

## MINUTES OF THE JUNE 14, 2023 REGULAR COUNCIL MEETING

The following are the Minutes of the June 14, 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 Ekamon Venin, Bobby Cruz and Councilwoman Maria Kent. Councilman Erik DeLine arrived at 7:35pm. Councilman William Baig 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:**

#### **Proclamation: Pride Month**

Mayor Serra read a Proclamation recognizing June 2023 as PRIDE Month in Pompton Lakes and stated our community continues to respect all fellow human beings, irrespective of their sexual orientation or gender identity.

Mayor Serra announced there will be a Pride celebration at the Library from 1:00pm-4:00pm on June 24, 2023. All are welcome to attend.

#### **Presentation:**

Mayor Serra welcomed Ed Merrill, former Borough Environmental Officer, who provided a brief history of his family who immigrated to New Jersey in 1640.

Mr. Merrill commented on a past occurrence involving his family and described how his great-grandfather disarmed a robber of his weapon during the incident. Mr. Merrill stated the gun was passed down through his family and he was in possession of the gun. Mr. Merrill offered to donate the revolver to the Borough. The Police Department encased the decommissioned revolver and the plaque will be displayed in Borough Hall.

Mayor Serra thanked Mr. Merrill for his donation and recognized him for his many years of service, knowledge and commitment to the Borough.

### **MEETING OPEN FOR PUBLIC COMMENTS:**

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

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

Ms. Venin commented on Resolution 23-142 *Supporting the Redesign and Replacement of the Dawes Highway Bridge* and stated as a member of the Flood Advisory Board she thanked the Governing Body for their due diligence in getting this Resolution on the Agenda. Ms. Venin acknowledged there are limitations involved as to what can be accomplished with the bridge and stated this may be the only opportunity to improve the flow of the water. Ms. Venin stated she appreciates the support of the Governing Body in pursuing the redesign of the bridge. Mayor Serra replied and stated he would contact Engineer, Joe Skupien, for his assistance and request he address concerns with the design for the bridge.

Ms. Venin commented on Trails Maintenance and as a member of the committee she thanked Ms. Cozzarelli and Councilman DeLine for their support. Ms. Venin also recognized the Municipal Utility Authority (MUA) and volunteers for their cooperation in planting trees along the Morris Canal Greenway and Lincoln Trail.

Ms. Venin commented on an event sponsored by the Girl Scouts and thanked various members of the community for their assistance with the event.

**JILL TIGER, Schuyler Avenue**

Ms. Tiger remarked on the need for additional pickle ball courts in Pompton Lakes and offered some suggestions. Mayor Serra responded and stated he would further explore the location of additional courts.

**MARY BETH MORTON, Sunset Road**

Ms. Morton also commented on the need for additional pickle ball courts and offered ways to reconfigure the existing courts. Mayor Serra responded and stated he would speak to the Department of Public Works (DPW) for direction in relining the tennis courts to accommodate three pickle ball courts.

**KATIE COLE, Lincoln Avenue**

Ms. Cole commented on the Dawes Highway Bridge and stated the Borough has been committed to maintaining the rivers and assumed responsibility for keeping water flowing through the rivers. Ms. Cole spoke about the redesign and replacement of the County Bridge and remarked the County has not allowed for an opening large enough to keep the river water flowing. Ms. Cole stated she believes this is a onetime opportunity to make changes to the County Bridge and urged the Governing Body to continue to reach out and address the matter with County representatives. Mayor Serra assured Ms. Cole he would follow up and contact the Engineer, Mr. Skupien, for input as to the impact the redesign would have on river water flow.

**GEORGE POPOV, Colfax Avenue**

Mr. Popov requested an update regarding the ongoing drainage issue on Colfax Avenue. Ms. Cozzarelli stated she has spoken with the Engineer and he is developing a corrective action plan. Ms. Cozzarelli stated she has contacted the neighbor to address easement concerns. Mr. Popov stated even though the pipe is not located on his property it is affecting his property. Ms. Cozzarelli stated research is needed to determine whether there is an easement. Mayor Serra replied and stated the easement concern must first be addressed and stated he does not have a date as to when the issue will be resolved.

