

## MINUTES OF THE AUGUST 16, 2023 REGULAR COUNCIL MEETING

The following are the Minutes of the August 16, 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.

Mayor Serra 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 Bobby Cruz, Erik DeLine and Ekamon Venin and Councilwoman Maria Kent. Councilman William Baig is absent.

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

### **MAYOR PRESENTATION AND UPDATES:**

### **APPOINTMENT POMPTON LAKES POLICE DEPARTMENT:**

#### **RESOLUTION 23-163**

#### **AUTHORIZING THE APPOINTMENT OF A POLICE OFFICER TO THE POMPTON LAKES POLICE DEPARTMENT – CELESTE TORRES**

**WHEREAS**, the Borough of Pompton Lakes Police Department is in need of a Police officer to fill a position in the ranks; and

**WHEREAS**, per Senate Bill A3672, P.L. 2021, C. 406 permits municipalities to hire police officers who may not have taken an open competitive examination for the title of Police Officer, but are otherwise duly qualified; and

**WHEREAS**, the Pompton Lakes Police Department has undertaken background investigations, physical and psychological evaluations of the potential candidate to fill this position; and

**WHEREAS**, based upon that information and a formal interview it is the recommendation of the Chief of Police and Investigating Committee that Celeste Torres be appointed to the position of Police Officer under the Rules and Regulations of the New Jersey Civil Service Commission and the current collective bargaining agreement between the P.B.A. and the Borough of Pompton Lakes.

**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 hereby confirms the appointment of Celeste Torres to the position of Police Officer with the Pompton Lakes Police Department effective August 16, 2023.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, 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.

Motion moved by Councilman Cruz, second by Councilman Venin Authorizing The Appointment Of A Police Officer To The Pompton lakes Police Department – Celeste Torres

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

Mayor Serra invited Celeste Torres to step forward along with her family and administered the Oath of Office. Mayor Serra congratulated Celeste on her appointment as a Police Officer and welcomed her to the Pompton Lakes Police Department.

**PROCLAMATION: TURN THE TOWN TEAL:**

Mayor Serra invited Steve Wendowski to come forward and read a Proclamation in support of *Turn the Town Teal*. Mr. Wendowski provided some input and stated this is a national campaign to promote awareness for ovarian cancer. Mayor Serra proclaimed September as Ovarian Cancer Awareness month and stated he supports the efforts of the volunteers who call attention to this disease.

**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.

**HANK FORMISANO, Grant Avenue**

Mr. Formisano commented on overgrown shrubbery located on Schuyler Avenue and stated it was a safety hazard. Mayor Serra stated he would reach out to the Building Department / Property Maintenance to inspect the area. Mr. Formisano also commented on vehicles speeding on Colfax Avenue and his concern for the number of deer roaming the streets. Mayor Serra to notify the Police Department to follow up with concerns.

**HELENE ZABLOCKI, Butler Street**

Ms. Zablocki thanked Council Members who attended PRIDE Day in June and stated their attendance was appreciated. Ms. Zablocki requested Council consider establishing and forming a PRIDE Committee to explore ways to promote the event. Mayor Serra responded and stated he would contact Ms. Murphy, Recreation Director, to form a sub-committee through Recreation. Ms. Zablocki stated she would request the PRIDE event committee be formed independently. Mayor Serra replied and stated he would follow up on the matter.

**GEORGE POPOV, Colfax Avenue**

Mr. Popov commented on an ongoing matter concerning a Title Search to determine an easement for a drainage pipe and stated the e-mail he received from the Borough did not determine whether there is an easement. Mr. Semeraro, Borough Attorney, responded it was a private non-public easement and the beneficiaries of the easement would need to be proven. Mr. Semeraro stated the document was not clear and he now must enlist a Title Agency to provide a legal interpretation for the findings for the document that resulted from the Title Search. After further discussion, Mr. Semeraro stated the document needs to be traced and analyzed. Mr. Popov requested a target date for the work to commence.

Mayor Serra remarked on regulations and laws the Borough is required to follow when addressing an issue on private property. Mayor Serra stated the Borough will update Mr. Popov of the findings when the Title Search is completed.

