

1. Regular Council Meeting Of February 27, 2019

Documents:

[FEBRUARY 27, 2019.PDF](#)

1.1. Regular Council Meeting Documents Of February 27, 2019

Documents:

[19-08 AMEND 5-23 TOWERS AND TOWING.PDF](#)

[19-09 AMEND CH 190 HAMBURG.PDF](#)

[19-10 AMEND SOLICITOR CANVASSERS SECTION 5-20.PDF](#)

# **PLEASE TURN OFF PAGERS AND CELL PHONES**

## **AGENDA REGULAR MEETING February 27, 2019**

The following is the Agenda for the Regular Meeting of the Mayor and Council of the Borough of Pompton Lakes, Passaic County, to be held in the Pompton Lakes Municipal Building, 25 Lenox Ave., Pompton Lakes, NJ, Wednesday, February 27, 2019 beginning at 7:30 pm.

### **1. CALL TO ORDER – Mayor Michael Serra**

#### **PRAYER**

#### **SALUTE TO FLAG**

**STATEMENT OF COMPLIANCE:** “In conformance with the Open Public Meetings Law, Public Law 1975, Chapter 231, adequate notice of this Meeting setting forth the time, date, place and purpose of this regular Meeting through notice posted on the Bulletin Board in the Municipal Building, mailed to all who had requested and paid for same, and published in the Suburban Trends.

**ROLL CALL:**

Mayor Michael Serra  
Council President Terri Reicher  
Councilman William Baig  
Councilman Erik DeLine  
Councilman Frank Jaconetta  
Councilwoman Jennifer Polidori  
Councilman Ekamon Venin

#### **Borough Officers:**

Joseph Ragno, Borough Attorney  
Kevin Boyle, Borough Administrator  
Elizabeth Brandsness, Municipal Clerk

### **MAYOR PRESENTATIONS AND UPDATES:**

Motion made by \_\_\_Second\_\_\_ to appoint the following to the Zoning Board of Adjustments:

- **Mary Curran**, Member (unexpired term to 12/31/21)
- **Maureen Bernstock**, Member (unexpired term to 12/31/22)
- **Adam Kent**, Alternate #1 (unexpired term to 12/31/19)
- **David Rowan**, Alternate #2 (unexpired term to 12/31/20)

All in favor\_\_\_, Nays\_\_\_

### **BUSINESS IMPROVEMENT DISTRICT BUDGET**

#### **Resolution 19-75**

#### **RESOLUTION AUTHORIZING ADOPTION OF A BUDGET IN THE AMOUNT OF \$622,387.33 FOR THE SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF POMPTON LAKES FOR THE YEAR 2019**

Motion to introduce the B.I.D. Budget in the amount of \$622,387.33 for the year 2019\_\_\_Second\_\_\_.

Roll Call:

#### **Clerk to Read Notice:**

**NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING AND FINAL ADOPTION FOR THE FOREGOING SPECIAL IMPROVEMENT DISTRICT BUDGET WILL BE HELD ON WEDNESDAY, MARCH 27, 2019 AT 7:30 P.M. IN THE MUNICIPAL COUNCIL CHAMBERS, 25 LENOX AVENUE, POMPTON LAKES, NEW JERSEY.**

**WHEREAS**, a Special Improvement District has been duly constituted in the Borough of Pompton Lakes; and

**WHEREAS**, the Special Improvement District has forwarded a budget to the Municipal Council for adoption; and

**IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POMPTON LAKES THAT:**

The annexed statements of Revenues and Appropriations totaling \$622,387.33 shall constitute the year 2019 Budget for the Special Improvement District of the Borough of Pompton Lakes in the County of Passaic, New Jersey.

**BE IT FURTHER RESOLVED THAT:**

The Mayor and Council of the Borough of Pompton Lakes does hereby approve the annexed statements of Revenues and Appropriations for Introduction as the Special Improvement District budget for calendar year 2019.

**2. MEETING OPEN FOR PUBLIC COMMENTS:**

Motion to open the Meeting for Public Comments\_\_\_Second\_\_\_All in favor\_\_\_Nays\_\_\_  
 Motion to close the Meeting for Public Comments\_\_\_Second\_\_\_All in favor\_\_\_Nays\_\_\_

**3. APPROVAL OF MINUTES:**

Motion to approve the following Minutes\_\_Second\_\_. All in favor\_\_\_, Nays\_\_\_.

