

1. Regular Council Meeting Documents March 27, 2019

Documents:

[MARCH 27, 2019.PDF](#)

1.1. Regular Council Meeting Documents March 27, 2019

Documents:

[19-12 BOND ORDINANCE APPROPRIATION.PDF](#)

PLEASE TURN OFF PAGERS AND CELL PHONES

AGENDA REGULAR MEETING March 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, March 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:

2019 SPECIAL IMPROVEMENT DISTRICT BUDGET

Second Reading And Final Adoption Of The 2019 Special Improvement District Budget

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

AUTHORIZING ADOPTION OF A BUDGET IN THE AMOUNT OF \$622,987.33 FOR THE SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF POMPTON LAKES FOR THE YEAR 2019

Motion to open the Meeting for public comments on the 2019 Special Improvement District (S.I.D.) Budget__Second___. All in favor__Nays__.

Motion to close the Meeting to the public__Second___. All in Favor__Nays__.

Motion to approve the 2019 Special Improvement District (S.I.D.) Budget for Second Reading And Final Adoption__,Second__.

Roll Call:

2019 MUNICIPAL BUDGET

PUBLIC HEARING ON THE 2019 MUNICIPAL BUDGET

Borough Auditor
Opening Statements

Clerk to read 2019 Municipal Budget for Second Reading and Final Adoption:

ADOPTION OF THE 2019 MUNICIPAL BUDGET RESOLUTION

Be It Resolved by the Borough Council of the Borough of Pompton Lakes of the County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of

(a) \$10,178,670.20 for Municipal purposes and (d) \$120,275.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy and (e) \$406,865.36 minimum Library Tax.

Motion to open the Meeting for public comments on the 2019 Municipal Budget____, Second____. All in Favor____, Nays____.

Motion to close the Meeting for public comments on the 2019 Municipal Budget____,Second____. All in Favor____,Nays____.

Motion to adopt the 2019 Municipal Budget____, Second____.
Roll Call:

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____.

- Special Meeting Minutes of March 13, 2019
- Closed Session Meeting Minutes of March 13, 2019
- Regular Meeting Minutes of March 13, 2019

4. AUTHORIZED BILLS AND CLAIMS: Motion to approve the following Bill Lists ____Second____. All in favor____Nays____.

| | |
|---------------------|-----------------|
| Current Fund | \$ 3,202,167.06 |
| Capital Fund | \$ 15,772.72 |
| Recreation Trust | \$ 387.88 |
| Unemployment | \$ -0- |
| Dog Trust Account | \$ 299.40 |
| Other Trust Account | \$ 8,673.75 |
| 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 19-80 Authorizing Refund Of Tax Overpayment Block 9515 Lot 4
2. Resolution 19-81 Authorizing Refund Of Tax Overpayment Block 9514 Lot 4
3. Resolution 19-82 Authorizing The Person To Person And Place To Place Liquor License Transfer S&A Liquors, Inc. 714 Hamburg Turnpike, Pompton Lakes To Samay Liquors, LLC T/A Krauzers Liquor Wine And Spirit Located At 714-716 Hamburg Turnpike, Pompton Lakes, NJ (Extension Of Premises – 1st Floor Of 716 Hamburg Turnpike) Effective Date April 4, 2019
4. Resolution 19-83 Extending Grace Period For BID Bills
5. Resolution 19-84 Authorizing Harriet’s Lawn Service To Undertake Emergency Property Maintenance On Property Deemed Vacant Or Abandoned By The Borough’s Property Maintenance Office

6. Resolution 19-85 Authorizing A Contract For The Acquisition Of Goods Or Services Pursuant To NJSA 19:44A-20.4 And/Or NJSA 19:44A-20.5 With Rini O'Neil, PC
7. Resolution 19-86 Borough Of Pompton Lakes Self Examination 2019 Annual Budget
8. Resolution 19-87 A Resolution Authorizing The Execution Of A Shared Services Agreement With The County Of Passaic For Hi-Speed Internet Services Through March 31, 2024
9. Resolution 19-88 Resolution Authorizing The Award And Execution Of A Contract For The Provision Of Community Fireworks With Garden State Fireworks, Inc. At A Cost Of \$10,000
10. Resolution 19-89 Award Of RFQ's For 2019 Spring Tree Planting Project

Motion to approve the Consent Agenda__Second__. All in favor___, Nays___.

7. RESOLUTIONS FOR SEPARATE ACTION (ROLL CALL):

1. Resolution 19-90 A Resolution Authorizing And Directing The Mayor And Clerk To Execute Asset Purchase Agreement With FST II Broadcasting Corporation For The Operation Of WGHT On Behalf Of The Borough

Motion to approve __Second__

Roll Call:

2. Resolution 19-91 A Resolution Authorizing And Directing The Mayor And Clerk To Execute A Local Marketing Agreement With FST II Broadcasting Corporation For The Operation Of WGHT On Behalf Of The Borough

Motion to approve __Second__

Roll Call:

8. INTRODUCTION OF ORDINANCES–FIRST READING AND INTRODUCTION:

(Ordinance will be presented for second reading and final adoption on April 10, 2019)

ORDINANCE 19-13

AN ORDINANCE AMENDING, DELETING AND ADDING CERTAIN PROVISIONS OF THE BOROUGH LAND USE CODE DEALING WITH ZONING CHANGES FOR THE DUPONT (CHEMOURS) TRACT (BLOCK 100 LOTS 3, 6.01 AND 7)

Motion to Approve Ordinance No. 19-13 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 19-12

BOND ORDINANCE APPROPRIATING \$1,600,000, AND AUTHORIZING THE ISSUANCE OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF POMPTON LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY

Motion to open the Meeting for public comments on Ordinance # 19-12 ____, Second____.

