

## **MINUTES OF THE MARCH 22, 2023 REGULAR COUNCIL MEETING**

The following are the Minutes of the March 22, 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, Bobby Cruz, Erik DeLine, Ekamon Venin, and Councilwoman Maria Kent.

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

#### **KATHY SHORTWAY, Pine Street**

Ms. Shortway presented photos of trash along Wanaque Avenue that had been discarded by business owners and residents. Ms. Shortway commented on ways to address the issue and requested the Governing Body further explore ways to eliminate trash in the Downtown area. Mayor Serra replied he was aware of the problem and stated he would contact the Business Improvement District (BID) for assistance in addressing her concerns with discarded trash along Wanaque Avenue. Mayor Serra further stated some of the residents/businesses along Wanaque Avenue do not follow the regulations nor the trash schedule and the Police Department have been monitoring the disposal of trash.

#### **CAROL KNOX, Riverdale Road**

Ms. Knox expressed her concerns with the lack of street lighting on Riverdale Road. Mayor Serra stated if there was a utility pole in the area, JCP&L would need to be contacted to request additional lighting.

#### **ERIN CHAZOTTE, Woodlawn Avenue**

Ms. Chazotte voiced her concerns with the use of plastic water bottles and stated the company that she is currently employed by has a goal to reduce common household plastic waste. Ms. Chazotte urged the public to decrease their use of plastic water bottles during Borough events, encouraged the use of refillable water bottles and her plans to continue to educate the public to reduce plastic waste. Mayor Serra replied and stated he agreed the use of plastic bottles should be reduced and requested Councilwoman Kent discuss this matter with the Environmental Protection Committee.

Councilwoman Polidori stated during the Hershfield and Lakeside Parks renovations, fountain refilling stations were installed to accommodate reusable water bottles.

Councilwoman Kent stated she and Ms. Cozzarelli were able to provide the Pompton Lakes Riverdale Youth Organization (PLRYO) with additional trash and recyclable containers at their field.

#### **LAUREN VENIN, Sunset Road**

Ms. Venin commented on the Community Rating System (CRS) program and she along with the Flood Advisory Board acknowledged the efforts of Ms. Brandsness and Ms. Troast for the recent submission of the recertification packet. Ms. Venin offered some insight into the program that helps to encourage communities to be disaster ready and commented on the requirements needed to manage the complicated and detailed program. Ms. Venin acknowledged the financial

advantages of CRS – up to a 25% discount and how flood plain residents benefit from the program.

Mayor Serra recognized Ms. Brandsness and Ms. Troast for their time and dedication in achieving the CRS recertification.

**MIKE FASALETOUS, Hershfield Street**

Mr. Fasaletous commented on the absence of street signs located at Ringwood Avenue / Stiles Court and the intersection where Stiles Court North meets Stiles Court West. Mr. Fasaletous voiced concerns with locating addresses during emergency calls by the Fire Department and the First Aid Squad. Mayor Serra replied and stated he would notify the Department of Public Works (DPW) to have the signs replaced.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton, member of the Shade Tree Commission, questioned the progress of the sidewalk and curb Ordinance. Councilman DeLine stated he has reviewed the current Ordinance and the Ordinance would not be amended. Councilman DeLine stated the Borough would assess sidewalk and curbing accordingly.

Mr. Hinton commented on tree maintenance and questioned whether Clerihew Lane had been vacated by the Borough. Ms. Cozzarelli replied and stated she would look into the matter.

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

**MINUTES:**

Motion moved by Councilman Baig, second by Councilman DeLine to approve the Regular Meeting Minutes of March 8, 2023. All voted in favor of the motion.