Regular Meeting Minutes of February 13, 2019

**4. AUTHORIZED BILLS AND CLAIMS:** Motion to approve the following Bill

Lists \_\_\_Second\_\_\_. All in favor\_\_\_Nays\_\_\_.

Current Fund	\$2,360,739.83
Capital Fund	\$ 10,356.00
Recreation Trust	\$ 58.50
Unemployment	\$ -0-
Dog Trust Account	\$ 1,159.80
Other Trust Account	\$ 4,832.75
Clerk’s Account	\$ -0-
Open Space Trust	\$ -0-

**5. PRESENTATION OF PETITIONS: None**

**6. CONSENT AGENDA – RESOLUTIONS:**

*(Does Any Councilperson Require Any Consent Agenda Item To Be Pulled For Separate Actions?)*

**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 / does not*) desire to remove Resolutions for individual action from that Agenda.

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

1. Resolution 19-74 Amending 457 Deferred Compensation Plan Offered By Lincoln Financial Advisors, #92-PD-Lincoln 121316
2. Resolution 19-76 Approving Various Promotions Within The Pompton Lakes Department Of Public Works And Construction Department Effective March 4, 2019
3. Resolution 19-77 Authorizing Refund Of Tax Overpayment Block 6700 Lot 15.01

Motion to approve the Consent Agenda\_\_Second\_\_. All in favor\_\_\_, Nays\_\_\_.

**7. RESOLUTIONS FOR SEPARATE ACTION (ROLL CALL):**

**8. INTRODUCTION OF ORDINANCES–FIRST READING AND INTRODUCTION:**

*(Ordinance will be presented for second reading and final adoption on, \_\_\_\_\_, 2019)*

**INTRODUCTION OF THE 2019 MUNICIPAL BUDGET**

**ORDINANCE 19-11**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Motion to Approve Ordinance No. 19-11 for Introduction\_\_\_\_, Second\_\_\_\_.  
Roll Call:

**BUDGET RESOLUTION**

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2019; and

Be It Further Resolved that said budget be published in the Suburban Trends in the issue of March 3, 2019

The Governing Body of the Borough of Pompton Lakes does hereby approve the following as the Budget for the year 2019:

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2019	2018
1. Surplus	985,000.00	961,000.00
2. Total Miscellaneous Revenues	2,037,919.88	2,027,171.64
3. Receipts from Delinquent Taxes	473,000.00	380,000.00
4. a) Local Tax for Municipal Purposes	10,178,670.20	10,199,777.50
b) Addition to Local District School Tax		
c) Minimum Library Tax	406,865.36	390,529.00
Tot Amt to be Rsd by Taxes for Sup of Mun. Bud	10,585,535.56	10,590,306.50
Total General Revenues	14,081,455.44	13,958,478.14

Summary of Appropriations	2019 Budget	Final 2018 Budget
1. Operating Expenses: Salaries & Wages	5,074,647.00	5,246,075.00
Other Expenses	5,950,141.94	5,726,503.64
2. Deferred Charges & Other Appropriations	1,267,744.50	1,188,588.50
3. Capital Improvements	180,000.00	170,000.00
4. Debt Service (Include for School Purposes)	848,922.00	877,311.00
5. Reserve for Uncollected Taxes	760,000.00	750,000.00
Total General Appropriations	14,081,455.44	13,958,478.14
Total Number of Employees	83	83

Balance of Outstanding Debt		
	General	Water Utility
Interest Budgeted	133,922.00	
Principal Budgeted	715,000.00	
Outstanding Balance	8,226,686.77	

Motion to introduce the 2019 Municipal Budget of the Borough of Pompton Lakes\_\_\_\_, Second\_\_\_\_  
Roll Call:

**Clerk to Read Notice:**

**Notice** is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Pompton Lakes, County of Passaic, on February 27, 2019. A hearing on the Budget and Tax Resolution will be held at the Municipal Building on March 27, 2019 at 7:30PM at Which time and place objections to said Budget and Tax Resolution for the year 2019 may be Presented by taxpayers or other interested persons.