**MARK QUIELLO, Summit Falls Board of Trustees**

Mr. Quiello commented on excavation that has been occurring at 735 Hamburg Turnpike bordering property at Summit Falls. Mr. Quiello expressed his concerns with the ongoing jack hammering and the removal of soil from the area. Mayor Serra responded and stated the Building Department has been notified and all work at the site has been ceased. Mayor Serra remarked on the construction / soil removal and advised the Association Board members to send an email to Mr. Poli, Construction Official, to inform him of their concerns. Several members in attendance voiced their concerns and stated the structure of the buildings may have been compromised by the recent excavation. Mayor Serra advised the Summit Falls Board Members that he and Ms. Cozzarelli will contact Mr. Poli to relay their concerns and request the area be further inspected.

Mr. Quiello stated the road surface on Hemlock Road was in poor condition and in need of resurfacing. Mayor Serra stated he would contact the Department of Public Works (DPW) to repair the potholes.

Mr. Quiello questioned whether the Borough could provide assistance with the inundation of the Spotted Lantern Flies in the Summit Falls area. Mayor Serra stated the grant funding provided by the State is specifically for Borough or County properties.

**LOU BELLINI, Ridge Drive**

Mr. Bellini commented on the recent construction / soil removal activity to the property near Summit Falls and questioned whether there are any provisions for shoring of the area. Mayor Serra replied and stated the engineers would make that determination.

**MILLA JEAN CALDERONE, Ridge Drive**

Ms. Calderone expressed her concerns with the high taxes residents in Summit Falls pay and questioned whether the Borough could assist in some way. Mayor Serra responded the taxes are determined by the property value.

**ALAN HEIMALL, West Milford**

Mr. Heimall commented on the piece of land he is interested in selling to the Borough. Mr. Heimall stated he is seeking comps from the Tax Assessor for the property and has received an appraisal for the property. Mr. Semeraro cautioned the Governing Body not to engage in negotiations regarding the property in a public forum. Mr. Heimall further commented on the value of the property and stated there needs to be further discussions to determine an agreeable amount.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton commented on Resolution 23-165 Accepting The Resignation Of Paula J. Cozzarelli As The Borough Administrator For The Borough Of Pompton Lakes and stated he was disappointed to see Ms. Cozzarelli resign from her position as Borough Administrator. Mayor Serra stated Ms. Cozzarelli did a great job for the Borough and that this is a career move.

Mr. Hinton commented on the process for a replacement for the position of Borough Administrator and questioned who the members are on the Personnel Committee. Mayor Serra replied and stated Councilwoman Kent and Councilman Venin are on the Personnel Committee. Mr. Hinton asked whether Council was aware of the resignation.

Mr. Semeraro instructed Council this a personnel matter and not to engage discussions.

Mr. Hinton thanked Ms. Cozzarelli and wished her well in her future endeavors.

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 Councilwoman Polidori to approve the Special Meeting Minutes of July 19, 2023. All voted in favor of the motion. Councilman Cruz abstained.

Motion moved by Councilman DeLine, second by Councilwoman Polidori to approve the Regular Meeting Minutes July 19, 2023. All voted in favor of the motion. Councilman Cruz abstained.

**BILL LISTS:**

**RESOLUTION 23-155 - RESOLUTION AUTHORIZING PAYMENT OF BILLS IN THE AMOUNT OF \$5,574,899.63**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that the summary of bills in the total amount of **\$5,574,899.63** having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting; and

**BE IT FURTHER RESOLVED**, that in the event of the CFO’s absence, the Governing Body authorizes the Business Administrator and Treasurer to carry out the duties and responsibilities of the CFO; and

**BE IT FURTHER RESOLVED**, that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Pompton Lakes Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

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

Current Fund	\$ 5,200,399.34
Capital Fund	\$ 334,271.87
Recreation Trust	\$ 28,253.08
Unemployment	\$ 96.72
Dog Trust Account	\$ 14.40
Other Trust Account	\$ 4,710.47
Clerk’s Account	\$ 2,011.25
Open Space Trust	\$ 5,142.50
Affordable Housing	\$ 0.00

