

MINUTES OF THE FEBRUARY 13, 2019 REGULAR COUNCIL MEETING

The following are the Minutes of the February 13, 2019 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 then read the Open Public Meeting Law Statement of Compliance.

A Roll Call indicated the following members were present: Mayor Michael Serra, Council President Terri Reicher, Councilmen William Baig, Erik DeLine, Frank Jaconetta, Ekamon Venin and Councilwoman Jennifer Polidori.

Also present were Borough Attorney, Joseph Ragno, Borough Administrator, Kevin Boyle and Borough Clerk, Elizabeth Brandsness.

MAYOR PRESENTATIONS AND UPDATES:

PUBLIC COMMENTS:

Motion moved by Councilwoman Reicher, second by Councilman DeLine to open the Meeting for Public Comments. All voted in favor of the motion.

GREGORY COCKEFAIR, Albert Street

Mr. Cockefair commented on future development and stated he would reach out to Council members and provide his thoughts and plans for the direction the Borough should take. Mayor Serra thanked Mr. Cockefair for his comments.

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

MINUTES:

Motion moved by Councilwoman Reicher, second by Councilman DeLine to approve the Regular Meeting Minutes of January 23, 2019. All voted in favor of the motion. Councilwoman Polidori voted present.

BILL LISTS:

Current Fund	\$ 2,872,812.77
Capital Fund	\$ 127,373.15
Recreation Trust	\$ 2,858.49
Unemployment	\$ -0-
Dog Trust Account	\$ -0-
Other Trust Account	\$ 2,214.00
Clerk's Account	\$ -0-
Open Space Trust	\$ -0-

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

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,

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

1. Resolution 19-62 Adopting Tower And Towing Fees For The Year 2019 As Required By Administrative Code Sections 5-23.1 (B To D)
2. Resolution 19-63 Authorizing The Issuance Of A Towing License To Rudge Towing & Recovery
3. Resolution 19-64 Authorizing The Issuance Of A Towing License To Malanga's Automotive
4. Resolution 19-65 Authorizing Cancellation of Taxes Block 9524 Lot 55
5. Resolution 19-66 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 Maser Consulting, P.A. (Engineer to the Zoning Board of Adjustments)
6. Resolution 19-67 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 Maser Consulting, P.A. (Planner to the Zoning Board of Adjustments)
7. Resolution 19-68 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 Maraziti Falcon, LLP (Attorney to the Zoning Board Of Adjustments)
8. Resolution 19-69 Approving Application for BPOE #1895 Elks Carnival To Be Held August 29, 2019 Through September 1, 2019
9. Resolution 19-70 Appointment Of Heather D. LaBate To The Position Of Laborer 1 With The Department Of Public Works
10. Resolution 19-71 Appointment Of Flory L. Seidel To The Position Of Laborer 1 With The Department Of Public Works
11. Resolution 19-72 Appointment Of Robert M. Cuffe To The Position Of Laborer 2 With The Department Of Public Works
12. Resolution 19-73 Authorizing The Mayor And Council To Approve Estimate No. 1 In Connection With The Construction Of Summit Avenue Retaining Wall In The Amount Of \$98,199.63

Mr. Ragno commented on Resolution 19-62 "Adopting Tower and Towing Fees for The Year 2019 As Required by Administrative Code Sections 5-23.1" and noted the State provides the regulated fees and guidelines permitted to be charged for towers and towing. Mr. Ragno stated this Ordinance amends the current fee schedule and allows for the maximum fees permitted to be charged but the Council has the option to impose smaller fees.

Motion moved by Councilman Baig, second by Councilman Jaconetta to approve the Consent Agenda. All voted in favor of the motion.

RESOLUTION NO. 19-62

WHEREAS, the Borough Administrative Code, §§5-23.1 (B), (C) and (D) require that the Mayor and Council adopt a fee schedule for Towers and Towing within 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 the following Tower and Towing fees are hereby adopted for the year 2019.

1. The fees set forth in the fee schedule below are adopted pursuant to NJSA 56:13-16 (i).
2. Towers may not assess charges in excess of the attached schedule during the year 2019.

