

## **MINUTES OF THE JANUARY 26, 2022 REGULAR COUNCIL MEETING**

The following are the Minutes of the January 26, 2022 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 Michael Serra opened the Meeting 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 William Baig, Bobby Cruz, Erik DeLine and Ekamon Venin, and Councilwoman Maria Kent.

Also present were Borough Attorney, Mark J. Semeraro, Borough Administrator, Kevin Boyle and Borough Clerk, Elizabeth Brandsness.

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

Mayor Serra announced the consultant is currently not available to post the Council Meeting videos to PLTV 77 at this time. Mayor Serra stated the public does have the option to view the Council Meetings through the Borough website as well as YouTube.

### **Oath of Office – Special Police Officers**

Mayor Serra requested the Class II Special Police Officers to come forward to administer the Oath of Office. Mayor Serra commented on the service the Special Police Officers provide for the Borough and thanked the Officers for their service to the community.

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

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

### **JULIE DONCOES, Riverdale Blvd.**

Ms. Doncoes commented on the Willow Field Improvement Project and stated she had received a certified notification letter from Ferriero Engineering. Ms. Doncoes stated her property is located behind Joe Grill / Willow Field and she had experienced flooding to her home during a previous project at the recreational fields that are located near her home. Ms. Doncoes expressed her concerns regarding the project plans; tree removal ratio, parking, width for walking path as well as deer issues.

Mayor Serra addressed Ms. Doncoes' concerns stating the Department of Environmental Protection along with the Borough Engineer are in agreement with the design of the complex and the Borough abides by the Department of Environmental Protections recommendations. Mayor Serra stated the trees being removed do not provide for water absorption during flooding events and will be replaced with a good stock of trees that are known for absorption and would have a positive effect for flood control. Mayor Serra stated the project would include a large wooded area and parking will remain the same. Mayor Serra directed Mr. Boyle to verify measurements of the walking path.

### **COLLEEN DAWSON, Perrin Avenue**

Ms. Dawson stated concerns with children walking on ice on several lakes within the Borough and requested caution signage or a flag system be considered along the lakes.

Mayor Serra responded and stated children tend to venture onto the ice. Mayor Serra stated there is no law in place that prohibits persons from going onto the ice however, the Police will monitor and strongly recommend to the individuals that they remove themselves from the ice. Mayor Serra stated it is a difficult situation to address.

Mr. Semeraro, Borough Attorney, stated unfortunately the law is not as common sense oriented as we may want it to be. Mr. Semeraro noted he would reach out to the Joint Insurance Fund for guidance on this issue and would provide their recommendations. Mr. Semeraro commented on insurance coverage and following policy established by the Joint Insurance Fund. Mr. Semeraro assured Ms. Dawson her concerns would be addressed.

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

**MINUTES:**

Motion moved by Councilwoman Polidori, second by Councilman DeLine to approve the Regular Meeting Minutes of January 12, 2022. All voted in favor of the motion.

**BILL LISTS:**

Current Fund	\$ 6,776,841.54
Capital Fund	\$ 252,320.72
Recreation Trust	\$ 9,054.26
Unemployment	\$
Dog Trust Account	\$ 73.20
Other Trust Account	\$ 57,510.00
Clerk’s Account	\$
Open Space Trust	\$ 5,061.50

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

**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 for individual action from that Agenda, and

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

**RESOLUTION 22-77**

Pursuant to the facts as stated therein, I respectfully request the adoption of the following resolution:

**WHEREAS**, the property owner and Borough reached a settlement of State Tax Court Dockets 009451-2018, 010557-2019, 011043-2020, 009523-2021, and

**WHEREAS**, the settlement reduced the property assessment to \$375,000 for tax years 2018 through 2021 resulting in an over levy of \$9,321.48,

**NOW, THEREFORE, BE IT RESOLVED**, the over levy be rescinded and the proper officers be and they are hereby authorized and directed to refund the over payment.