**MIKE SIMONE, West Lenox Avenue**

Mr. Simone commented on the Dawes Highway Bridge and questioned if Wayne has been approached as to the reconstruction plans for the County Bridge. Mayor Serra stated he would contact Mayor Vergano and request he support the Resolution for the redesign to allow the river water to flow through. Mr. Simone noted by having Wayne involved may provide better leverage with the County supporting the advantages of widening the bridge.

Mr. Simone commented on *Flag Day*, today, June 14, 2023 and stated the American flag needs to be honored and respected. Mr. Simone reminded everyone to recognize the flag code and to acknowledge what the American flag represents.

Mayor Serra responded and stated he, Councilman Venin and Councilwoman Kent attended a Flag Ceremony prior to the Council meeting that was sponsored by the Elks.

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

**MINUTES:**

Motion moved by Councilman DeLine, second by Councilman Venin to approve the Regular Meeting Minutes of May 24, 2023. All voted in favor of the motion.

Motion moved by Councilman DeLine, second by Councilman Venin to approve the Closed Session Meeting Minutes of May 24, 2023. All voted in favor of the motion.

**BILL LISTS: None**

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

**PETITIONS: None**

**CONSENT AGENDA:**

*(Council Members Required Resolution 23-142 to Be Pulled from the Consent Agenda for Separate Action)*

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes has reviewed the Consent Agenda consisting of various proposed Resolutions, and

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes does desire to remove Resolution 23-142 from that Agenda, and

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

1. Resolution 23-131 Accepting The Resignation Of Richard DeVries From The Pompton Lakes Department Of Public Works
2. Resolution 23-132 2023-2024 Liquor License Renewals
3. Resolution 23-133 Approving A Chapter 159, P.L. 1948 Resolution Pursuant To N.J.S.A. 40A:4-87 Providing For The Insertion Of Items Of Revenue In The 2023 Budget (Clean Community \$22,823.57)
4. Resolution 23-134 Approving A Chapter 159, P.L. 1948 Resolution Pursuant To N.J.S.A. 40A:4-87 Providing For The Insertion Of Items Of Revenue In The 2023 Budget (Alcohol Education Grant \$1,427.74)
5. Resolution 23-135 Accepting The Resignation Of Ariton Ramani (Telecommunications Dispatcher) From The Pompton Lakes Police Department
6. Resolution 23-136 Appointing Andrew Gavin As Seasonal Laborer For Employment In The Pompton Lakes Department Of Public Works
7. Resolution 23-137 Appointing Shane Duffy As Seasonal Laborer For Employment In The Pompton Lakes Department Of Public Works
8. Resolution 23-138 Appointing Jack Rennar As Seasonal Laborer For Employment In The Pompton Lakes Department Of Public Works
9. Resolution 23-139 Approving A Chapter 159, P.L. 1948 Resolution Pursuant To N.J.S.A. 40A:4-87 Providing For The Insertion Of Items Of Revenue In The 2023 Budget (Click It Or Ticket \$7,000.00)
10. Resolution 23-140 Promoting Talmadge Jones To Senior Public Safety Tele-Communicator Effective June 14, 2023
11. Resolution 23-141 Appointing Gene Leporiere As Tax Collector
12. Resolution 23-142 Supporting The Redesign And Replacement Of The Dawes Highway Bridge

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

**RESOLUTION 23-131**

**WHEREAS**, Richard DeVries notified the Department Public Work Superintendent Dan O’Rourke that he would be resigning from his position of Laborer effective June 9, 2023; and

**WHEREAS**, his formal letter dated May 26, 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 Richard for his service to the Borough and wishes him well in his future endeavors.