**ORDINANCE 19-12**

**AN ORDINANCE AMENDING §2-56 A 1 OPEN SPACE, PARK LAND AND RECREATIONAL FACILITIES ADVISORY COMMITTEE**

Motion to Approve Ordinance No. 19-12 for Introduction\_\_\_\_, Second\_\_\_\_.  
Roll Call:

**9. ORDINANCES FOR SECOND READING AND FINAL ADOPTION:**

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

**ORDINANCE 19-08**

**AN ORDINANCE AMENDING PARTS OF §5-23 TOWERS AND TOWING**

Motion to open the Meeting for public comments on Ordinance # 19-08 \_\_\_\_, Second\_\_\_\_.  
All in favor\_\_\_\_, Nays\_\_\_\_.

Motion to close the Meeting for public comments on Ordinance # 19-08 \_\_\_\_, Second\_\_\_\_.  
All in favor\_\_\_\_, Nays\_\_\_\_.

Motion to approve Ordinance # 19-08 for Final Adoption\_\_\_\_, Second\_\_\_\_.  
Roll Call:

**ORDINANCE 19-09**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 190 RELATING TO THE HAMBURG REDEVELOPMENT AREA (9 HAMBURG TURNPIKE, BLOCK 2800 LOT 11)**

Motion to open the Meeting for public comments on Ordinance # 19-09 \_\_\_\_, Second\_\_\_\_.  
All in favor\_\_\_\_, Nays\_\_\_\_.

Motion to close the Meeting for public comments on Ordinance # 19-09 \_\_\_\_, Second\_\_\_\_.  
All in favor\_\_\_\_, Nays\_\_\_\_.

Motion to approve Ordinance # 19-09 for Final Adoption\_\_\_\_, Second\_\_\_\_.  
Roll Call:

**ORDINANCE 19-10**

**AN ORDINANCE AMENDING SECTION 5-20 THROUGH 5-20.12 – SOLICITORS AND CANVASSERS**

Motion to open the Meeting for public comments on Ordinance # 19-10 \_\_\_\_, Second\_\_\_\_.  
All in favor\_\_\_\_, Nays\_\_\_\_.

Motion to close the Meeting for public comments on Ordinance # 19-10 \_\_\_\_, Second\_\_\_\_.  
All in favor\_\_\_\_, Nays\_\_\_\_.

Motion to approve Ordinance # 19-10 for Final Adoption\_\_\_\_, Second\_\_\_\_.  
Roll Call:

**10. MAYOR REPORT:**

**11. COUNCIL COMMITTEE REPORTS:**

Council President Reicher:

Councilwoman Polidori:

Councilman Venin:

Councilman Baig:

Councilman DeLine:

Councilman Jaconetta:

**Professional Reports:**

**12. TABLED ITEMS:** None

**13. MEETING OPEN FOR PUBLIC COMMENTS:**

Motion to Open Meeting for Public Comments\_\_Second\_\_All in favor \_\_Nays\_\_.

Motion to Close Meeting for Public Comments\_\_Second\_\_All in favor\_\_ Nays\_\_.

**14. PRIVILEGE OF THE FLOOR:**

**15. ADJOURN TO EXECUTIVE SESSION WHEN REQUIRED:**

Motion to Adjourn\_\_\_\_Second\_\_\_\_. All in favor\_\_\_\_Nays\_\_\_\_.

**Closed Session Time** \_\_\_\_\_ **Open Session Time** \_\_\_\_\_

Motion to Open\_\_\_\_Second\_\_\_\_. All in favor\_\_\_\_Nays\_\_\_\_.

**16. ADJOURNMENT:** Motion to Adjourn\_\_\_\_Second\_\_\_\_. All in favor\_\_\_\_Nays\_\_\_\_.

Adjourn Time \_\_\_\_.

**ORDINANCE NO.: 19-08**

**AN ORDINANCE AMENDING PARTS OF §5-23 TOWERS AND TOWING**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows.

1. §5-23.10 shall be amended to add §5-23.10 (K)

The storage fees are the maximum storage charges per twenty-four-hour period.

2. §5-23.12 shall be amended to add the following.

§5-23.1 (E).

The towing rate shall be calculated on the total distance traveled from the tow vehicle's base of service to the job/tow site and return by the shortest available route. Fractions shall be rounded up to the nearest whole unit.

§5-23.12 (F)

Tow vehicles transporting multiple vehicles simultaneously shall receive applicable fees for each vehicle transported.

§5-23.12 (G)

Every operator of a towing service shall, prior to the actual towing or storage of any vehicle, give the owner a written estimate of costs and a written receipt when paid, if requested.

3. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
4. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
5. This Ordinance shall take effect after approval of the Mayor or in accordance with law and publication and passage according to law.

**NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 13th day of February, 2019, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 27th day of February, 2019, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

Approved:

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MICHAEL SERRA, MAYOR

ATTEST:

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ELIZABETH BRANDSNESS, RMC  
MUNICIPAL CLERK

**ORDINANCE NO.: 19-09**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 190 RELATING TO THE HAMBURG REDEVELOPMENT AREA (9 HAMBURG TURNPIKE, BLOCK 2800 LOT 11)**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that Chapter 190 of the Borough Administrative Code Zoning Regulations be amended as hereafter set forth.

**ARTICLE XIII**

(change title to)

**POMPTON LAKES REDEVELOPMENT PLANS**

**§190-4 Definitions**

REDEVELOPMENT PROJECT – Any development undertaken in a redevelopment area, designated by the Mayor and Council, pursuant to the Redevelopment Plan adopted for the redevelopment area.

§190-15 Establishment of Zones; Zoning Map: Bulk Requirement Schedules

A. (add the following language)

**HRA – 1** Hamburg Redevelopment Area

**§190-41 Planning Board**

J 4 (a) Variances pursuant to NJSA 40:55D-70C except that no variance(s) or deviation(s) to land uses may be considered, granted or approved for those parcels covered under the provisions of any designated redevelopment plan adopted by the Borough.

**§190-84 Zoning Districts and implementation of Borough Redevelopment Plans**

C. The Hamburg Redevelopment Area currently consists of one property, Block 2800, Lot 11 situated on .3144 acres or 13,694 SF of land. The lot fronts on Paterson Hamburg Turnpike near the western border of the borough. The existing building was constructed in the early 1900’s and has fallen into severe disrepair, causing unsafe conditions. In addition to the residential structure, the site contains two sheds, a paved driveway and lawn areas. The subject property is surrounded by a residential property to the rear (north), a Masonic Temple to the right of lot (east) and a multi-tenanted commercial structure to the left of the lot (west) on Paterson Hamburg Turnpike. The Redevelopment Area is generally rectangular and flat in shape with a small extension in the northeast corner.

1. Land Use and Development Requirements

A. Permitted Principal Uses

- 1. Multi-family residential dwellings

B. Permitted Accessory Uses

- 1. Parking garages for automobiles
- 2. Off-street parking
- 3. Fences, retaining walls
- 4. Sheds
- 5. Trash enclosures
- 6. Signs
- 7. Other accessory uses which are customary and incidental to the permitted principal uses

C. Bulk Requirements

Minimum Lot Area	.3 acres
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Minimum Lot Frontage	100 feet
Minimum Building Setbacks	
Front Yard Setback	10 feet
Rear Yard Setback	25 feet
Side Yard Setback (combined)	25 feet
Minimum Open Space	15%
Maximum Building Coverage	35%
Maximum Building Height (whichever is less)	3stories/ 45 feet

D. Parking/Access

1. Number of Spaces - Multifamily residential units parking shall be provided in accordance with the New Jersey Residential Site Improvement Standards (RSIS)
2. Parking space size 9' x 18'
3. The combined side yard shall be a minimum of 25 feet with one side wide enough to accommodate a full-access driveway and vegetative buffering.

E. Affordable Housing Obligation

A contribution to affordable housing may be assessed by the Borough of Pompton Lakes based upon the number of units proposed in accordance with the required COAH contribution of the Borough.

F. Design Standards

1. Parking Areas

- a. All parking and loading areas shall be paved.
- b. All parking and loading areas shall be curbed with concrete.
- c. All parking and loading areas shall have a convenient means of ingress and egress.
- d. All portions of the property not used for buildings, structures, off-street parking, loading or access shall be attractively landscaped with lawns, trees and shrubs as approved by the Board. Parking areas visible from a street shall be screened from view by a continuous dense row of evergreen shrubs of sufficient height to obscure the headlights of parked vehicles.
- e. Striping and directional and traffic safety signs shall be provided designating parking, loading and circulation areas in accordance with the Manual of Uniform Traffic Control Devices.