<b>Reason:</b>	1. Duplicate Payment	5. Payment made in error
	2. Appeal State	6. NJ Saver Rebate
	3. Vet Allowed	7. 100% disabled Vet Exemption
	4. Senior Allowed	8. Exempt Status

9. Homestead Rebate Credit on Borough Property

<u>BLOCK</u> <u>/LOT</u>	<u>NAME</u>	<u>AMOUNT</u>		<u>REASON</u>
3000/31	Law Office of Nathan P Wolf LLC and Rothman Realty I LLC 673 Morris Avenue Springfield, NJ 07081	\$9,321.48	2018-2021	2
<b>Resolution Total</b>		<b>\$9,321.48</b>		

**RESOLUTION 22-78**

	<u>LC#</u>	<u>DOS</u>	<u>B/L</u>	<u>Amount</u>	<u>Pay to the Lien Holder</u>
DZELANDIN RIZVAN 314 DAWES HIGHWAY POMPTON LAKES, NJ 07442	21-00007	10/27/2021	9515/2 314 DAWES HIGHWAY	15,457.02	CHRISTIANA T C/F CE1/FIRSTTRUST PO BOX 5021 PHILADELPHIA, PA 19111-5021
			PREMIUM	\$47,000.00	
			<b>TOTAL</b>	<b>\$62,457.02</b>	

**RESOLUTION 22-79**

**WHEREAS**, the Borough of Pompton Lakes DPW wishes to purchase a 9-foot Western Snow Plow; and

**WHEREAS**, Van Dine’s Four Wheel Drive Center, Inc. was awarded State Contract #T-0085 to provide said equipment; and

**WHEREAS**, the Treasurer has certified funds are available in the Capital Budget account #C-04-55-855-908.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Clerk of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that a bid be awarded to Van Dine’s Four Wheel Drive Center, Inc. for a 9-foot Western Snow Plow under State Contract T-0085 in the amount of \$7,240.02

**RESOLUTION 22-80**

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, there is levied upon the owner operator of every solid waste facility a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under a contract pursuant to the “Local Public Contracts Law” the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except all grant money is received by the municipality shall be expended only for it’s recycling program.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of NJ that it hereby certifies a submission

of expenditures of taxes paid pursuant to P.L. 2007, Chapter 311, in 2020 in the amount of \$14,501.00.

**BE IT FURTHER RESOLVED**, that documentation supporting this submission is available at 25 Lenox Avenue, Pompton Lakes, NJ 07442 and maintained for no less than five years from this date.

**RESOLUTION 22-81**

**WHEREAS**, Dawn Gosson notified the Chief of Police that she would be resigning from her position of assistant records clerk effective January 20, 2022; and

**WHEREAS**, her formal letter dated January 6, 2022 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 Dawn for her service to the Borough and wishes her well in her future endeavors.

**RESOLUTION 21-82**

**WHEREAS**, the Borough of Pompton Lakes undertakes the cleaning of the rivers under permits issued by the N.J.D.E.P.; and

**WHEREAS**, on or about May 6, 2020, the Borough, through its contractor, entered the Wanaque River prior to the allowable time period under the permit; and

**WHEREAS**, the N.J.D.E.P. issued a Notice of Civil Administrative Penalty Assessment of \$12,500; and

**WHEREAS**, the Borough does not dispute the facts and has agreed to a lesser penalty to settle this matter.

**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 approves the settlement agreement attached and authorizes the Borough Administrator to execute the same in the amount of \$9,375.00.

**SEPARATE ACTION RESOLUTIONS: None**

**ORDINANCE FOR FIRST READING AND INTRODUCTION: None**  
*(Ordinances 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 22-02**

**AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES RIVERDALE LITTLE LEAGUE INC.**

**ORDINANCE 22-03**

**AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES RIVERDALE SOCCER ASSOCIATION, INC.**

**ORDINANCE 22-04****AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A LEASE AMENDMENT WITH THE POMPTON LAKES YOUTH ORGANIZATION, INC.**

Motion moved by Councilman Baig, second by Councilman Cruz to open the Meeting for public comments on Ordinances 22-02, 22-03, 22-04. All voted in favor of the motion.

No one from the public wished to make a comment.

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

Motion moved by Councilman Baig, second by Councilwoman Kent to approve Ordinances 22-02, 22-03, 22-04 for Final Adoption.