**BILL LISTS:**

**RESOLUTION 23-91 - RESOLUTION AUTHORIZING PAYMENT OF BILLS IN THE AMOUNT OF \$4,266,894.84**

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

Current Fund	\$ 4,206,020.42
Capital Fund	\$ 32,378.66
Recreation Trust	\$ 8,221.68
Unemployment	\$ -0-
Dog Trust Account	\$ 1,243.20
Other Trust Account	\$ 17,625.88
Clerk’s Account	\$ -0-
Open Space Trust	\$ 1,405.00

**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 23-92 Authorizing Refund Tax Over Payment Block 100 Lot 3.01
2. Resolution 23-93 Accepting The Resignation Of Emily Butera (911 Telecommunications Dispatcher And Class II Special Police Officer) From the Pompton lakes Police Department
3. Resolution 23-94 Authorizing the Place To Place Liquor License Transfer Grace Keira, Inc. T/A Thatcher McGhee’s Located At 6 Wanaque Avenue, Pompton Lakes (Extension Of Premises-Outdoor Gazebo And Shed And Sale Of NJ Lottery) Effective Date March 22, 2023
4. Resolution 23-95 Authorizing Payment In Lieu Of Health Benefits to Qualified Borough Employees (Ryan Gosiker)
5. Resolution 23-96 Accepting The Resignation Of Edward Bruner From the Position Of Electrical Sub-code Official In the construction/Code Department
6. Resolution 23-97 Authorizing Refund Tax Over Payment Block 5500 Lot 8.01
7. Resolution 23-98 To Establish Fees For Department Of Recreation Programs And Events

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

**RESOLUTION 23-92**

**WHEREAS**, there appears on the tax records overpayments as shown below, and

**WHEREAS**, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund of such overpayments, and

**NOW, THEREFORE, BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as listed below:

<b>Reason:</b>	1. Duplicate Payment	5. Payment made in error
	2. Appeal State	6. NJ Saver Rebate
	3. Vet Allowed	7. 100% disabled Vet Exemption
	4. Senior Allowed	8. Exempt Status
		9. Homestead Rebate Credit on Borough Property

<b>BLOCK/ LOT</b>	<b>NAME</b>	<b>AMOUNT</b>		<b>REASON</b>
100/3.01	Valbruna Stainless Inc. vs Pompton Lakes 1000 Cannonball Road Pompton Lakes, NJ 07442	\$18,484.44	2020/Q4	2
		\$26,053.80	2021/Q4	2
	<b>Resolution Total</b>	<b>\$44,538.24</b>		

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$44,538.24 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein.

**RESOLUTION 23-93**

**WHEREAS**, Emily Butera, notified the Chief of Police that she would be resigning from her position of 911 Telecommunications Dispatcher and Class II Special Police Offer effective March 7, 2023; and

**WHEREAS**, her formal letter dated March 7, 2023 is on file with the Borough; 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 that it hereby accepts this letter of resignation and thanks Emily for her service to the Borough and wishes her well in her future endeavors.

**RESOLUTION 23-94**

**WHEREAS**, The Mayor and Council of the Borough of Pompton Lakes are in receipt of a request for a *Place-to-Place* transfer of Liquor License Number 1609-33-011-011, 6 Wanaque Avenue, Pompton Lakes NJ 07442 T/A Thatcher McGhee's, (*Extension of Premises outdoor Gazebo, Service Shed and Sale of NJ Lottery*), effective date March 22, 2023.

**WHEREAS**, the Borough Clerk is in receipt of an application for a *Place to Place* transfer, fees for same, proof of notification advertised in the local papers, consent to transfer, provided by Grace Keira, Inc. T/A Thatcher McGhee's as required by ABC license transfer guidelines; and

**WHEREAS**, the *Place to Place* application and supporting documents have been reviewed by the Police, Fire, Heath and Building Departments, found to be compliant and no objections to the issuance of a *Place to Place* transfer of said liquor license; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes approves the transfer of the *Place-to-Place* application as follows:

**TRANSFER**

- Liquor License Number 1609-33-011-011  
to
- Liquor License Number 1609-33-011-012 Grace Keira, Inc. T/A Thatcher McGee's,  
6 Wanaque Avenue, Pompton Lakes, NJ effective March 22, 2023.