**PETITIONS: None**

**CONSENT AGENDA:**

*(No Council Members Required Any Resolutions 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 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 with Resolution 23-153 removed for separate action:

1. Resolution 23-156 Appointment of Sean McClinton To The Position Of Laborer 1 With The Department Of Public Works Effective Start Date August 7, 2023
2. Resolution 23-157 Authorizing Refund of Q1 2023 and Q2 2023 Property Taxes Block 3300 Lot 9
3. Resolution 23-158 Authorizing Refund of Q4 2022, Q1 2023 and Q2 2023 Property Taxes Block 5000 Lot 19
4. Resolution 23-159 Authorizing Refund of Q3, Q4 2022, Q1 2023 and Q2 2023 Property Taxes Block 1000 Lot 17
5. Resolution 23-160 Authorizing Refund of Q3 2022, Q4 2022, Q1 2023 And Q2 2023 Property Taxes Block 3201 Lot 19
6. Resolution 23-161 Appointment of Ryan Hayes To The Position Of Laborer 1 With The Department Of Public Works Effective Start Date August 21, 2023
7. Resolution 23-162 Accepting The Resignation Of Zack Fagan From The Pompton Lakes Department Of Public Works
8. Resolution 23-164 Awarding Engineering Services To Stormwater Compliance Solutions For Stormwater Management And Compliance With Tier A Municipal Permit
9. Resolution 23-165 Accepting The Resignation Of Paula J. Cozzarelli As The Borough Administrator For The Borough Of Pompton Lakes

Ms. Cozzarelli stated there was an error in Resolution 23-164 and the lump sum amount of the engineering services should be reflected as \$35,900.00 and not \$43,900.00.

**RESOLUTION 23-156**

**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 Sean McClinton for the full-time position of Laborer 1 effective start date August 7, 2023; and

**WHEREAS** Sean McClinton'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 Sean McClinton attain a CDL Class B License within one year of the effective date of this resolution; and

**NOW, THEREFORE, BE IT 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.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, it hereby appoints Sean McClinton to the position of full-time position of Laborer 1 with a starting salary of \$38,734.00 effective start date August 7, 2023 as outlined above.

**RESOLUTION 23-157**

**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>	100% Disabled Veteran Tax Exemption		
<b>Block/Lot</b>	<b>Address</b>	<b>Amount</b>	<b>Period</b>
3300/9	217 Grant Avenue Pompton Lakes, NJ 07442	\$4,297.00	2023/Q1 2023/Q2
	<b>Resolution Total</b>	<b>\$4,297.00</b>	

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$4,297.00 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein in line item 3-01-55-002-601.

**RESOLUTION 23-158**

**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>	100% Disabled Veteran Tax Exemption		
<b>Block/Lot</b>	<b>Address</b>	<b>Amount</b>	<b>Period</b>
5000/19	2 Perrin Avenue Pompton Lakes, NJ 07442	\$8,074.00	2022/Q4 2023/Q1 2023/Q2
	<b>Resolution Total</b>	<b>\$8,074.00</b>	

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$8,074.00 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein in line item 3-01-55-002-601.

**RESOLUTION 23-159**

**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>	100% Disabled Veteran Tax Exemption		
<b>Block/Lot</b>	<b>Address</b>	<b>Amount</b>	<b>Period</b>
1000/17	26 Federal Hill Road Pompton Lakes, NJ 07442	\$951.30	2022/Q3
		\$1,418.00	2022/Q4
		\$1,403.00	2023/Q1
		\$1,403.00	2023/Q2
	<b>Resolution Total</b>	<b>\$5,175.30</b>	

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$5,175.30 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein in line item 3-01-55-002-601.