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

**ORDINANCE 22-05****AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE TOWER LEASE AGREEMENT AND REPEATER UTILIZATION AGREEMENT WITH NORTH JERSEY POLICE RADIO ASSOCIATION PURSUANT TO NJSA 40A:12-5 (a)(1)**

Motion moved by Councilman Baig, second by Councilwoman Polidori to open the Meeting for public comments on Ordinance No. 22-05. All voted in favor of the motion.

No one from the public wished to make a comment.

Motion moved by Councilman DeLine, second by Councilman Cruz to close the Meeting for public comments on Ordinance No. 22-05. All voted in favor of the motion.

Motion moved by Councilman Baig, second by Councilman Venin to approve Ordinance No. 22-05.

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

**ORDINANCE 22-06 (Pulled)****AN ORDINANCE AMENDING CHAPTER 7, SECTION 7-30, "TURN PROHIBITIONS", OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES TO ADD A LEFT TURN PROHIBITION FROM BABCOCK PLACE ONTO WANAQUE AVENUE****MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following

- announced the Grand Opening of the new pet store on Saturday located in the Pompton Lakes Town Square as well as a new magic store and a therapy facility. Mayor Serra stated the progression of Redevelopment has made a positive impact and resulted in new business in town. Mayor Serra encouraged residents to shop locally.
- the Redevelopment project located in the middle of the business district has progressed and the buildings have been leveled and are being removed
- plans for the County Senior Housing project located off Ringwood Avenue are developing. Mayor Serra stated this was the former site for the County garage and stated an agreement has been reached to allow the salt tower to remain for use by northern municipalities.

- budget talks have begun
- County roadways within the Borough are plowed by the County and advised residents if there was a complaint with a roadway to notify him
- made note that an arrangement has been made with the Board of Education to plow Borough emergency buildings during snow events

Motion moved by Mayor Serra, second by Councilwoman Polidori to appoint Neal Galletta as a Commissioner to the Pompton Lakes Municipal Utilities Authority (term to end January 31, 2027). All voted in favor of the motion.

#### **COUNCIL PRESIDENT POLIDORI:**

Councilwoman Polidori reported on the following.

- thanked the Special Officers for their service to the community
- acknowledged the efforts of the Planning Board with making revisions to Ordinance 22-06
- she along with Councilwoman Kent are coordinating efforts for improvements to Borough parks. Attended a meeting with the Supervisor for the Department of Public Works, Dan O'Rourke along with a park vendor to discuss maintenance and playground equipment for Pacifico Gallo Park and Hershfield Park.
- commented on the progression and the removal of buildings along Wanaque Avenue Redevelopment site in the Business District
- commented on new businesses moving into the Borough and urged residents shop locally

Mayor Serra stated he has attended many committee and commission meetings and has administered the Oath of Office to the members. Mayor Serra stated after discussions with the Borough Attorney, he would administer the Oath of Office for those who were interested but it was not a requirement.

#### **COUNCILMAN CRUZ:**

Councilman Cruz had no report.

#### **COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- three members were appointed to the Library Board and new officers were elected
- the library addition is on pause until the weather improves
- anticipate book circulation would return to pre-Covid levels—video borrowing has decreased due to streaming options
- programs continue at the Library and information can be accessed through the Library website or Facebook page
- thanked the Flood Advisory Board for their presentation this evening
- Passaic County is currently seeking public input for a bike plan through a questionnaire survey. For additional information visit [www.publicinput.com/bikepassaiccounty](http://www.publicinput.com/bikepassaiccounty) or the County's Facebook page.
- local business owners had the opportunity to apply to the Borough for a grant. The funding was through the American Rescue Plan (ARP) and businesses that applied would receive \$5,000.00. Councilman DeLine thanked Mr. Boyle for arranging the grant program for local businesses.
- congratulated the Special Police Officers on their appointments this evening
- thanked Dawn Gosson for her service to the Police Department for the past 8½ years and stated she would continue as a child passenger safety technician and instructor.
- offered condolences to Dawn Sobchock for the passing of her husband, Joe Koning

Mayor Serra stated he attended the Recreation Meeting and announced the Teen Center is no longer located in the downstairs of the Rhino Theater. The Recreation Department is in the process of securing a new location for the Teen Center.