**RESOLUTION 23-132**

**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:

<b>Owner/Location</b>	<b>License number</b>
Panchamrut Liquors T/A Empire Wines & Liquors 84 Wanaque Avenue	<b>1609-44-010-009</b>
HMP, INC. T/A Shoppers Discount Liquors 744 Hamburg Turnpike	<b>1609-44-005-010</b>
Samay Liquor, LLC 716 Hamburg Turnpike	<b>1609-44-006-010</b>
Mi Hi P, LLC T/A Country Convenience 430 Ringwood Avenue	<b>1609-44-013-006</b>
Amazing Grays, LLC T/A Amazing Grapes/Beef Trust Kitchen & Bar/Gray's Craft House 10 Wanaque Avenue	<b>1609-33-012-013</b>
John Hand Tri County Post 2906 Veterans of Foreign Wars 260 D Wanaque Avenue	<b>CLUB LICENSE 1609-31-017-001</b>
A & A Café Limited Liability Co T/A Monica's 1 Lakeside Avenue	<b>1609-33-008-012 *Special Condition</b>
J & N Liquors, Inc. 211-213 Wanaque Avenue	<b>1609-44-001-004</b>
PRIYA General Store Inc. 766 Hamburg Turnpike	<b>1609-44-003-013</b>

**\*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 23-133**

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

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

**NOW, THEREFORE, BE IT RESOLVED** That the Borough Council of the Borough of Pompton Lakes hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the State of New Jersey Clean Communities, Other Expenses \$22,823.57

**BE IT FURTHER RESOLVED** that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

#### **RESOLUTION 23-134**

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

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

**NOW, THEREFORE, BE IT RESOLVED** That the Borough Council of the Borough of Pompton Lakes hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the State of New Jersey Alcohol Education Grant, Other Expenses \$1,427.74

**BE IT FURTHER RESOLVED** that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

#### **RESOLUTION 23-135**

**WHEREAS**, ARITON RAMANI, notified the Chief of Police that he would be resigning from his position of 911 Telecommunications Dispatcher effective June 2, 2023; and

**WHEREAS**, his formal letter dated June 2, 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 Ariton for his service to the Borough and wishes him well in his future endeavors.

#### **RESOLUTION 23-136**

**WHEREAS**, there is a need to appoint and employ a Seasonal Laborer in the Pompton Lakes Department of Public Works; and

**WHEREAS**, the Superintendent of Public Works has recommended to the Borough Administrator the appointment of Andrew Gavin.

**WHEREAS**, the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein and made a part of this resolution.

**NOW, THEREFORE, IT IS RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes that Andrew Gavin shall be appointed to the position of Seasonal Laborer for the Borough of Pompton Lakes Department of Public Works effective date June 5, 2023

**BE IT FURTHER RESOLVED**, Andrew Gavin shall be compensated \$15.00 per hour.

#### **RESOLUTION 23-137**

**WHEREAS**, there is a need to appoint and employ a Seasonal Laborer in the Pompton Lakes Department of Public Works; and

**WHEREAS**, the Superintendent of Public Works has recommended to the Borough Administrator the appointment of Shane Duffy.

**WHEREAS**, the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein and made a part of this resolution.

**NOW, THEREFORE, IT IS RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes that Shane Duffy shall be and is hereby appointed to the position of Seasonal Laborer for the Borough of Pompton Lakes Department of Public Works effective date June 12, 2023.

**BE IT FURTHER RESOLVED**, Shane Duffy shall be compensated \$16.00 per hour.

### **RESOLUTION 23-138**

**WHEREAS**, there is a need to appoint and employ a Seasonal Laborer in the Pompton Lakes Department of Public Works; and

**WHEREAS**, the Superintendent of Public Works has recommended to the Borough Administrator the appointment of Jack Rennar.

**WHEREAS**, the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein and made a part of this resolution.

**NOW, THEREFORE, IT IS RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes that Jack Rennar shall be and is hereby appointed to the position of Seasonal Laborer for the Borough of Pompton Lakes Department of Public Works effective date June 12, 2023.