**RESOLUTION 23-160**

**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>	100% Disabled Veteran Tax Exemption		
<b>Block/Lot</b>	<b>Address</b>	<b>Amount</b>	<b>Period</b>
3201/19	48 Romain Avenue Pompton Lakes, NJ 07442	\$10,567.56	2022/Q3
			2022/Q4
			2023/Q1
			2023/Q2
	<b>Resolution Total</b>	<b>\$10,567.56</b>	

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$10,567.56 are available in the 2023 Borough of Pompton Lakes Budget for the purposes set forth herein in line item 3-01-55-002-601.

**RESOLUTION 23-161**

**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 Ryan Hayes for the full-time position of Laborer 1 effective start date August 21, 2023; and

**WHEREAS** Ryan Hayes'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 Ryan Hayes attain a CDL Class B License within one year of the effective date of this resolution; and

**NOW, THEREFORE, BE IT 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.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, it hereby appoints Ryan Hayes to the position of full-time position of Laborer 1 with a starting salary of \$38,734.00 effective start date August 21, 2023 as outlined above.

**RESOLUTION 23-162**

**WHEREAS**, Zack Fagan notified the Department Public Work Superintendent Dan O'Rourke that he would be resigning from his position of Laborer effective August 11, 2023; and

**WHEREAS**, his formal letter dated July 31, 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 Zack for his service to the Borough and wishes him well in his future endeavors.

**RESOLUTION 23-164**

**WHEREAS**, the Borough of Pompton Lakes has a need to acquire professional engineering services as a non-fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

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

**WHEREAS**, the Borough Administrator has recommended award be given to Stormwater Compliance Solutions for a lump sum of \$35,900; and

**WHEREAS**, Stormwater Compliance Solutions to submit a Business Entity Disclosure Certification, which Certification provides that the firm has not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Borough in the one year period preceding the award of the Contract, and that the Contract will prohibit the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, Stormwater Compliance Solutions to submit a Political Contribution Disclosure Form as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Borough; and

**WHEREAS**, the Treasurer of the Borough of Pompton Lakes of has certified in writing that funds are available in the 2023 budget in the following line items:

3-01-20-100-158; 3-01-26-310-130; 3-01-44-905-101.

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. That the Borough Council of the Borough of Pompton Lakes authorizes the Borough Administrator to enter into a contract with Stormwater Compliance Solutions for Professional Engineering Services at lump sum of \$35,900.00 per proposal;
2. Stormwater Compliance Solutions to submit a Business Disclosure Entity Certification and Political Contribution Disclosure Form which shall be placed on file with this Resolution
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
4. A notice of this award will be printed in the official newspaper of the Borough of Pompton Lakes in accordance with N.J.S.A. 40A:11-1 et seq.
5. Certified copies of this Resolution be forwarded to Stormwater Compliance Solutions 180 Main Street, Chester, NJ 07930.

### **RESOLUTION 23-165**

**WHEREAS**, Paula Cozzarelli notified the Mayor and Council that she would be resigning from her position as Borough Administrator and her last day with the Borough would be September 8, 2023; and

**WHEREAS**, her formal letter dated August 9, 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 Paula for her service to the Borough.

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

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

#### **ORDINANCE FOR FIRST READING AND INTRODUCTION: None**

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

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

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

### **ORDINANCE 23-26 (Carried at July 19, 2023 Regular Council Meeting to August 16, 2023)**

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

Councilman DeLine stated he did not receive any response from Council Members regarding Ordinance 23-26. Councilman DeLine stated additional review is needed prior to voting on the Ordinance.

Motion moved by Councilman DeLine, second by Councilwoman Polidori to remove Ordinance 23-26 for second reading. All voted in favor of the motion.

### **MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following.

- commented on the Community Rating System (CRS) meeting and acknowledge Ms. Troast and Ms. Brandsness for their involvement with the program and efforts in coordinating the meeting. Mayor Serra stated that there will be a full audit for the program. Mayor Serra

reminded residents who pay flood insurance the program provides for up to a 25% discount off their flood insurance and they should contact their insurance agent for more information.