Mayor Serra stated the Recreation Department is seeking camp counselors 16 years of age or older for Summer Camp and should apply through the Recreation Department.

#### **COUNCILWOMAN KENT:**

Councilwoman Kent reported on the following.

- thanked Mrs. Venin, Steve Flormann and the Flood Advisory Board for the Flood Mitigation report. Councilwoman Kent acknowledged the Flood Advisory Board for volunteering and their efforts have had a positive impact for flood reduction. Councilwoman Kent requested the Governing Body consider implementing some of the proposed recommendations made by the Flood Advisory Board.
- thanked Ms. Dawson for her comments regarding the public crossing the lake on the ice and is pleased that Mr. Semeraro will address this issue
- the annual River Clean-up is tentatively scheduled for either May 7<sup>th</sup> or the 15<sup>th</sup> – more information to follow
- looking forward to working with Councilwoman Polidori on renovating the parks. A public meeting regarding the county grant application for Hershfield Park will be held on February 26, 2022.
- questioned consultant fees associated with managing channel PLTV77. Mr. Boyle clarified the various consultant fees associated with managing the station as well as the procedure with posting videos to the channel. Mr. Boyle stated the equipment is antiquated and current Council Meeting programming maybe discontinued temporally. The Meetings can be viewed on YouTube or the Borough website.
- addressed concerns Ms. Doncoes voiced with the removal of approximately 100 trees located at the Willow Field Complex site. Councilwoman Kent stated for many years most of this land was zoned under conservation and recreation. Mr. Boyle responded and stated the Department Environmental Protection recommended the new tree plantings which will provide for additional water absorption and be much more effective for flood control. Mayor Serra stated residents continually request additional sports fields and was the reasoning behind the construction of Willow Field.
- congratulated the appointed Special Police Officers and thanked them for their commitment to the Borough

#### **COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- also congratulated the Special Police Officers for their appointment this evening
- congratulated Passaic County Pole Vault Champ - Emma Keating
- there is an opening for a Second Alternate Member for the Historic Commission
- attended the Zoning Reorganization Meeting. Willie Hunt was selected as Chairman and Frank Abate was selected as Vice-Chairman
- thanked the Flood Advisory Board for their hard work and effort

#### **COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- congratulated the Special Police Officers
- thanked Ms. Venin for her Flood Advisory Board presentation
- the MUA reported that 9 Hamburg Turnpike Renewal project completed the water sewer connection for seven apartment units
- the 261 Urban Renewal project began the abandonment of their existing water and sewer services
- the MUA ratified the Highlands contract resolution
- the Oath of Office was administered to several members of the Redevelopment Agency including himself

**PROFESSIONAL REPORTS:**

**MARK J. SEMERARO, Borough Attorney**

Mr. Semeraro had no report.

**KEVIN BOYLE, Borough Administrator**

Mr. Boyle reported on the following.

- N.J.D.E.P.- Willow Field Permit Review
- N.J.D.E.P.- CSIP Grant Final Inspection – will receive \$40,000 for the planting
- Tree Service Bid - Due 1/28/22 expects to have the bid awarded on February 9, 2022
- FCC - WGHT License Renewal full purchase sometime prior to the end of 2022
- the 2022 Budget- the actual curve budget is close to completion

Mayor Serra commented on the technical process for configuring videos to view on channel PLTV77 and requested Mr. Boyle explore alternate means to manage the televising of Council Meetings to the channel. Mayor Serra stated many towns do not offer televised meetings and the Borough has been providing this service to residents for many years.

**MEETING OPEN FOR PUBLIC COMMENTS:**

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

No one from the public wished to make a comment.

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

**PRIVILEGE OF THE FLOOR:**

Councilwoman Kent thanked Mr. Boyle for his help with reports she requested.

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

**ADJOURNMENT:**

Motion moved by Councilman Venin, second by Councilwoman Polidori to Adjourn the Meeting at 8:36 PM. All voted in favor of the motion.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**ELIZABETH BRANDSNESS, RMC  
MUNICIPAL CLERK**

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

Dated: January 26, 2022