**BE IT FURTHER RESOLVED**, Jack Rennar shall be compensated \$15.00 per hour.

### **RESOLUTION 23-139**

**HEREAS** N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

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

**NOW, THEREFORE, BE IT RESOLVED** That the Borough Council of the Borough of Pompton Lakes hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023, in the amounts listed below, which item is now available as a revenue from the State of New Jersey Click It or Ticket Other Expenses \$7,000

**BE IT FURTHER RESOLVED** that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

### **RESOLUTION 23-140**

**WHEREAS**, Talmadge Jones has been recommended by Chief Clark to be considered for promotion to Senior Public Safety Tele-Communicator; and

**WHEREAS**, he currently serves as a Public Safety Tele-Communicator for the Police Department; and

**WHEREAS**, the Personnel Committee has reviewed the Chief's request and has recommended he be promoted to Senior Public Safety Tele-Communicator with a salary of \$47,577; and

**WHEREAS**, the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein and made a part of this resolution; 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 appoints Talmadge Jones to the position of Senior Public Safety Tele-Communicator with a salary of \$47,577.00 effective June 14, 2023.

#### **RESOLUTION 23-141**

**WHEREAS**, there exists a vacancy in the position of Borough of Pompton Lakes Tax Collector due to the dissolution; and

**WHEREAS**, the position of Certified Tax Collector requires to be filled pursuant to N.J.S.A. 40A:9-141 due to the dissolution of the Shared Services agreement for said service; and

**WHEREAS**, the Borough Administrator interviewed several qualified candidates and has recommended hiring Gene Leporiere for the part-time position of Certified Tax Collector at an annual salary of \$16,500; and

**WHEREAS**, pursuant to N.J.S.A. 40A:9-142, every municipal tax collector shall hold his office for a term of four years from the first day of January next following his appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term"; and

**WHEREAS**, the Mayor and Council desire to appoint Gene Leporiere effective June 19, 2023, for a four-year term commencing January 1, 2024, and running through December 31, 2027; and

**WHEREAS**, the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein and made a part of this resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that it here appoints Gene Leporiere to the position of part-time Tax Collector effective June 19, 2023, for a four-year term commencing January 1, 2024 and running through December 31, 2027, pursuant to N.J.S.A. 40A:9-142 at an annual salary of \$16,500.

#### **SEPARATE ACTION RESOLUTIONS:**

#### **RESOLUTION 23-142**

**WHEREAS**, the Borough of Pompton Lakes ("Borough") has significantly invested in increasing flood resiliency and flood mitigation projects in the vicinity of the Dawes Highway and the Ramapo River for the health, safety and well-being of the residents of the Borough; and

**WHEREAS**, pursuant to the Rutgers STAP report and the New Jersey Department of Environmental Protection Inland Flood Protection Rules, the chances of significant flood events are increasing; and

**WHEREAS**, the current design of the Dawes Highway Bridge and existing abutments constrict the flow of the Ramapo River, increasing flood risk to the adjacent neighborhood and Ramapo River floodplain.

**WHEREAS**, the Borough wishes to recommend to the County of Passaic, State of New Jersey, reconstruction of the Dawes Highway Bridge in such a way to modify the hydraulic

opening to accommodate future climate-adjusted flood events in the floodplain of the Ramapo River.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF POMPTON LAKES, NEW JERSEY, THAT:**

1. The Governing Body of Pompton Lakes hereby recommends to the County of Passaic, State of New Jersey, reconstruction of the Dawes Highway Bridge in such a way to modify the hydraulic opening to accommodate future climate-adjusted flood events in the floodplain of the Ramapo River.

2. The Clerk shall maintain a copy of this resolution on file with the Office of the Borough Clerk and available for public inspection.

3. This Resolution shall take effect immediately.

**Discussion**

Councilman DeLine stated he requested the Resolution be moved for Separate Action to emphasize the importance of this Resolution. Mayor Serra stated now is the time to assure the reconstruction of the Dawes Highway Bridge adequately allows for the flow of the river and an expert will be hired to provide input into the design of the County Bridge.

Motion moved by Councilwoman Kent, second by Councilman Cruz to Approve Resolution No. 23-142. All voted in favor of the motion.

**ORDINANCE FOR FIRST READING AND INTRODUCTION:**

*(Ordinance will be presented for second reading and final adoption on June 28, 2023)*

**ORDINANCE 23-25**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 18, "FIRE PREVENTION" OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion moved by Councilman DeLine, second by Councilman Venin to Approve Ordinance No. 23-25 for Introduction.

