

MINUTES OF THE MAY 24, 2023 REGULAR COUNCIL MEETING

The following are the Minutes of the May 24, 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, Ekamon Venin, Bobby Cruz and Councilwoman Maria Kent. Councilmen Erik DeLine arrived at 7:35pm. Councilman William Baig was excused from the meeting.

Also present were Borough Attorney, Gunther Waldrow, Borough Administrator, Paula Cozzarelli and Borough Clerk, Elizabeth Brandsness.

MAYOR PRESENTATION AND UPDATES:

Proclamation:

CLICK IT OR TICKET

Mayor Serra presented a Proclamation in support of the *Click It or Ticket* seat belt mobilization locally and nationally from May 22 – June 4, 2023. The Proclamation pledges to increase awareness of the mobilization and the benefits of seat belt use.

SHADE TREE – ARBOR DAY ESSAY AWARD

Arianna Soler / Braeden Zucker / Samantha Savastano

Anne Tacinelli, Chair Shade Tree Commission, remarked on the Arbor Day Essay Contest and thanked the students for their creative essays. Shade Tree Commissioner, Madeline Denti welcomed the students and requested the students come forward to read their essay.

Mayor Serra congratulated the students and thanked the students for participating. Mayor Serra also acknowledged the members of the Shade Tree for volunteering the time and service for the community.

2023 SPECIAL IMPROVEMENT DISTRICT BUDGET

Second Reading And Final Adoption Of The 2023 Special Improvement District Budget

Clerk to read Special Improvement District (S.I.D.) Budget by Title for Second Reading and Final Adoption:

AUTHORIZING ADOPTION OF A BUDGET IN THE AMOUNT OF \$486,140.00 FOR THE SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF POMPTON LAKES FOR THE YEAR 2023

Motion moved by Councilman DeLine, second by Councilman Venin to open the Meeting for public comments on the 2023 Special Improvement District. (S.I.D.) Budget. All voted in favor of the motion.

No one from the public wished to make a comment.

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

Motion moved by Councilman DeLine second by Councilman Venin, to approve the 2023 Special Improvement District (S.I.D.) Budget for Second Reading And Final Adoption.

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

2023 MUNICIPAL BUDGET

RESOLUTION NO. 23-128

Self - Examination 2023 Annual Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Pompton Lakes has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of Pompton Lakes meets the necessary conditions to participate in the program for the 2023 budget year, so now therefore

BE IT RESOLVED, by the Borough Council of the Borough of Pompton Lakes that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, a copy of this Resolution be forwarded to The Director of the Division of Local Government Services.

Motion moved by Councilman Venin, second by Councilman DeLine to approve Resolution 23-128. All voted in favor of the motion.

PUBLIC HEARING ON THE 2023 MUNICIPAL BUDGET

Opening Statements

Mr. Cerullo addressed the Governing Body and reported on the 2023 Municipal Budget. Mr. Cerullo stated this year the Budget was a self-examination and not examined by the State. Mr. Cerullo stated the Budget Resolution presented tonight is both compliant with the 1977 Cap Law and the 2010 Tax Levy Cap Law for a 2% increase. Mr. Cerullo reported the Budget, *for Municipal Purpose*, including Library is a 1.9% tax increase which results in a \$53.00 increase to the average taxpayer.

Borough Administrator, Paula Cozzarelli thanked the Governing Body for their hard work and perseverance in delivering a responsible Budget and stated there were many challenges the Borough is not in control of; Health Care Benefits, yearly Pension increases, debt service. Ms. Cozzarelli stated the Borough needs to continue to maintain our roads, equipment and large capital purchases. Ms. Cozzarelli commented on the Budget process and the funds needed to be raised to balance the Budget. Ms. Cozzarelli stated reserves and PILOT reserves were used to balance the budget and thanked Council and the Auditor for their diligence in reducing the tax increase per tax payer. Ms. Cozzarelli noted the Borough's Bond Rating is AA positive from an AA stable.