All in favor___, Nays___.

Motion to close the Meeting for public comments on Ordinance # 19-12 ____, Second____.

All in favor___, Nays___.

Motion to approve Ordinance # 19-12 for Final Adoption____, Second____.

Roll Call:

10. MAYOR REPORT:

11. COUNCIL COMMITTEE REPORTS:

Council President Reicher:

Councilman Baig:

Councilman DeLine:

Councilman Jaconetta:

Councilwoman Polidori:

Motion to approve request for Pompton Lakes/Riverdale Little League (PLRLL) to conduct the annual parade that leaves the Pompton Lakes High School parking lot and marches through the business district to the Joe Grill Little League complex near the south end of town for Opening Ceremonies scheduled for Saturday April 6, 2019 starting at 12pm. During the parade the Police Department will temporarily close the route; portions of this route include county roads. (notify Police/Fire/First Aid)___Second___. All in favor___Nays___.

Councilman Venin:

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 ___.

**RECREATION EGG HUNT
APRIL 14th, (RAIN DATE APRIL 20TH)
3:00 PM AT THE TENNIS COURTS**

ORDINANCE # 19-12

**BOND ORDINANCE APPROPRIATING \$1,600,000, AND
AUTHORIZING THE ISSUANCE OF \$1,137,000 BONDS OR
NOTES OF THE BOROUGH, FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF POMPTON
LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF POMPTON LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY** (not less than
two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Pompton Lakes, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,600,000 including the aggregate sum of \$100,281 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in (i) paragraph (a) of said Section 3, the sum of \$220,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose, (ii) paragraph (d) of said Section 3, the sum of \$62,719 reserve funds on hand of the Borough, to the extent of \$2,719, for the purchase of said police vests and, to the extent of \$60,000, for the purchase of said roll off truck, and (iii) paragraph (g) of said Section 3, the sum of \$80,000 received or expected to be received by the Borough from the Community Development Block Grant fund as a grant-in-aid of financing said improvement or purpose

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,600,000 appropriations not provided for by application hereunder of said down payments and grants, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,137,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or

purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,137,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

| <u>IMPROVEMENT OR PURPOSE</u> | <u>APPROPRIATION AND ESTIMATED COST</u> | <u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u> |
|---|---|--|
| (a) Improvement of Montclair Avenue in and by the Borough by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law) together with all structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved, the \$307,000 hereby appropriated therefor being inclusive of the sum of \$220,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement | \$307,000 | \$80,000 |
| (b) Improvement of various roads in and by the Borough by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law) together with all structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved | 204,000 | 190,000 |
| (c) Improvement of municipally-owned facilities and locations in and by the Borough, including the first aid squad building by the renovation thereof, together with for all the aforesaid all structures, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved | 32,000 | 30,000 |
| (d) Acquisition by purchase and installation, as necessary, of new and additional equipment, including radio equipment for use by the First Aid Squad of the Borough, radar equipment, radios and vests for use by the Police Department of the Borough, generators for use by the Office of Emergency Management of the Borough, one (1) backhoe and one (1) roll off truck with plow for use by the Department of Public Works of the Borough, turn out gear, radios, pagers, and self-contained breathing apparatus for use by the Fire Department of the Borough, together with all appurtenances, apparatus, accessories, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved the \$569,000 hereby appropriated therefor being inclusive of the sum of \$62,719 in reserve funds of the Borough, as funds on hand for financing the purchase of the police vests and | 569,000 | 0 482,00 |

roll off truck

(e) Improvement of the storm water drainage system at in and by the Borough, including the upgrade and rehabilitation of storm water outfalls, drainage facilities and catch basins, together with all equipment, site work, structures, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

| | | | | |
|--|----|------|----|------|
| | 00 | 54,0 | 00 | 51,0 |
|--|----|------|----|------|

(f) Improvement of the Pequannock, Ramapo and Wanaque rivers for the mitigation of floods, including by the stabilization of river banks and outfall areas, together with all structures, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

| | | | | |
|--|--------|--|----|------|
| | 54,000 | | 00 | 51,0 |
|--|--------|--|----|------|

(g) Improvement of various curbs and sidewalks in and by the Borough by the construction or reconstruction therein of handicapped access facilities and structures, together with all equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved, the \$153,000 hereby appropriated therefor being inclusive of the sum of \$80,000 received or expected to be received by the Borough from the Community Development Block Grant fund as a grant-in-aid of financing said improvement

| | | | | |
|--|--|---------|--|--------|
| | | 153,000 | | 65,000 |
|--|--|---------|--|--------|

(h) Acquisition by purchase of new and additional vehicular equipment, including one (1) dump truck with plow for use by the Department of Public Works of the Borough, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

| | | | | |
|--|--|---------|--|---------|
| | | 220,700 | | 185,000 |
|--|--|---------|--|---------|

(i) Acquisition by purchase of new and additional computer equipment for use by the Police Department of the Borough, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

| | | | | |
|--|--|--------------------|--|--------------------|
| | | <u>6,300</u> | | <u>3,000</u> |
| | | <u>\$1,600,000</u> | | <u>\$1,137,000</u> |

Except as otherwise stated in paragraphs (a), (d) and (g) above with respect to the reserve funds and grants-in-aid of financing the purposes described in said paragraphs, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payments for said purposes.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is thirteen (13) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,137,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$160,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the grants referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the

provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond 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 March, 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 March, 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:

Michael Serra, Mayor

Elizabeth Brandsness, Borough Clerk