- attended the Senior Picnic and thanked Ms. Murphy and all volunteers for their assistance
- attended the Ribbon Cutting for the Re-Opening of Miss Korea Restaurant
- met with Senator Pennacchio and during the meeting they discussed concerns for the over-population of deer in the Borough. Mayor Serra stated Senator Pennacchio will follow up at the State level.
- commented on the \$500,000.00 grant for the Library and thanked Congressman Pascrell for his support
- performed several wedding ceremonies
- attended the Open Space meeting and discussed funding for potential projects particularly in Hershfield Park

### **COUNCIL PRESIDENT POLIDORI:**

Councilwoman Polidori reported on the following.

- offered condolences to the families of Councilman Cruz, Sharon Sonne and Tony Massaro
- attended the Rotary Golf Outing and VFW fundraisers
- attended the Grand Re-Opening of Miss Korea Restaurant
- attended the new Bell Works facility located in southern New Jersey that connects with members of the film industry seeking site areas for film production
- commented on the success of National Night Out and thanked all involved with the event
- working with the Shade Tree Commission and the Rotary for a site selection of the Salem Oak tree - possible site for the planting is Rotary Park.
- attended the Open Space meeting

Discussion:

Councilwoman Polidori questioned the status for the Civic Center Building and noted she was not informed of the meeting scheduled to discuss the restoration/replacement of the building. Councilwoman Polidori stated she would have attended the meeting if she had been notified. Councilwoman Polidori then questioned a meeting that was arranged with Police Officers and Union representatives and stated Councilwoman Kent was called in to attend. Councilwoman Polidori stated Mayor Serra was unable to attend and questioned as Council President why she was not notified.

Councilwoman Polidori voiced concerns with negotiations concerning the amendment of the Meridia Redevelopment Agreement that was part of the contract for the Civic Center. Mr. Semeraro stated the matter is sensitive to negotiations and the current agreement allowed for repairs to the building. Mr. Semeraro noted at this time the Borough is exploring other alternatives to address the restoration of the building that benefit the Borough and it is counterproductive to divulge additional details.

Councilwoman Polidori voiced concerns with the attendance of a member of the public at the meeting to discuss the Civic Center. Mr. Semeraro responded the individual that attended had information that contributed towards resolving the issue.

Councilwoman Polidori stated as Council President and member of the Personnel Committee she should be informed and notified of meetings that concern the Borough – personnel matters, especially in the absence of the Mayor.

### **COUNCILMAN CRUZ:**

Councilman Cruz reported on the following.

- thanked the Governing Body and members of the community for their kind words on the passing of his Father
- the Board of Education hired Scott Wisniewski as the new Principal of Pompton Lakes High School
- Nancy Schwartz resigned as a Board of Education Trustee. Councilman Cruz commented on her extensive contributions during her tenure and wished her the best as she moves on.

- *Dine to Donate* for the Pompton Lakes High School Field Hockey program - August 23, 2023 from 4pm – 9pm

Motion moved by Councilman Cruz, second by Councilman DeLine to approve the request to waive Borough application fees for the Pompton Lakes Riverdale First Aid Squad 50/50 raffle to be held on September 3, 2023 with a rain date of September 4, 2023 (Pompton Day). All voted in favor of the motion.

Motion moved by Councilman Cruz, second by Councilwoman Polidori to approve the request to waive Borough application fees for the Pompton Lakes Volunteer Fire Department 50/50 raffle to be held on September 9, 2023. All voted in favor of the motion.

Motion moved by Councilman Cruz, second by Councilwoman Kent to approve the request to waive Borough application fees for the Lakedale Girl Scouts for the use of Hershfield Park on September 15, 2023 and October 29, 2023. All voted in favor of the motion.

Mayor Serra announced:

- Pompton Day will be held on September 3, 2023 –rain date September 4, 2023. If interested, vendors are still needed.
- *Wet-Down* at the Fire house will be held on September 9, 2023 between 5pm - 10pm
- September 11, 2023 Ceremony to be held at the Municipal Building

#### **COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- offered his condolences to Councilman Cruz on the loss of his Father and to Sharon Sonne on the loss of her Mother
- congratulated Officer Torres on her appointment to the Police Department
- commented on the successful National Night Out– a well-attended community event
- the Library Board of Trustees meeting scheduled for August 21, 2023 has been canceled
- Friends of the Library will be sponsoring a free showing of the movie *Grease* on August 22, 2023. A Library fundraiser that offers an original Grease poster for \$20.00
- the Redevelopment meeting will be held on August 22, 2023 at 6:30pm – an initial view of the proposals, a formal presentation for 60 Wanaque Avenue begins at 6:30pm
- wished Ms. Cozzarelli good luck

#### **COUNCILWOMAN KENT:**

Councilwoman Kent reported on the following.