3. FEE SCHEDULE

CARS (LIGHT)	\$125.00 PER HOUR PLUS PARTS
TRUCKS (MEDIUM/ HEAVY)	\$175.00 PER HOUR PLUS PARTS

TOWING – Basic

LIGHT DUTY- up to 10,000 lbs.	HOOK-UP \$150
MEDIUM DUTY- 10,001-16,000 lbs.	\$250.00 PER HOUR
HEAVY DUTY- 16,001 and above	\$500.00 PER HOUR
DECOUPLING FEE (IF TOW IS NOT PERFORMED)	½ OF BASIC RATE

ON-HOOK MILEAGE

LIGHT DUTY	\$6.00/ PER LOADED MILES
MEDIUM DUTY	N/A
HEAVY DUTY	N/A

RECOVERY/ WINCHING (In Addition to Towing – per truck including driver)

LIGHT/ MEDIUM DUTY 10,001-16,000 lbs.	\$350.00 PER HOUR
HEAVY DUTY 16,001 and above	\$600.00 PER HOUR

SPECIALIZED RECOVERY EQUIPMENT

ROTATOR/ CRANE RECOVERY UNIT	\$1200.00 PER HOUR
TRACTOR WITH LANDOLL TRAILER OR DETACH TRAILER	\$450.00 PER HOUR
TRACTOR/ TRANSPORT HAULER ONLY	\$250.00 PER HOUR
REFRIGERATED TRAILER W/ TRACTOR	\$450.00 PER HOUR
BOX TRAILER W/ TRACTOR	\$400.00 PER HOUR
AIR CUSHION UNIT	\$1000.00 PER HOUR
LIGHT TOWER	\$250.00 PER HOUR
PALLET JACK	\$200.00 FLAT RATE
ROLLERS	\$200.00 FLAT RATE
ANY OTHER SPECIALIZED EQUIPMENT	\$250.00 PER HOUR
LOADER/ BACKHOE/ TELESCOPIC HANDLER/ BULLDOZER/ BOBCAT	\$300.00 PER HOUR EACH
FORKLIFT	\$300.00 PER HOUR
DUMP TRUCK/ DUMP TRAILER W/ TRACTOR	\$350.00 PER HOUR
ROLL-OFF WITH CONTAINER	\$350.00 PER HOUR PLUS DISPOSAL
RECOVERY SUPERVISOR VEHICLE	\$150.00 PER HOUR
SCENE SAFETY EQUIPMENT, COMMUNICATION EQUIPMENT, TRAFFIC MANAGEMENT EQUIPMENT, ETC.	\$250.00 PER HOUR EACH TYPE USED
RECOVERY SUPPORT VEHICLE/ TRAILER ADDITIONAL RECOVERY EQUIPMENT	\$350.00 PER HOUR

LABOR- ALL LABOR MIN OF 1 HOUR

ACCIDENT MINOR CLEAN-UP AND DISPOSAL OF DEBRIS	\$75.00 PER HOUR ONE HOUR MINIMUM PLUS ABSORBANT MATERIALS USED
RECOVERY SUPERVISOR AND/	\$225.00 PER HOUR

OR LEVEL III RECOVERY SPECIALIST	
CERTIFIED TOWING OPERATOR	\$125.00 HOUR PER MAN
MANUAL LABORERS	\$100.00 PER HOUR PER MAN

STORAGE – PER CALENDAR DAY (INSIDE RATES TWO TIMES OUTSIDE RATE)

CARS/ LIGHT TRUCKS -10' X 20' SPACE	\$45.00 PER DAY
TRUCKS (DUAL WHEELS)/ SINGLE AXLE	\$90.00 PER DAY
TRACTOR/ DUMP TRUCK/ TRACTOR AND TRAILER COMBO/ TRAILERS	\$125.00 PER UNIT PER DAY
BUSES	\$150.00 PER DAY
ROLL-OFF	\$125.00 PER DAY FOR EACH
CARGO/ACCIDENT DEBRIS/ LOAD STORAGE/ VEHICLE COMPONENTS 10' x 20' SPACE	\$45.00 PER SPACE USED PER DAY
RENTAL OF ANY TOW COMPANY SUPPLIED TRAILER POST INCIDENT	\$500.00 PER DAY