**RESOLUTION 23-95**

**WHEREAS**, the Borough has negotiated with both employee bargaining units contract language providing for an employee to opt out of receiving health benefits from the Borough when the employee is covered by a bona fide health plan from their spouse or other source, as provided by statute; and

**WHEREAS**, the Borough agrees to refund 25% of the premium of the N.J. Direct 15 plan or \$5,000.00, whichever is less, for which the employee is eligible to the opting out employee, payable in equal installments by pay period during the course of the plan year, as long as the employee is covered by such optional insurance; and

**WHEREAS**, an employee has provided the Borough Administrator with proof of such coverage and the documents have been found satisfactory by the Borough Administrator; and

**WHEREAS**, Ryan Gosiker was hired effective March 13, 2023 and elected to waive N.J. Direct 15 plan health benefits upon hire; 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 that Ryan Gosiker shall not be provided health benefits, but shall receive a refund of premium payment as shown herein: \$5,000.00 annually retroactive from date of hire; and

**BE IT FURTHER RESOLVED** that the Treasurer has certified that sufficient funds are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein.

**RESOLUTION 23-96**

**WHEREAS**, Edward Brauner notified the Borough Construction Official that he would be resigning from his position as Electrical Sub-Code Official effective May 1, 2023; and;

**WHEREAS**, his formal letter dated December 20, 2022 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 Edward for his service to the Borough and wishes him well in his future endeavors.

**RESOLUTION 23-97**

**WHEREAS**, there appears on the tax records overpayments as shown below, and

**WHEREAS**, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund of such overpayments, and

**NOW, THEREFORE, BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as listed below:

<b>Reason:</b>	1. Duplicate Payment	5. Payment made in error
	2. Appeal State	6. NJ Saver Rebate
	3. Vet Allowed	7. 100% disabled Vet Exemption
	4. Senior Allowed	8. Exempt Status
		9. Homestead Rebate Credit on Borough Property

Block/Lot	Name	Amount	Period	Reason
5500/18.01	Farber, Daniel K & Lori 14 Cedar Street Pompton Lakes, NJ 07442	\$3,640.00	2023/Q1	7
	<b>Resolution Total</b>	<b>\$ 3,640.00</b>		

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$3,640.00 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein.

**RESOLUTION 23-98**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes that they hereby approve the following Department of Recreation Program and Event fees:

**Programs/Activities**

Softball Clinic	\$80
Field Hockey Clinic	\$80
Pickle Ball	\$40/person all dates; \$15 drop in fee
Get Fit	\$55 all Classes \$40 for 10 Classes \$5.00 Drop In fee
Field Hockey Camp	\$225 High School: 9:00 a.m. – 1:00 p.m. \$70 Middle School: 9:00 a.m. – 11:00a.m.
Tennis Clinic	\$25
Tennis Lessons	\$110
Summer Camp: pre-k (4) – Grade 6	\$420: 1 Child \$510: 2 Children: \$575: 3 Children:
Middle School Camp: 7 <sup>th</sup> - 9 <sup>th</sup> Grade	\$160/Child
Paddle Boat/Kayak Rentals	\$20/half hour

**Events**

Breakfast with the Easter Bunny	\$10/person: Adult/Children:
Pompton Day:	
Vendor	\$70 Single Space \$95 Double Space
Food Vendor	\$125
RV	\$125
Non-Profit	\$35
5K	\$25

**SEPARATE ACTION RESOLUTIONS: None****ORDINANCE FOR FIRST READING AND INTRODUCTION:**

*(Ordinance will be presented for second reading and final adoption on April 12, 2023)*

**ORDINANCE 23-11****AN ORDINANCE AUTHORIZING THE EXECUTION AND RECORDING OF THE ENCROACHMENT EASEMENT AGREEMENT WITH 525 WANAQUE AVE., ASSOCIATES, LLC**

Motion moved by Councilman DeLine, second by Councilman Venin to Approve Ordinance No. 23-11 for Introduction.