- welcomed Officer Celeste Torres to the Police Department
- attended the Personnel Meeting with the Police to discuss the Union Contract at the request of Ms. Cozzarelli
- she and Councilman Venin attended the successful Elks Car Show
- attended the Finance Committee meeting
- attended the Ribbon Cutting Ceremony for Miss Korea
- attended the Business Improvement District (BID) meeting to discuss litter. A litter education program will ensue with the Environmental Protection Committee (EPC).
- the Business Improvement District requested a meeting with Mayor Serra to discuss the trash problem
- attended the Senior Picnic
- the DPW is working hard to beautify the Lakeside Avenue area and Lakeside Park in time for Pompton Day
- through the donation from former Police Athletic League (PAL) members, Rich Fleisher and Lloyd Kent, park benches will be installed by the Department of Public Works in Hershfield Park and a basketball hoop and pole will be installed at Pacifico-Gallo Park.
- the Environmental Protection Committee will coordinate litter programs and review the Lake Restoration water quality reports. The report will be available through an OPRA request.

- attended the Open Space meeting and is looking forward to the replacement of new bathrooms
- the guardrails and fence on Lakeside Avenue are in need of repair
- possibility of an increase in fees next year for Summer Camp. Councilwoman Kent thanked the Directors for the successful summer program.
- thanked the Shade Tree Commission and the Woman's Club for their presence at National Night Out
- wished Ms. Cozzarelli good luck
- offered condolences to the families of Councilman Cruz and Sharon Sonne

#### **COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- congratulated Officer Torres on her appointment to the Police Department and wished her well
- thanked the Police Department and all involved for sponsoring the well-attended National Night Out
- thanked community members who attended the Marching Band Carwash event last Saturday
- thanked the Trails Maintenance volunteers for their continued support

#### **COUNCILMAN BAIG:**

Councilman Baig was absent.

#### **PROFESSIONAL REPORTS:**

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

Mr. Semeraro had no report.

Mayor Serra commented on Ms. Cozzarelli's tenure as Borough Administrator and praised her for her dedication and stated it is a loss to the Borough. Mayor Serra wished her the best in her career.

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

Ms. Cozzarelli reported on the following.

- commented on the 2023 Capital projects—Hershfield Park Improvement Stage 1 replacement of the bathroom/storage building. Ms. Cozzarelli commented on the addition of a second story storage area and requested the Open Space Committee consider allocating additional funds.
- Lincoln Avenue Phase II road resurfacing to be completed this year - Department of Transportation (DOT) grant. Bid notice to be released.
- Howard & Maple Streets road resurfacing project update; engineers currently working on the specs/to be completed this year
- Hershfield Street and Ackerman Place – 2023 CBDG Grant. The Borough received \$80,000 for the project and the funds cannot be spent until 2024. The Borough can start the process and prepare the spec.
- shared service agreements with the County. The County is replacing the walk bridges in Hershfield Park and West Lenox Avenue. Ms. Cozzarelli commented on the Borough's responsibility for the DuPont Place Bridge, which has been budgeted.
- Mr. Scupian, expert of Hydrological studies, has agreed to a fee of \$3,000.00 to review all drawings from the County for the Dawes Highway Bridge. Mayor Serra and Mr. O'Rourke, DPW Superintendent, will meet with Mr. Scupian, the County Hydrologist, as well as the County Engineer to review Mr. Scupian's plans.
- the Department of Public Works will be checking on Borough locations for spraying for the Spotted Lantern Flies

- initiated a claim to the Borough's insurance carrier for mold in the Civic Center. Seeking to have Meridia repair the roof and remediate the mold for the Civic Center to be habitable. Mayor Serra replied and stated Mr. O'Rourke may be able to patch the roof but the leakages need to be addressed and mold removed.
- commented on the installation of a light pole in Rotary Park initiated by Carl Padula

Ms. Cozzarelli thanked the Governing Body for putting their faith in her and appointing her to the position of Borough Administrator. Ms. Cozzarelli announced she has accepted a position as an Administrator in another Town and stated it has been an honor to serve in Pompton Lakes.