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

**ORDINANCE 23-26**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 10 "ANIMAL CONTROL" OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion moved by Councilman Cruz, second by Councilman Venin to Approve Ordinance No. 23-26 for Introduction.

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

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

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

**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 open the Meeting for public comments on Ordinance No. 23-20. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 23-20

Motion moved by Councilman Venin, second by Councilman DeLine to close the Meeting for public comments on Ordinance No. 23-20. All voted in favor of the motion.

Motion moved by Councilwoman Polidori, second by Councilman DeLine to approve Ordinance No. 23-20 for Final Adoption.

**Roll Call: Councilman Venin, Yes, Councilman Baig, Excused, Councilman Cruz, Yes, Councilman DeLine, Yes, Councilwoman Kent, Yes, Councilwoman Polidori, 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 Venin, second by Councilman DeLine to open the Meeting for public comments on Ordinance No. 23-21. All voted in favor of the motion.

### **DAVID PULICE, 54 Wanaque Avenue .**

Mr. Pulice requested clarification regarding Ordinance No. 23-21. Mayor Serra explained a portion of the right-of-way in the vicinity of the Recycling Center must be vacated prior to the County proceeding with the Veteran/Senior Housing Project.

Motion moved by Councilman Cruz, second by Councilwoman Polidori to close the Meeting for public comments on Ordinance No. 23-21.

Motion moved by Councilman DeLine, second by Councilman Venin to approve Ordinance No. 23-21 for Final Adoption.

**Roll Call: Councilman Venin, Yes, Councilman Baig, Excused, Councilman Cruz, Yes, Councilman DeLine, Yes, Councilwoman Kent, Yes, Councilwoman Polidori, 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 open the Meeting for public comments on Ordinance No. 23-22. All voted in favor of the motion.

### **JEFF KINON, Ringwood Avenue**

Mr. Kinon commented on Ordinance 23-22 and questioned if the licensee would need to post the permit and provided suggestions as to how other communities post permits. Mr. Semeraro suggested an Ordinance change if the Council were to implement this procedure. Councilman DeLine offered his recommendations and suggested the Municipality post the permit and not the permit holder. Mr. Semeraro stated if the Municipality posts the permit there would be no need for an Ordinance change since Governmental activity is not mandated by Ordinance. After further discussion, Mayor Serra called for a vote and stated it will be discussed and an amendment could be prepared afterward.

Motion moved by Councilwoman Polidori, second by Councilman DeLine to close the Meeting for public comments on Ordinance No. 23-22.

Motion moved by Councilwoman Kent, second by Councilman DeLine to approve Ordinance No. 23-22 for Final Adoption.

**Roll Call: Councilman Venin, Yes, Councilman Baig, Excused, Councilman Cruz, Yes, Councilman DeLine, Yes, Councilwoman Kent, Yes, Councilwoman Polidori, 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 Councilman Venin to open the Meeting for public comments on Ordinance No. 23-23. All voted in favor of the motion.

#### **RANDY HINTON, Montclair Avenue**

Mr. Hinton questioned whether the Boating Ordinance restricts boating in the evening. Councilman DeLine responded and stated there is an Ordinance that sets restrictions on boating hours on the lakes in the Borough and stated the times for boating are one hour after sunset until one hour before sunrise. Councilman DeLine noted Ordinance 23-23 only addresses "events" related to boating. Mr. Hinton stated he disagrees with this regulation as a sportsman who enjoys night fishing and requested the Council consider changing this regulation.

#### **JEFF KINON, Ringwood Avenue**

Mr. Kinon commented on the fee for non-residents using the boat ramp on Lakeside Ave. Councilman DeLine replied and stated the fee relates specifically to events or tournaments held on the lake.

#### **PAUL BOWLBY, Romain Avenue**

Mr. Bowlby requested additional clarification for the types of boats within the Ordinance concerning the use of the lake. Councilman DeLine stated this Ordinance is specific to motor and powerboats. Mr. Bowlby questioned if non-motor boats can be used on the lake. Councilman DeLine stated canoes, kayaks and paddleboats are not included in Ordinance 23-23 and can be used on the lake in the evening.