Mayor Serra commented on the rising costs so many towns are experiencing and noted we have not had to cut any programs within the Borough. Mayor Serra stated he is hopeful that the State will begin to assist struggling towns going forward.

Councilman Venin commented on the reserve account and requested confirmation that PILOT funds were used. Ms. Cozzarelli responded and stated yes PILOT funds were also used to offset the Budget.

Clerk to read 2023 Municipal Budget for Second Reading and Final Adoption:

ADOPTION OF THE 2023 MUNICIPAL BUDGET RESOLUTION

Be It Resolved by the Borough Council of the Borough of Pompton Lakes of the County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of (a) \$10,540,874.20 for Municipal purposes and (d) \$118,843.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy and (e) \$512,003.00 minimum Library Tax.

Motion moved by Councilman Venin, second by Councilman Cruz to open the Meeting for public comments on the 2023 Municipal Budget. All voted in favor of the motion.

LISA KIHMBERG, Mountainside Drive

Ms. Kihlberg commented on redevelopment projects and questioned the completion of PILOT projects. Mayor Serra replied and stated three projects have been completed; Lakeside Commons, Fortunato (two projects) one project has been completed. Mayor Serra stated the second project, condominiums on Hamburg Turnpike is ongoing at this time.

Motion moved by Councilman Venin, second by Councilman DeLine to close the Meeting for public comments on the 2023 Municipal Budget. All voted in favor of the motion.

Motion moved by Councilman Venin, second by Councilman Cruz to adopt the 2023 Municipal Budget.

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

MEETING OPEN FOR PUBLIC COMMENTS:

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

RANDY HINTON, Montclair Avenue

Mr. Hinton commented on Resolution 23-130 and questioned why the Ramapo River was not included in the Resolution. Ms. Cozzarelli responded and stated it was determined this was an oversight and the Resolution would be amended to include the Ramapo River. Ms. Cozzarelli stated the Resolution authorizes DMK to desnag the rivers in an amount not to exceed \$30,000.00.

GEORGE POPOV, Colfax Avenue

Mr. Popov commented on an ongoing issue with a collapsed drain pipe near his property and voiced his concerns with the lack of progress with replacing the drain pipe. Ms. Cozzarelli responded and stated the Borough continues to address the issue and she is in the process of determining the cause for the collapsed drain pipe. Ms. Cozzarelli stated a video assessment of the pipe had been scheduled and once there is a conclusive determination as to the cause for the collapse of the pipe, the Borough will proceed accordingly. Mayor Serra commented on the study and stated, if necessary, the Borough would need to bond for the funding of a project. Ms. Cozzarelli thanked Clifton’s Department of Public Works for assisting in the video assessment process and noted the cost savings for the Borough. Ms. Cozzarelli stated she would review the results of the video assessment with the Borough Engineer to determine the course of action and an estimated timeline.

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

MINUTES:

Motion moved by Councilman Venin, second by Councilman Cruz to approve the Regular Meeting Minutes of May 10, 2023. All voted in favor of the motion.

BILL LISTS: None

Motion moved by Councilman DeLine, second by Councilwoman Kent to approve the following Bill Lists of May 10, 2023. All voted in favor of the motion.

Current Fund	\$ 2,806,706.86
Capital Fund	\$ 2,093.01
Recreation Trust	\$ 230.43
Unemployment	\$ 96.72
Dog Trust Account	\$ 57.60
Other Trust Account	\$ 10,307.14
Clerk’s Account	\$ -0-
Open Space Trust	\$ -0-
Affordable Housing	\$ 349.25

PETITIONS: None

CONSENT AGENDA:

(No Council Members Required 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 23-123 Authorizing Refund Tax Over Payment Block 8706, Lot 61
2. Resolution 23-124 Authorizing Approval To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The Pompton Lakes Roadway Improvement Project Fiscal Year 2024
3. Resolution 23-125 2023-2024 Liquor License Renewals
4. Resolution 23-126 Appointment of Matthew Heusser To The Position Of Laborer 1 With The Department Of Public Works Effective Start Date June 5, 2023
5. Resolution 23-129 Authorizing The Borough Of Pompton Lakes Administrator To Enter Into A Twelve (12) Month Contract With Horizon For Dental Insurance

- 6. Resolution 23-130 Authorizing The Award Of A Non-Fair And Open Contract For De-Snagging, Debris Processing And Removal Upon Request For the Wanaque, Pequannock and Ramapo Rivers

Resolution 23-130 has been amended to include the Ramapo River.

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

RESOLUTION 23-123

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:

Reason:	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
8706/61	Murray, Philip & Sally 58 Arcadia Rd. Pompton Lakes, NJ 07442	\$2,899.00	2023 Q1 & Q3	1
	Resolution Total	\$ 2,899.00		

BE IT FURTHER RESOLVED that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$2,899.00 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein.

RESOLUTION 23-124

WHEREAS, the New Jersey Department of Transportation makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund;

WHEREAS, the Borough Engineer has recommended that the Borough’s Mayor and Council apply to the New Jersey Department of Transportation for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2024 Municipal Aid Program for the purpose of completing the Pompton Lakes Roadway Improvement Project;

WHEREAS, the Borough’s Mayor and Council has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Pompton Lakes, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2024-Pompton Lakes Roadway Improvement PR-00017** to the New Jersey Department of Transportation on behalf of the Borough of Pompton Lakes.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Pompton Lakes and that their signature constitutes

acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 23-125

WHEREAS, the following Liquor Licenses are due for 2023-2024 renewal; and

WHEREAS, the Clerk is in receipt of all necessary fees for the following licenses; and

WHEREAS, all inspecting agencies have presented approval for renewal of said Licenses.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Pompton Lakes do hereby renew the following Liquor Licenses for 2023-2024:

Owner/Location	License number
L&L Spacek Training Inc. DBA The Side Door Bar & Grill 33 Colfax Avenue	1609-33-004-004 *Special Condition
Grace Keira Inc. DBA Thatcher McGhees 6 Wanaque Avenue	1609-33-011-012 *Special Condition
D&D Restaurants Inc. DBA Macks American Bar & Grill 300 Wanaque Avenue	1609-33-009-008 *Special Condition
Pompton Lakes Elks Lodge 1895 BPOE 15 Perrin Avenue	Club License 1609-31-015-001

***Special Condition**

BE IT FURTHER RESOLVED, all liquor license establishments granted an extension of premises in a place to place transfer shall provide and maintain security barrier(s) to separate the extended premises from public areas. Such barrier(s) shall be in compliance with the New Jersey Division of Alcoholic Beverage Control and Borough of Pompton Lakes Chapter 59 Alcoholic Beverages Section 59-11 Visibility of Interiors.

RESOLUTION 23-126

WHEREAS, due to a number of vacancies within the Department of Public Works the position of Laborer was advertised; and

WHEREAS, several candidates were interviewed by the Superintendent of Public Works and a request has been made by Daniel O'Rourke, Superintendent of Public Works to appointment Matthew Heusser for the full-time position of Laborer 1 effective start date June 5, 2023; and

WHEREAS Matthew Heusser's employment is subject to those provisions set forth in the collective bargaining agreement executed by and between the Borough of Pompton Lakes and the Pompton Lakes Borough Employees Association for the period beginning January 1, 2020 through December 31, 2024; and

WHEREAS, The Borough desires that Matthew Heusser attain a CDL Class B License within one year of the effective date of this resolution; and

BE IT FURTHER RESOLVED, that the Treasurer has certified to available funds in the 2023 budget and an appropriation of funds shall be included in the 2023 adopted budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, it hereby appoints Matthew Heusser to the position of full-time position of Laborer 1 with a starting salary of \$38,734.00 effective start date June 5, 2023 as outlined above.