**** STORAGE BILLED PER CALENDAR DAY****

ADDITIONAL SERVICES/ NOTES

FUEL/ HAZ-MAT/ CARGO SPILLS CLEAN-UP AND DISPOSAL	TIME AND MATERIAL
HAZMAT AND TRASH RECOVERY	SURCHARGED 10%
SUBCONTRACTOR MARK-UP	10%
ADMINISTRATIVE CHARGE ONLY AFTER 3 RD VISIT TO VEHICLE	CARS ONLY - \$50.00
ADMINISTRATION CHARGE	MEDIUM/ HEAVY TRUCK - \$200.00
AFTER HOURS RELEASE	\$75.00
NOTIFICATION DOCUMENTATION FEE	\$50.00
TARPING/ WRAPPING VEHICLE	\$90.00 PER CAR \$250.00 PER TRUCK
FUEL SURCHARGE	RESERVED FOR FUTURE NEED

NOTE: AFTER THE FIRST HOUR, ALL HOURLY BILLABLE RATES WILL BE CHARGED IN HALF HOUR INCREMENTS.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 19-63

WHEREAS, N.J.S.A. 40:48-2.49 authorizes municipalities to establish by ordinance reasonable, non-exclusionary and non-discriminatory regulations for the towing and storage of vehicles;

WHEREAS, the Mayor and Council has established criteria and procedures for the selection of towing contractors for the Borough of Pompton Lakes and shall at a public meeting, consider the issuance of a license; and

WHEREAS, Rudge Towing & Recovery, 109 Main Street, Bloomingdale has made proper application and documentation for licensing towing operators; and

WHEREAS, an investigation and inspection has been completed by the Police Department and that nothing of a prohibitive nature was revealed and have recommended to proceed in this matter in regards to the applicant; and

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

1. Authorizes the issuance of a license to Rudge Towing & Recovery and the Borough Clerk shall issue the license
2. That the above named party adhere to all rules and regulations of Ordinance 09-05 or be subject to sanction and/or termination.
3. Annual license fee \$100.00 and term of the license to expire December 31, 2019
4. This resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 19-64

WHEREAS, N.J.S.A. 40:48-2.49 authorizes municipalities to establish by ordinance reasonable, non-exclusionary and non-discriminatory regulations for the towing and storage of vehicles;

WHEREAS, the Mayor and Council has established criteria and procedures for the selection of towing contractors for the Borough of Pompton Lakes and shall at a public meeting, consider the issuance of a license; and

WHEREAS, Malanga’s Automotive, 39 Hamburg Turnpike, Riverdale has made proper application and documentation for licensing towing operators; and

WHEREAS, an investigation and inspection has been completed by the Police Department and that nothing of a prohibitive nature was revealed and have recommended to proceed in this matter in regards to the applicant; and

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

1. Authorizes the issuance of a license to Malanga’s Automotive and the Borough Clerk shall issue the license
2. That the above named party adhere to all rules and regulations of Ordinance 09-05 or be subject to sanction and/or termination.
3. Annual license fee \$100.00 and term of the license to expire December 31, 2019
4. This resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 19-65

WHEREAS, The Tax Assessor has determined the owner of the below property to be eligible for a 100% Disabled Veteran Exemption effective October 31st, 2018,

AND WHEREAS, Taxes have been billed for the property through December 31st 2018.

AND WHEREAS, Taxes on the property have been paid through December 31st, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the proper officers be and are hereby authorized and directed to cancel the taxes and refund the resultant credits to the home owner.

Block/Lot	Location	Taxes		Period
		Cancelled	Refunded	
9524/55114	114 Pine St	\$ 1,721.46		4Q18
				(two thirds)
		TOTAL	\$ 1,721.46	\$1,721.46

RESOLUTION NO. 19-66

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Maser Consulting, P.A.; and

WHEREAS, the Treasurer has certified that funds are available for this purpose; and

WHEREAS, Pompton Lakes desires to enter into contract with Maser Consulting, P.A. pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

WHEREAS, the Treasurer has certified that the value of the contract will not exceed \$25,000.00; and

WHEREAS, the term of the contract will be from January 1, 2019 through December 31, 2019; and

WHEREAS, Maser Consulting, P.A. has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 13th day of February, 2019 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Maser Consulting, P.A. to serve as Engineer for the Pompton Lakes Zoning Board of Adjustments.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Maser Consulting, P.A. shall be engaged pursuant to contract to be entered by and between Maser Consulting, P.A. and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 19-67