#### **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.

#### **RICH GREENBERG, Washington Avenue**

Mr. Greenberg commended the Office of Emergency Management (OEM) Coordinator, Al Evangelista, CERT Coordinator, Deborah Ross and Alan Montvics for their support of the community in periods of emergencies. Mr. Greenburg stated that negative issues witnessed this evening among Governing Body members does not belong in a public forum. Mayor Serra agreed.

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

Mr. Simone thanked the Governing for the information regarding the Dawes Highway Bridge. Mr. Simone thanked Ms. Cozzarelli for the work she provided to the Borough and wished her best of luck in her new position.

#### **DENNIS KIHMBERG, Mountainside Drive**

Mr. Kihlberg wished Ms. Cozzarelli good luck in her new position. Mr. Kihlberg commented on a letter he received from a resident dated 2018 regarding trees being removed on Whitney Avenue and Borough property. Mr. Kihlberg questioned whether the Police Department addressed the issue and enforced Borough Code. Mr. Semeraro responded and advised the Mayor and Council that Mr. Kihlberg may ask questions regarding this matter but Governing Body is prohibited from responding. Mr. Kihlberg voiced concerns with the removal of the trees and noted the individual in question is a member of the Redevelopment Board.

#### **TIM TROAST, Durham Street**

Mr. Troast noted he was speaking as a resident and not on behalf of the Municipal Utilities Authority (MUA). Mr. Troast commented on the Meridia project behind the Police Station and questioned why the project has not been issued a permit. Mr. Troast stated the reply he received from the Building Department was that Meridia did not have an approved set of plans. Mayor Serra replied and stated that the only approval for Meridia to build is for cement permits. Mayor Serra stated he would check with Mr. Poli, Construction Official, for answers to his questions.

#### **DAVID PULICE, Wanaque Avenue**

Mr. Pulice commented on a Redevelopment project in the center of town and questioned how the project is moving forward. Mayor Serra responded and stated the final permits are waiting for approval and the contractor has six months to begin building or he loses his (PILOT) Payment in Lieu of Taxes Agreement.

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

Mr. Hinton commented on the Meridia project and questioned how building with concrete does not need a building permit and requested clarification on permitting procedures. Mayor Serra replied and stated this is a normal practice and that he should contact Mr. Poli to address his question. Mr. Hinton questioned who will be the responsible party when Ms. Cozzarelli leaves her position. Mayor Serra assured Mr. Hinton the Borough is addressing the matter.

Mr. Hinton thanked Councilwoman Kent for providing trees to the community at National Night Out.

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:**

Councilwoman Kent addressed Ms. Zablocki and stated the PRIDE event was well organized and worked well at the Library and suggested it remain the same for next year.

Councilwoman Kent commented on Mr. Popov’s property and questioned if the property could be condemned. Mr. Semeraro responded that there is a dangerous condition and there are certain steps that the Borough can take. Mayor Serra implied moving forward progress has been made more now than in the last twelve years.

Councilwoman Kent commented on her concern for the Summit Falls issues and thanked the residents for presenting this information to the Council.

**RESOLUTION TO ADJOURN INTO CLOSED SESSION: None**

**ADJOURNMENT:**

Motion moved by Councilman DeLine, second by Councilman Cruz to Adjourn the Meeting at 9:21PM. All voted in favor of the motion.

**ATTEST:**

**APPROVED:**

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**ELIZABETH BRANDSNESS, RMC  
MUNICIPAL CLERK**

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

Dated: August 16, 2023