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

**ORDINANCE 23-12****AN ORDINANCE AUTHORIZING THE EXECUTION AND RECORDING OF THE ACCESS EASEMENT AGREEMENT FOR INGRESS AND EGRESS WITH 525 WANAQUE AVE. ASSOCIATES, LLC**

Motion moved by Councilman Baig, second by Councilman Cruz to Approve Ordinance No. 23-12 for Introduction.

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

**ORDINANCE 23-13****AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES, STATE OF NEW JERSEY, TO AMEND AND SUPPLEMENT CHAPTER 14 ENTITLED REFUSE AND RECYCLING, ARTICLE II OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion moved by Councilwoman Polidori, second by Councilman DeLine to approve Ordinance No. 23-13 for Introduction.

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

**ORDINANCE FOR SECOND READING AND FINAL ADOPTION:**

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

**MAYOR MICHAEL SERRA:**

Mayor Serra to appoint Alexa Reed, as Commissioner to the Shade Tree Commission to fill an unexpired term to 12/31/25.

Mayor Serra reported on the following.

- attended the Emergency Awareness Seminar hosted by Al Evangelista, Office of Emergency Management (OEM) Coordinator. The seminar is posted on the Borough website and PLTV Channel 77 for the public to view. Mayor Serra thanked Mr. Evangelista for the service he provides for the community.
- officiated several weddings
- attended meetings with Passaic County in reference to a building project
- attended the Planning Board meeting
- attended the Recreation Commission meeting to discuss Pompton Day. Anyone interested in volunteering should contact Councilwoman Kent or himself. Vendors interested may register by completing an application.
- a Pickle Ball court may be added at Hershfield Park
- indoor Pickle Ball is held at Lincoln School from 9am –11am from April 1-29, 2023

**COUNCIL PRESIDENT POLIDORI:**

Councilwoman Polidori reported on the following.

- thanked the Flood Advisory Board, Ms. Brandsness and Ms. Troast for their hard work with the CRS program
- attended the successful Pompton Lakes Education Foundation fundraising event
- seeking to schedule a date for the County, students and parents for the dedication of the sculpture at Lakeside Park. Landscaping should be completed by the third week of May.
- the Rotary is sponsoring several fundraising events and a student achievement luncheon
- thanked Ms. Cozzarelli for expediting the Recycling Ordinance for the disabled and seniors
- thanked Mr. Semeraro for the first draft of the Transparency Ordinance

**COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- provided the Police and Fire Department reports for the month of February

**COUNCILMAN CRUZ:**

Councilman Cruz reported on the following.

- commented on the High School's Fine Arts Night
- Lenox School's First Annual 4<sup>th</sup> Grade Business Expo was held on February 24, 2023 and congratulated the students and Mr. Oliver for his direction and guidance
- the School District held its first Title 1 K-5 Literacy Night on March 2, 2023 – parents and caregivers had the opportunity to attend two literacy workshops. Thanked all who assisted with the event.
- commented on a newly formed Student Safety Committee – areas covering current communications systems - building access physical security of school facilities in emergency procedure protocols and preventative measures in student services. Findings will be presented during the committee meeting on March 6, 2023.
- in the 2023-24 school year, there will be paid policer officers in all the schools
- a tentative School Budget has been approved
- Governor Murphy has set aside funding for the school districts to use for specific projects. Councilman Cruz stated the school district has created a listing of projects for consideration.

Councilman DeLine reported on the following.