2. Lighting

- a. Use of metal halide and/or LED is encouraged. Low-pressure sodium and mercury vapor lighting are prohibited.
- b. Lighting fixtures shall be mounted at a height not exceeding sixteen (16) feet.
- c. An average of one (1.0) footcandle shall be maintained within parking areas and along all sidewalks.
- d. Parking area fixtures shall be full cut off or have shields to prevent light spillage on adjacent properties.
- e. Lighting of facades. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors and details of the building. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways and other areas of a site, and the light quality produced, shall be the same or compatible. Facades shall be lit from the exterior and, as a general rule, lights should be concealed through shielding or recessed behind architectural features. The use of low-pressure sodium, fluorescent or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited. Mounting brackets and associated hardware should be inconspicuous.

3. Signage

a. Wall Signs

- (1) Signs shall be attached and parallel to the face of the building. One (1) façade sign may be placed upon a wall of the building facing a public street. The sign shall be a maximum of 15 square feet.
- (2) Design parameters for signs not specifically noted in this Redevelopment Plan shall be in accordance with the Pompton Lakes Zoning Ordinance.

4. Awnings and Canopies

- a. Lettering and logos shall be permitted on all awnings and canopies, provided that:
  - (1) The combined letter and logo height are located on the vertical flap and do not exceed eight inches.

- (2) The lettering may contain only the name and/or street address of the multi-family residential dwelling complex.
  - (3) The signage shall only be on first floor awnings and canopies.
  - b. Awnings and canopies shall be aesthetically compatible with the building and consistent with each other.
  - c. Canvas is the preferred material, although other waterproofed fabrics may be considered. Metal or aluminum awnings are prohibited. Only solid or striped patterns are permitted.
5. Landscape Buffers
- a. Landscaped buffers shall be provided around the perimeter of the Redevelopment Area.
  - b. Buffer plantings shall consist of a combination of shade trees, evergreen trees, ornamental trees and shrubs to provide a natural looking buffer.
  - c. Buffer plants shall be the following size at the time of planting:
    - (1) Shade trees shall be planted at a minimum two and a half (2.5) inch caliper and shall be a minimum of ten (10) feet in height, balled and burlapped.
    - (2) Evergreen trees shall be planted at a minimum height of six (6) feet, balled and burlapped.
    - (3) Ornamental trees shall be planted at a minimum two (2) inch caliper and shall be a minimum of six (6) feet in height, balled and burlapped.
    - (4) Shrubs shall be of a variety that matures at a minimum height of six (6) feet and shall be planted at a minimum of thirty (30) inches in height. At least fifty percent (50%) of shrubs shall be evergreen.
  - d. Proposed buffer plantings shall be arranged in a naturally staggered pattern and shall not be lined up in straight, single rows.
6. Building Design Standards
- a. All building facades shall consist of brick, stone, cast stone, stucco, simulated stucco, cedar shakes or other high-quality materials such as Hardiplank, cementitious boards, cultured stone, etc.
  - b. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies and recesses shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall.
  - c. All sides of a building shall be architecturally designed to be consistent regarding style, materials, colors and details.
  - d. Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.
  - e. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
  - f. Heating, ventilating and air-conditioning systems, utility meters and regulators, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.
  - g. Trash enclosures and dumpsters shall be screened and set back from any public right-of-way.

D. The **HRA – 1** zone is an overlay zone. Properties included in any designated redevelopment zone not included in the redevelopment plan and not otherwise included in the **HRA – 1** zoning district shall maintain their previous zoning.

E, In furtherance of the aforesaid policies of the Borough, the Planning Board and Zoning Board of Adjustment, unless otherwise set forth in Chapter 190, may not consider, grant or approve variances from land use provisions (including permitted and conditional uses) in any designated Redevelopment Plan.

#### **§190-86 Relationship to Master Plan**

The Borough of Pompton Lakes Planning Board adopted a new Master Plan for the Borough in 2007. The 2007 Plan was reexamined and updated in 2017. The Hamburg District was noted in each of the Master Plan documents as areas warranting consideration for redevelopment in the future. This stemmed from the condition of structures, faulty layout, unsafe ingress and egress and more.

#### **§190-87 Designation of Redevelopment Entity**

Pursuant to the authority granted by N.J.S.A. 40A:12A-4(c) of the LRHL, the Pompton Lakes Borough Council was designated in Ordinance No. 09-01 as the Redevelopment Entity for the

Redevelopment Plans and Redevelopment Areas. Properties in the Hamburg Redevelopment Area are subject to the review of the Borough Redevelopment Agency, herein designated the redevelopment entity. The Borough Redevelopment Agency, as Redevelopment Entity, shall exercise its powers thereof in accordance with the LRHL. In addition to those officers identified in Section 190-45A. (1), a copy of the site plan application shall be sent to the Borough's Redevelopment Consultant.