RESOLUTION 23-129

WHEREAS, the Borough of Pompton Lakes offers dental insurance to its employees through Horizon; and

WHEREAS, the current Horizon dental plan is due to expire on May 31, 2023; and

WHEREAS, the Borough's Broker of Record solicited proposals for dental insurance and received one proposal from Horizon; and,

WHEREAS, the Horizon quote represents a zero percent rate increase with no change in benefits for the twelve (12) month period from June 1, 2023 – May 31, 2024; and

WHEREAS, the Borough Council wishes to authorize the Borough Administrator to execute the twelve (12) month contract with Horizon for dental insurance:

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

1. The Borough hereby authorizes the Borough Administrator to enter into a twelve (12) month contract with Horizon for the period of June 1, 2023 through May 31, 2024.
2. There is a zero percent rate increase with no change in benefits.
3. The Borough Administrator is hereby authorized to execute said contract with Horizon for dental insurance.
4. This Resolution shall take effect immediately.

RESOLUTION 23-130

WHEREAS, the Borough of Pompton Lakes has a need to acquire de-snagging debris processing and removal upon request as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, DMK Services, LLC has submitted a proposal indicating they will provide the de-snagging, debris processing and removal upon request at an amount not to exceed \$30,000; and

WHEREAS, DMK Services, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that DMK Services, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Pompton Lakes in the previous one year, and that the contract will prohibit the DMK Services LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Treasurer has certified funds are available in the temporary and adopted capital budget.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Pompton Lakes authorizes the Mayor or Borough Administrator to enter into a contract with DMK Services, LLC as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

SEPARATE ACTION RESOLUTIONS: None

ORDINANCE FOR FIRST READING AND INTRODUCTION:

(Ordinance will be presented for second reading and final adoption on June 14, 2023)

ORDINANCE 23-20

AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES, STATE OF NEW JERSEY, TO AMEND AND SUPPLEMENT CHAPTER 14 ADMINISTRATION, ARTICLE VI, BOARDS, COMMITTEES, COMMISSIONS AND AUTHORITIES, SECTION 62, POMPTON LAKES REDEVELOPMENT AGENCY, OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES

Motion moved by Councilman DeLine, second by Councilwoman Kent to Approve Ordinance No. 23-20 for Introduction.

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

ORDINANCE 23-21

AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES COUNTY OF PASSAIC, STATE OF NEW JERSEY VACATING A PORTION OF THE RIGHT OF WAY DESIGNATED AS LOCUST STREET IN THE BOROUGH OF POMPTON LAKES BETWEEN LAURA STREET AND GROVE STREET

Motion moved by Councilman DeLine, second by Councilman Cruz to Approve Ordinance No. 23-21 for Introduction.

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

ORDINANCE 23-22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11, "PARK AND RECREATION AREAS," SECTION 1, "GENERAL PARK AND RECREATION AREA REGULATIONS," OF THE BOROUGH OF POMPTON LAKES

Motion moved by Councilman DeLine, second by Councilman Venin to Approve Ordinance No. 23-22 for Introduction.

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

ORDINANCE 23-23

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11, "PARK AND RECREATION AREAS," SECTION 3, "BOATING," OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES

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

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

ORDINANCE 23-24

AN ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF POMPTON LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND APPROPRIATING \$287,000.00 THEREFOR FROM MONIES IN CAPITAL IMPROVEMENT FUND OF THE BOROUGH

Motion moved by Councilman DeLine, second by Councilman Venin to Approve Ordinance No. 23-24 for Introduction.

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

ORDINANCE FOR SECOND READING AND FINAL ADOPTION:

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

ORDINANCE 23-17**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, "TRAFFIC", SECTION 7-44.1, "POND HOLE PARKING LOT REGULATIONS", OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion moved by Councilman DeLine, second by Councilman Cruz to open the Meeting for public comments on Ordinance No. 23-17. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 23-17.

