update for the video/recording of meetings for the Planning Board and the Redevelopment Agency. Ms Cozzarelli stated IT personnel are in the process of creating file folders and installing wire jacks in Council Chambers. Mr. Semeraro will create an ordinance for transparency.

COUNCILMAN CRUZ:

In the absence of Councilman Cruz

Mayor Serra read the following motion:

Motion moved by Mayor Serra, second by Councilwoman Polidori to approve a Carnival License Application by the Pompton Lakes Elks #1895 to be held at 15 Perrin Avenue, Pompton Lakes, New Jersey on the following dates and time:

- Thursday, August 24, 2023 – 2:00pm through 10:00pm
- Friday, August 25, 2023 – 2:00pm through 10:00pm
- Saturday, August 26, 2023 – 2:00pm through 10:00pm
- Sunday, August 27, 2023 – 2:00pm through 10:00pm

No alcoholic beverages to be served at any carnival or on the premises of the Licensee during the conduct of a carnival; no license granted under this article may be assigned or transferred by the licensee; violation and penalties subject to fines.

The application to be reviewed/inspected by Police/Fire Prevention/First Aid/Construction Official/Health Department. All voted in favor of the motion.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- attended the Board of Adjustment meeting and commented on an application that was submitted - Pompton Avenue backyard improvements and address issues with storm water runoff
- the Library will be hosting a number of films sponsored by the *Friends of the Library*

COUNCILWOMAN KENT:

Councilwoman Kent reported on the following.

- Dan O'Rourke, DPW Superintendent, wants to remind residents to remove basketball hoops from the curbs during snow events. Councilman DeLine stated the Borough Ordinance requires basketball hoops to be removed from the roadway. Mayor Serra reminded the public all vehicles must also be removed or summonses will be issued. Also, when clearing sidewalks, not to discard snow into the street.
- curbside spring cleanup begins April 13th and 14th - leaves, brush and branches
- attended the Flood Advisory Board meeting
- attended the Recreation Commission meeting – the Pompton Day Committee will meet next week to discuss vendors and activities. Anyone interested in participating in the program may contact Karen Murphy or Stephen Baig. Information can be found on the Borough website.
- the Easter Egg Hunt is scheduled for March 25, 2023 at 2:00pm. Rain date is March 26 at 2:00pm.
- Recreation Commission activities and employment opportunities are posted on the Recreation Face Book page.
- the Annual Town Wide River Clean-up is scheduled to be held on May 7, 2023. Additional information on the Face Book page.
- Registration/signup for Summer Camp is through Civic Plus
- the Board of Health has a new Secretary, Meghan Mulraney, along with a new Health Inspector
- she and Stephen Baig met with Gene Hoffman and accepted a donation from Colombia Bank for \$750.00 to offset costs for the River Clean-up shirts. They also donated 100 tote bags for the volunteers. Councilwoman Kent thanked Mr. Hoffman and Colombia Bank for their assistance in helping to keep the Borough clean.
- reported Council Meetings are being broadcast five times per day on PLTV 77
- she also was affected by the power outage. Councilwoman Kent thanked Mr. Semet for his comments and agreed hazardous trees should be removed as soon as possible.
- pleased the issues regarding Mr. Popov's concerns will be addressed

COUNCILMAN VENIN:

Councilman Venin had no report.

COUNCILMAN BAIG:

Councilman Baig had no report.

PROFESSIONAL REPORTS:**MARK SEMERARO, Borough Attorney**

Mr. Semeraro reported on the following.

- working on the Transparency and Redevelopment Agency Ordinances
- currently creating an Ordinance to address noise and disorderly conduct in a public park. Mr. Semeraro to further investigate.

PAULA COZZARELLI, Borough Administrator

Ms. Cozzarelli reported on the following.

- commented on two CDBG (*Community Development Block Grant*) applications: the first includes repaving of Hershfield Street and Ackerman Place and the second includes sidewalk and parking upgrades at Lakeside Park and along Lakeside Avenue from Chalen Court to Grant Avenue as well as pavement for parking.
- commented on a proposal for senior/disabled residents registering for the removal of yard waste

MEETING OPEN FOR PUBLIC COMMENTS:

Motion moved by Councilwoman Polidori, second by Councilman DeLine to open the Meeting for public comments. All voted in favor of the motion.

ANNE TACINELLI, Lambert Street

Ms. Tacinelli commented on voice distortion during Council Meetings videos on channel PLTV77 and requested the members of the Governing Body speak into their microphones.

DENNIS KILBERG, Mountainside Drive

Mr. Kilberg stated the current Borough Code includes disorderly conduct and offensive language and the Police could enforce the Ordinance but they must be witness to the infraction.

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

PRIVILEGE OF THE FLOOR: None

RESOLUTION TO ADJOURN INTO CLOSED SESSION: None

ADJOURNMENT:

Motion moved by Councilman Venin, second by Councilman DeLine to Adjourn the Meeting at 8:23 PM. All voted in favor of the motion.

ATTEST:

APPROVED:

**ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK**

**MICHAEL SERRA
MAYOR**

Dated: March 8, 2023