**COUNCILMAN DELINE:**

- commented on the winter Trails Maintenance clean-up and stated 20 volunteers attended. Discussion on hosting the National Trails Day event on June 4, 2023.
- attended the Municipal Utilities Authority (MUA) meeting. The MUA introduced the 2023 budget with no rate increase.
- expecting permanent applications for building permits from the Capodaglia project. Once permits are issued – payment to MUA for the completion of improvements on the northern pump house.
- circulation activity at the Library continues to increase
- Spring Story Time will begin in April
- commented on upcoming Business Improvement District (BID) events – Summer Concert Series including a Summer Concert during the Memorial Day Weekend
- Councilwoman Polidori has been approved to hold a series of financial literacy workshops at the Library in April – workshops geared towards children ages 10-15 and will be held on Wednesdays from 4-5pm.
- request to hold a PRIDE event at the Library in June. The Library Trustees to further review the request for the event.
- the Library will be receiving two large multi-media monitors from the Woman's Club

**COUNCILWOMAN KENT:**

Councilwoman Kent reported on the following.

- residents should check the Town Calendar as spring cleanup begins on April 13<sup>th</sup> & 14<sup>th</sup>
- attended the Emergency Awareness Seminar and stated she is appreciative of the services Mr. Evangelista provides as the Coordinator for the Office of Emergency Management. Councilwoman Kent stated Mr. Evangelista provides planning, training and ensures the Borough is prepared for all emergencies.
- the Environmental Protection Committee is sponsoring the River Cleanup scheduled for May 7, 2023. Discussions on the impact of the deer population will take place in the fall.
- the Easter Egg Hunt will take place on Saturday, March 25, 2023 at 2:00pm. Mayor Serra stated the rain date is scheduled for Sunday, March 26, 2023 at 2:00pm.
- commented on several Recreation events including the Get Fit class, Pickle Ball and a Field Hockey Clinic
- applications are being accepted for employment for the Summer Day Camp
- PLTV Channel 77 has been operating five times daily
- commented on two proposals for lake treatment on Pompton Lake and Twin Lakes; decision for a vendor is forthcoming.
- thanked Ms. Cozzarelli and Millennium Strategies, grant writers, for the anticipated grant of \$25,000.00 for storm water
- commented on the trash on Wanaque Avenue and stated the Business Improvement District (BID) should be involved with addressing this issue
- commented on the importance of the Community Rating System and thanked Ms. Troast and Ms. Brandsness for all the work they provide for the CRS program
- commented on a list of missing street signs that need to be replaced

**COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- congratulated and thanked Ms. Brandsness and Ms. Troast for the well-deserved recognition they received this evening for the CRS program. He also thanked the Flood Advisory Board for their continued support to help keep the community flood free.
- thanked Mr. Evangelista for sponsoring the Emergency Awareness Seminar and for the information provided
- congratulated Paul Bowlby as the newest member of the Planning Board as an Alternate III and thanked him for his service
- commented on the volunteers that assisted in Trails Maintenance Day. The next maintenance days will be held on May 13 and May 21, 2023.
- thanked residents for attending the meeting this evening and providing feedback in addressing a few issues
- the Pompton Reformed Church is sponsoring the community dinner on Thursday, March 23, 2023. The Fish and Chips dinner will be held on March 26, 2023.
- commented on the Karate Dojo he and his family will be attending this weekend

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

Mr. Semeraro reported on the following.

- circulated a copy of the draft Transparency Ordinance and stated the Redevelopment Agency Ordinance is completed



Mr. Semeraro requested Closed Session on contract negotiations with Passaic County Project, Block 7700 / Lot 1 and attorney/client privilege communication regarding shade trees.

**PAULA COZZARELLI, Borough Administrator**

Ms. Cozzarelli reported on the following.

- the Flood Storm Ordinance will be presented for introduction and adoption next month
- announced funding for the Storm Water Grant is anticipated to be \$25,000.00
- Dawes Highway Bridge to be replaced. Mayor Serra stated the Dawes Highway Bridge replacement structure would remain the same. Further discussions to take place with the Department of Environmental Protection.
- commented on the Prevention Coalition budget as well as the budget for the Borough
- had discussions with the Business Improvement District Board members to determine the 2023 Budget

**MEETING OPEN FOR PUBLIC COMMENTS:**

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

**HELENE ZABLOCKI, Butler Street**

Ms. Zablocki stated she made a request for a PRIDE event at the Library and requested clarification as to whether the event would be permitted. Councilman DeLine stated the Board of Trustees would review the materials being presented and would follow up with her request. Ms. Zablocki questioned if all requests for use for events on the Library lawn pass through the Board of Trustees. Mayor Serra responded and stated the Board gives the approval on all usage of Library grounds.