Motion moved by Councilwoman Polidori, second by Councilman Venin to close the Meeting for public comments on Ordinance No. 23-17. All voted in favor of the motion.

Motion moved by Councilwoman Polidori, second by Councilman DeLine to approve Ordinance No. 23-17 for Final Adoption.

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

ORDINANCE 23-18**AN ORDINANCE AMENDING CHAPTER 5, "LICENSES, PERMITS AND BUSINESS REGULATIONS," ARTICLE 1, "PAYMENT OF TAXES REQUIRED," SECTION 1, "PAYMENT OF TAXES REQUIRED FOR ISSUANCE OF LICENSE OR PERMIT" AND CHAPTER 20 "RENTAL PROPERTY," ARTICLE 1, "RENTAL PROPERTY REGISTRATION," OF THE BOROUGH'S MUNICIPAL CODE**

Motion moved by Councilman DeLine, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 23-18. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 23-18.

Motion moved by Councilman DeLine, second by Councilwoman Polidori to close the Meeting for public comments on Ordinance No. 23-18.

Motion moved by Councilman DeLine, second by Councilwoman Kent to approve Ordinance No. 23-18 for Final Adoption.

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

ORDINANCE 23-19**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28, "TELEVISION AND MOVIE FILMING" OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion moved by Councilman DeLine, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 23-19. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 23-19.

Motion moved by Councilman DeLine, second by Councilman Venin to close the Meeting for public comments on Ordinance No. 23-19.

Motion moved by Councilman Venin, second by Councilwoman Kent to approve Ordinance No. 23-19 for Final Adoption.

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

MAYOR MICHAEL SERRA:

Mayor Serra reported on the following.

- commented on the Shade Tree Essay Contest and commended the students for participating in the Arbor Day Essay contest and congratulated the winners
- attended the Open Space meeting and commented on improvements for the Mueller property and Hershfield Park
- attended the Golf Outing sponsored by the Knights of Columbus and thanked the members for arranging the event
- participated in an Ordinance Committee meeting via a zoom call and thanked Councilmen DeLine and Cruz for their time and effort with drafting ordinances
- met with Ms. Cozzarelli and the School Superintendent to discuss upcoming security changes in the school
- requested one closed session on negotiations
- attended the Business Improvement District (BID) meeting. Committee members discussed the removal of trash on Wanaque Avenue
- plans for the former CJM building were submitted to the Building Department for review
- attended the Redevelopment meeting
- performed two wedding ceremonies
- announced the Memorial Day Parade will be held on May 28, 2023. The ceremony will begin at 11:30am at Veterans Park with the parade beginning at 12:00pm. Mayor Serra congratulated Bob McGrady for arranging the Memorial Day Parade and activities for the past fifty years, with this year being his last. Mayor Serra thanked Bob for his time and service to the community.

COUNCIL PRESIDENT POLIDORI:

Councilwoman Polidori reported on the following.

- thanked the students who participated and submitted an essay for the Arbor Day Essay contest. She also congratulated the winners and thanked the Shade Tree Commission for organizing the event.
- thanked Ms. Cozzarelli for her input during the budget process
- attended the Open Space Committee meeting
- hosted a culinary presentation for the Woman's Club
- attended the Redevelopment meeting
- attended an induction meeting for the Elks
- commented on the Ribbon Cutting Ceremony for the new sculpture at Lakeside Park. Councilwoman Polidori thanked the Department of Public Works for preparing the grounds for the event. Open Space funds and a grant from the Passaic County Historic Commission were used for the project.
- wished everyone a Happy Memorial Day and looks forward to seeing everyone at the parade

Mayor Serra reminded the community that all public buildings in the Borough will be closed on May 29, 2023.

COUNCILMAN CRUZ:

Councilman Cruz reported on the following.

- announced the Pompton Lakes High School Softball Team achieved the County Championship
- announced plans to enhance security within the School District and stated the Board of Education (BOE) formed a Student Safety Committee. Councilman Cruz stated

the goal of the committee is to develop security measures and upgrades to a safety plan. Additional information is available through the School District website and in the upcoming months the Board of Education plans to host a number of public information sessions.