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

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

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

### **ORDINANCE 23-24**

#### **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 \$317,000.00 THEREFOR FROM MONIES IN THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH**

Motion moved by Councilman DeLine, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 23-24. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 23-24.

Motion moved by Councilman DeLine, second by Councilwoman Kent to close the Meeting for public comments on Ordinance No. 23-24.

Motion moved by Councilman DeLine, second by Councilman Venin to approve Ordinance No. 23-24 for Final Adoption.

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

**MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following.

- commented on the donation Ed Merrill made to the Borough this evening and thanked him for providing the history for the event
- commented on Pompton Lakes Radio Station, WGHT and stated the radio station broadcasts throughout the New Jersey and New York area. Mayor Serra stated the Borough is fortunate to have WGHT Radio Station broadcast community events.
- thanked members of the Trails Committee for maintaining the trails
- attended an unofficial Open Space meeting to discuss several concepts for projects
- attended the Albanian Rededication for a Community Building and commented on the heritage and culture for the large population of Albanians that reside in the area. Mayor Serra stated the members offered their support for Pompton Lakes and the use of the Community Building.

**COUNCIL PRESIDENT POLIDORI:**

Councilwoman Polidori reported on the following.

- thanked Ed Merrill for the presentation this evening
- thanked the Ordinance Committee and Trails Committee for their hard work
- congratulated the students who are moving up and graduating in Pompton Lakes Schools

**COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- commented on Trails Day and thanked Ms. Venin for her role in coordinating the moving and planting of five large trees. Councilman DeLine stated the planting of the trees was a multi-agency effort and acknowledged Boltzer Landscaping along with those who participated in Trails Maintenance Day. Councilman DeLine thanked them for volunteering their services.
- thanked Ed Merrill for the donation and his expertise on the history of Pompton Lakes
- commented on the changes for Ordinances 23-25 Fire Prevention and 23-26 Animal Control
- school year is ending and urged residents to be mindful of children walking and bicycling during the summer months

**COUNCILWOMAN KENT:**

Councilwoman Kent reported on the following.

- attended the Elks *Flag Day* event and commented on a brochure she received exhibiting flags throughout American history
- acknowledged the efforts of the Trails Committee for their latest tree plantings
- thanked Ed Merrill for his generous historic donation
- attended the 5<sup>th</sup> grade graduation dance – special acknowledgement to Karen Murphy, Recreation Director and Commission Members for their assistance
- members of the Environmental Protection Committee (EPC) are concerned with the amount of litter in the downtown area. The EPC and the Business Improvement District will be seeking ways to address litter.

- Open Space Meeting members will meet in August
- the Shade Tree Commissioners have removed twelve ash trees in Hershfield Park that were affected by the Emerald Ash Borer. Councilwoman Kent stated her concerns with the deficit of trees in the park. Aside from the removal of the ash trees, there are several dead trees in the Borough being removed.
- thanked the Flood Advisory Board for their diligence in requesting Resolution 23-142 and Mr. Semeraro for his assistance in preparing the Resolution.
- the Department of Public Works has been providing maintenance throughout the Borough
- Pompton Lake and Twin Lakes have been treated by Aquaclear
- received an invitation for the Pride event scheduled at the Library
- requested a letter be provided to a *Good Samaritan* who helped a Pompton Lakes resident in distress. Mayor Serra asked Councilwoman Kent to draft the letter and submit it to Ms. Brandsness.
- the Recreation Commission has provided a full schedule of activities, which can be found on the Recreation website. Mayor Serra stated there will be a Pompton Day meeting at 7:00pm at the Prevention Coalition Office on June 15, 2023.

#### **COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- attended the 2023 New Jersey History and Historic Preservation Conference in Atlantic City and reported on digitalizing documents
- the *Dig In* Grant is now open and is offering combinations of daffodils, red bud trees and native perennial plant packages. Councilman Venin announced the *Dig In* Grant is also opened to community organizations. Groups can access the website [www.citygreenonline.org](http://www.citygreenonline.org) or search *City Green Dig In* to apply for the Grant.
- thanked the Municipal Utilities Authority for their assistance with National Trails Day
- confirmed the donated revolver by Ed Merrill was decommissioned
- commented on another location for a Pickle Ball court

#### **COUNCILMAN BAIG:**

Councilman Baig was excused.