**LAUREN VENIN, Sunset Road**

Ms. Venin thanked the Governing Body for the update regarding the Dawes Highway Bridge. Ms Venin commented on the Flood Advisory Boards concern regarding the bridge and how the abutments are causing changes in the water surface. Ms. Venin stated she understands the Department of Environmental Protection does not want changes to the bridge but she appreciates Council pushing for the changes to be considered. Mayor Serra stated he met with the County Engineer who restated the same information that the Department of Environmental Protection disclosed but suggested the Borough Engineer provide an evaluation for the replacement of the bridge.

**DENNIS KILBERG, Mountainside Drive**

Mr. Kilberg questioned whether the police officers to be assigned in the schools would be full-time. Councilman Cruz replied and stated that the decision for full-time officers has not been made and is still under discussion.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton, member of the Shade Tree Commission, questioned whether sidewalks and curbing is the responsibility of the homeowner or the Town. Councilman DeLine responded and stated there are situations where it could be the responsibility of the homeowner and other situations would be the responsibility of the Town. The Borough has the option to use discretion in regards to road projects and funding. Mayor Serra offered some input and stated the Ordinance Committee discussed curbing and sidewalk maintenance and determined the maintenance would be decided on a case-by-case basis.

Mr. Hinton commented on the Spotted Lantern Fly and urged the public to remove/destroy the egg cases.

Mr. Hinton commented on the work the Flood Advisory Board and Council provide to the community with regard to river mitigation. Mr. Hinton questioned if the town could hire a

hydrologist to oversee DMK’s river operations. Ms. Cozzarelli replied and stated that she would contact the Department of Public Works (DPW) Superintendent to follow up.

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

**PRIVILEGE OF THE FLOOR:**

Councilwoman Kent commented on the replacement of the Dawes Highway Bridge to the same structural configuration and stated the criteria for spending grant monies for projects are sustainability and resilience. Councilwoman Kent stated that this does not meet the criteria since it would be replacing the bridge back to the original structure that is located in a floodway. Ms. Cozzarelli agreed the bridge structure should be configured for a floodway and stated she is seeking additional information and clarification from the Department of Environmental Protection.

Councilman DeLine stated Clerihew Lane was vacated prior to 2021 and the trees belong to the residents. Councilman DeLine stated he would like to review past audio/video and minutes for additional details.

**RESOLUTION TO ADJOURN INTO CLOSED SESSION:**

Motion moved by Councilman Venin, second by Councilman Cruz to adjourn in Closed Session. All voted in favor of the motion.

Be it hereby resolved, pursuant to N.J.S.A. 10:4-12, that the Mayor and Council of the Borough of Pompton Lakes hold Closed Session for the purpose of discussions on contract negotiations with Passaic County, Block 7700 Lot 1 and attorney/client privilege communication regarding shade trees and other Closed Session topics as allowed under the Open Public Meetings Act. It is expected that the discussions undertaken in Closed Session on this date can be made public at the time official action is taken by the Mayor and Council to release same.

Motion moved by Councilman DeLine, second by Councilman Baig to open the Meeting. All voted in favor of the motion.

The following was discussed in Closed Session:

- contract negotiations regarding County project
- negotiations regarding–Block 7700 Lot 1
- attorney/client privilege communication regarding shade trees

**ADJOURNMENT:**

Motion moved by Councilwoman Polidori, second by Councilman Cruz to Adjourn the Meeting at 9:20 PM. All voted in favor of the motion.

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**MICHAEL SERRA  
 MAYOR**

Dated: March 22, 2023