Motion moved by Councilman Cruz, second by Councilwoman Polidori to approve the request of Pompton Lakes High School to close Lakeside Avenue from the Pond Hole entrance to Adrian Street on Tuesday, June 20, 2023 from 5:15pm to 9:00pm for 2023 High School Graduation Ceremony that will commence at 6:30pm. Rain dates Wednesday, June 21, 2023 and Thursday, June 22, 2023 with a time to be determined depending upon the weather forecast. (Police, Fire and First Aid to be notified) All voted in favor of the motion.

Motion moved by Councilman Cruz, second by Councilwoman Polidori to approve the request of Pompton Lakes Recreation to close Lakeside Avenue from Romain to Elks and Perrin Avenue on Sunday, September 3, 2023 (rain date Monday, September 4th) from 7:00am to 11:00pm for Pompton Day. (County, Police, Fire and First Aid to be notified) All voted in favor of the motion.

Motion moved by Councilman Cruz, second by Councilwoman Polidori to waive permit fees for those vendors who hold a Borough food license and wish to participate in Pompton Day. All voted in favor of the motion.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- congratulated the winners of the Arbor Day Essay contest and thanked the Shade Tree Commission for their dedication
- the Municipal Utilities Authority (MUA) passed an emergency Resolution for the replacement of the pump on the south end of the Borough. The MUA received numerous proposals for engineering services. The DEP and FEMA are looking closer at certain chemicals in drinking water and the MUA is being pro-active in addressing any issues.
- the MUA completed 44 water and sewer mark outs in the last month
- the Library Board continues to discuss the installation of an outdoor book drop
- the Recreation Commission requested to sponsor yoga classes on the Library lawn in the summer
- the PRIDE event will be held on the Library lawn on June 24, 2023
- reported on the Senior Housing Redevelopment Plan - located at the former County garage. County operations will move to alternate location but the salt shed will remain. The Borough Recycling Center will expand and be reconfigured to allow for traffic. Approximately (forty) one-bedroom units (55 and up) is planned with Veterans and Pompton Lakes residents having first priority. This Redevelopment Plan will be reviewed by the Planning Board.
- two applications were submitted and approved by the Zoning Board of Adjustment
- several Ordinances have been amended by the Ordinance Committee. Thanked Mayor Serra, Ms. Cozzarelli, Councilman Cruz along with members of Council for their input with amending Ordinances.

Mayor Serra stated the Senior Housing project will accommodate Veterans, Pompton Lakes residents and towns north of the county.

COUNCILWOMAN KENT:

Councilwoman Kent reported on the following.

- congratulated the students for submitting their entries in the Arbor Day Essay contest and thanked the Shade Tree Commission for their assistance
- permission was granted to 9th grade students from the Netherland Christian School for a science project on the Wanaque River in Hershfield Park involving trout eggs
- attended the Recreation Commission Teen Dance and thanked all who planned the event

- attended the Ribbon Cutting Ceremony for the new sculpture at Lakeside Park
- the Recreation Commission activities can be found on the Borough website
- anyone interested in becoming a vendor for Pompton Day should contact the Pompton Day Committee
- thanked the Business Improvement District for their support to the community

Mayor Serra stated the Recreation Department plans to add an additional court for Pickle Ball at Hershfield Park.

COUNCILMAN VENIN:

Councilman Venin reported on the following.

- congratulated the students for their Arbor Day Essays
- announced Lauren Venin coordinated the programming for the Girl Scout Camporee and stated it was a fun and educational day
- Trails Maintenance Day was held on May 13 and 21 and stated the trails are being used frequently
- the *Film Ready* certification application has been submitted and currently under review

COUNCILMAN BAIG:

Councilman Baig was excused.