#### **COUNCILMAN CRUZ:**

Councilman Cruz reported on the following.

- commented on two presentations that were given at the Board of Education meeting. A summary for projects to be accomplished throughout the school year was presented by the facility supervisor. Northern Region Educational Services Commission provided a summary of their program which includes the before and after day care. The Commission offers many more services that the district can take advantage.
- the District has been approved for a co-ed Ice Hockey Team that will include three school districts
- congratulated Tracy Cioppa for completing ten years as a member of the Board of Education and currently holds the position as President

Mayor Serra requested one closed session on negotiations.

#### **PROFESSIONAL REPORTS:**

##### **MARK SEMERARO, Borough Attorney**

Mr. Semeraro requested one closed session on attorney client communication regarding contemplated legislation.

##### **PAULA COZZARELLI, Borough Administrator**

Ms. Cozzarelli reported on the following.

- the Police Department achieved Police Accreditation on June 8, 2023
- thanked Dt. Sgt. Cottrell for having the revolver decommissioned and preserved by Cardinal Framing
- the Borough is slated to receive \$80,000 for Hershfield Street improvements through the Community Block Development Grant. Ms. Cozzarelli stated she will request \$58,000.00 be allocated for curb cuts for Lakeside Avenue. A Resolution will be included on the Agenda during the next Council meeting.
- commented on several grants the Borough received including *Clean Community*, *Alcohol Education* and *Click It or Ticket*
- Hershfield Street will be the last of the capital projects and will most likely begin in October, 2023

Councilwoman Kent questioned when the Boathouse bathroom project is scheduled to begin. Ms. Cozzarelli responded and stated the construction should begin at the end of July/August. Councilwoman Polidori requested the costs for the project to provide to the Open Space Committee. Ms. Cozzarelli to provide the projected cost for the project before the next Open Space Meeting.

#### **MEETING OPEN FOR PUBLIC COMMENTS:**

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

#### **MIKE SIMONE, West Lenox Avenue**

Mr. Simone commented on the need to adjust the level of the Pompton Lakes Dam along with regulating the gates during storm events. Mayor Serra replied and stated the Army Corps of Engineers control the regulations for the gates and the State follows their guidelines. Mayor Serra stated the flow of water involves different counties thus complicating the control of the gates. After further discussion Mayor Serra stated he would contact Mr. Skupien to further discuss the flow of river water.

#### **RANDY HINTON, Montclair Avenue**

Mr. Hinton commented on Clerihew Lane and questioned if it has been determined vacated. Ms. Cozzarelli replied and stated it has not been vacated but there are points of ownership up to the centerline. A title search has been ordered and no determination has been made at this time.

Mr. Hinton congratulated the Police Department for achieving their Accreditation. Ms. Cozzarelli stated there is a renewal period and the Police Department must maintain the established standards.

#### **JEFF KINON, Ringwood Avenue**

Mr. Kinon commented on antiquated fireplaces abandoned along particular Borough trails and how it defines the history for the area.

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

#### **PRIVILEGE OF THE FLOOR:**

Councilman DeLine announced there is a pending Redevelopment project and stated the Redevelopment meeting for tomorrow has been cancelled.

Councilwoman Kent stated she presented a scholarship award that was donated by former Councilwoman Reicher. The recipient of the scholarship was Lauren Salus and commented on her achievements.

#### **RESOLUTION TO ADJOURN INTO CLOSED SESSION:**

Motion moved by Councilman Venin, second by Councilman Cruz 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 and legal advice regarding legislation 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 Venin to open the Meeting. All voted in favor of the motion.

The following was discussed in Closed Session:

- negotiations
- legal advice regarding legislation

**ADJOURNMENT:**

Motion moved by Councilman DeLine, second by Councilman Venin to Adjourn the Meeting at 9:00PM. All voted in favor of the motion.

**ATTEST:**

**APPROVED:**

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**ELIZABETH BRANDSNESS, RMC  
 MUNICIPAL CLERK**

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

Dated: June 14, 2023