**BE IT FURTHER ORDAINED AS FOLLOWS:**

1. The Borough Clerk is hereby directed to give notice at least ten days prior to the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to NJSA 40:55D-15 and NJSA 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Passaic County Planning Board as required by NJSA 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Assessor as required by NJSA 40:49-2.1.
2. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
4. This Ordinance shall take effect after approval of the Mayor or in accordance with law and publication and passage according to law.

**NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 13th day of February, 2019, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 27 day of February, 2019, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

Approved:

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Michael Serra, Mayor

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Elizabeth Brandsness, Borough Clerk

**ORDINANCE NO.: 19-10**

**AN ORDINANCE AMENDING SECTION  
5-20 THROUGH 5-20.12 SOLICITORS AND CANVASSERS**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. Sections 5-20 through 5-20.12 Solicitors and Canvassers shall be amended as follows.

§5-20.4 A The license fee for each solicitor/canvasser shall be amended to \$100.00. The license/badge fee for each employee shall be amended to \$50.00.

§5-20.4 C The following provision shall be added.

In such cases as the solicitor/canvasser uses the services of a third party solicitor/canvasser and not personnel directly employed by or contracted by the solicitor/canvasser, the provisions of this Chapter shall separately apply to both the solicitor/canvasser and the third party solicitor/canvasser company.

§5-20.7 This provision shall be replaced with the following.

**License application**

License applicants shall apply to the Municipal Clerk on a sworn and written application, in duplicate, in a form to be provided by the Municipal Clerk, as follows:

1. Name, age and description of the applicant or corporate officer if company application
2. Permanent home (business address if company application), phone number and local address and phone number of the applicant.
3. Social security number or EIN.
4. State and number of the driving license of applicant and each person who will use a motor vehicle in the Borough for solicitation/canvassing purposes.
5. A list of convictions or guilty pleas to motor vehicle offenses during the prior 10 years.
6. State Bureau Identification Number SBI. Including a statement as to the reason/purpose for the SBI.
7. The name, address and telephone number of the employer of the applicant and any credentials establishing the employer-employee relationship.
8. Two photographs of the applicant, and employees, agents, assistants or helpers who may participate with the applicant in the Borough, not less than 2" x 3", showing the head and shoulders of the applicant in a clear manner taken not more than one year prior to the application date.
9. A statement by the applicant as to whether the applicant, or any employee, assistant, agent or helper of the applicant, has been convicted of any crime, disorderly persons offense, petty disorderly persons offense or violation of any Borough ordinance, the nature of the offense, the punishment or penalty assessed and any statement the applicant may wish to make regarding same.
10. The names of any other municipality in New Jersey in which the applicant has canvassed or solicited for a period of 2 years prior to the application.
11. Copy of State Police response to applicant's Personal Records Request.
12. A statement whether applicant or any personnel who will be involved in the solicitation/canvassing are subject to the Meagan's Law registry.

§5-20.9 This provision shall be replaced as follows.

Investigation of applicant and decision/

- A. The Police Department shall obtain a copy of the applicant's motor vehicle driving abstract and for each employee, agent, assistant or helper who will utilize a motor vehicle in the Borough, the cost, if any, of which shall be borne by the applicant. The Police Department shall access the Meagan's Law Registry, as permitted by law, for the applicant and all personnel who will be involved in the solicitation or canvassing. The results will be provided to the Clerk within 10 days of the completed application.
- B. The Clerk shall issue, if appropriate, the license or permit within 31 days of receipt of the completed application.
- C. If the application is denied, the Clerk shall notify the applicant in writing with an explanation for the denial. The denial shall be noted on the application.

§5-20.11 The following shall be added to this provision.

In addition to those penalties which may be assessed by the Municipal Court, the license/permit may be suspended or revoked by the Mayor and Council or their designee.

- 2. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
- 3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
- 4. This Ordinance shall take effect after approval of the Mayor or in accordance with law and publication and passage according to law.

**NOTICE**

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 13 day of February, 2019, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 27 day of February, 2019, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

Approved:

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Michael Serra, Mayor

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Elizabeth Brandsness, Borough Clerk