PROFESSIONAL REPORTS:

GUNTHER WALDROW, Borough Attorney

Mr. Waldrow had no report.

PAULA COZZARELLI, Borough Administrator

Ms. Cozzarelli reported on the following.

- commented on the gas line replacement on several roads and stated the paving of center line to curb will take place in June, 2023. Ms. Cozzarelli informed Council that her understanding is that roads that were paved within five years must be curb to curb. She will further investigate the matter.
- commented on funds received for curb ramps on Lakeside Avenue and requested the funds be allocated to another project until the process of paving is established.
- the Borough received \$22,823.50 for the Clean Communities Grant
- thanked Council for recognizing her efforts during the Budget process

MEETING OPEN FOR PUBLIC COMMENTS:

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

MIKE SIMONE, West Lenox Avenue

Mr. Simone stated he has heard positive comments from residents regarding the Town and noted the Borough has a Municipal Utility Authority and the water supply comes from wells. Mr. Simone went on to comment on the absence of Councilman Baig and stated he was disappointed with the vote to not grant a leave of absence by some Council Members. Mr. Simone stated Councilman Baig has served the Borough in many capacities for many years and thought a courtesy should have been extended and the vote should have been unanimous to grant a leave of absence.

TIM TROAST, Durham Street

Mr. Troast commented on a past Council Meeting and referenced the action taken by Council regarding the granting a leave of absence for Councilman Baig. Mr. Troast stated, in his opinion, Council was misled as to procedure for an extension for a leave of absence. Mr. Troast disputed prior comments regarding a leave of absence and stated Council was not notified nor was an explanation provided as to why this matter needed to be addressed immediately during that particular meeting.

Mayor Serra responded and advised Mr. Troast guidance from the Borough Attorney was not forthcoming until a few minutes prior to the Council meeting. Mayor Serra stated he did not have the opportunity to advise Council he was going to request a motion for an extended leave of absence for Councilman Baig.

DENNIS KIHLBERG, Mountainside Drive

Mr. Kihlberg commented on the request for a leave of absence for Councilman Baig. Mr. Kihlberg stated he disagreed with the opinion that was provided that action needed to be taken during the past meeting.

RANDY HINTON, Montclair Avenue

Mr. Hinton commented on the vote for an extended leave of absence for Councilman Baig and questioned why a personnel matter was discussed in a public forum. Mayor Serra responded and stated the vote was to extend a leave of absence for Councilman Baig for his seat on Council. Mayor Serra stated this was not a personnel matter and the vote must take place in open session. Guenther Waldow, Borough Attorney, stated Council would need to vote on the motion so therefore the discussion would take place in an Open Session of a Council Meeting.

Mr. Hinton requested an update for Clerihew Lane as to whether the roadway was vacated. Ms. Cozzarelli replied and stated Clerihew Lane is vacated from Dawes Highway to a line in the middle of Block 9527/Lot 7 and there has been requests from residents that an additional section of Clerihew Lane be vacated. Ms. Cozzarelli stated an extensive title search was completed in 2008 and there is a public right of-way. Ms. Cozzarelli further stated there is no history of formal action and the residents would need to have a survey and legal description of their properties prior to vacating. Further research is required to determine whether trees located in the public right of way should be pruned.

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

PRIVILEGE OF THE FLOOR:

Councilman DeLine wished everyone Happy Memorial Day.

RESOLUTION TO ADJOURN INTO CLOSED SESSION:

Motion moved by Councilman DeLine, second by Councilman Venin to adjourn into Closed Session at 9:10pm. 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 negotiations with the School District 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 Councilwoman Kent to open the Meeting. All voted in favor of the motion.

The following was discussed in Closed Session:

- negotiations with the School District

ADJOURNMENT:

Motion moved by Councilman DeLine, second by Councilman Venin to Adjourn the Meeting at 9:35PM. All voted in favor of the motion.

ATTEST:

APPROVED:

**ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK**

**MICHAEL SERRA
MAYOR**

Dated: May 24, 2023