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Maser Consulting, P.A.; and

WHEREAS, the Treasurer has certified that funds are available for this purpose; and

WHEREAS, Pompton Lakes desires to enter into contract with Maser Consulting, P.A. pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

WHEREAS, the Treasurer has certified that the value of the contract will not exceed \$25,000.00; and

WHEREAS, the term of the contract will be from January 1, 2019 through December 31, 2019; and

WHEREAS, Maser Consulting, P.A. has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 13th day of February, 2019 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Maser Consulting, P.A. to serve as Planner for the Pompton Lakes Zoning Board of Adjustments.
3. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Maser Consulting, P.A. shall be engaged pursuant to contract to be entered by and between Maser Consulting, P.A. and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 19-68

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Maraziti Falcon, LLP; and

WHEREAS, the Treasurer has certified that funds are available for this purpose; and

WHEREAS, Pompton Lakes desires to enter into contract with Maraziti Falcon, LLP pursuant to the provisions of NJSA 19:44A-20.4 and/or NJSA 19:44A-20.5; and

WHEREAS, the Treasurer has certified that the value of the contract will not exceed \$17,500.00; and

WHEREAS, the term of the contract will be from January 1, 2019 through December 31, 2019; and

WHEREAS, Maraziti Falcon, LLP has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 13th day of February, 2019 by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Council hereby engage Maraziti Falcon, LLP to serve as Attorney for the Pompton Lakes Zoning Board of Adjustments.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Maraziti Falcon, LLP shall be engaged pursuant to contract to be entered by and between Maraziti Falcon, LLP and the Borough and for such periods of time as permitted by law and for such compensation as agreed.

This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.

A copy of this Resolution shall be published in the Suburban Trends by the Borough Clerk as required by law within ten (10) days of its passage and a true copy of same shall be available for inspection in the office of the Borough Clerk.

A copy of the Business Entity Disclosure Certification and the Certification of Value shall be filed with this Resolution.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION NO. 19-69

WHEREAS, the BPOE #1895 Elks located at 15 Perrin Avenue submitted an application for a Carnival; and

WHEREAS, the dates listed on the application for the carnival are August 29, 2019 through September 1, 2019 and

WHEREAS, Borough Chapter 5-17.5H states carnivals shall only be conducted during the months of June, July & August.

WHEREAS, the Police Department are to be contacted for traffic management prior to the start of the carnival; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey approve the request by the BPOE #1895 Elks to hold its Carnival August 29, 2019 through September 1, 2019.

RESOLUTION NO. 19-70

WHEREAS, due to a number of vacancies within the Department of Public Works the position of Laborer 1 was advertised; and

WHEREAS, several candidates were interviewed by the Superintendent of Public Works and Borough Administrator; and

WHEREAS, Heather D. LaBate was chosen for the full-time position of Laborer 1 at a starting salary of \$28,734.00; and

WHEREAS, a request has been made by Daniel O'Rourke, Superintendent of Public Works to confirm said recommended appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Heather D. LaBate be hereby appointed to the full-time position of Laborer 1.

RESOLUTION NO. 19-71

WHEREAS, due to a number of vacancies within the Department of Public Works the position of Laborer 1 was advertised; and

WHEREAS, several candidates were interviewed by the Superintendent of Public Works and Borough Administrator; and

WHEREAS, Flory L. Seidel was chosen for the full-time position of Laborer 1 at a starting salary of \$28,734.00; and

WHEREAS, a request has been made by Daniel O'Rourke, Superintendent of Public Works to confirm said recommended appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Flory L. Seidel be hereby appointed to the full-time position of Laborer 1.

RESOLUTION NO. 19-72

WHEREAS, due to a number of vacancies within the Department of Public Works the position of Laborer 2 was advertised; and

WHEREAS, several candidates were interviewed by the Superintendent of Public Works and Borough Administrator; and

WHEREAS, Robert M. Cuffe was chosen for the full-time position of Laborer 2 at a starting salary of \$30,294.00.00; and

WHEREAS, Robert M. Cuffe also possesses a Commercial Driver's License and therefore will receive differential when utilized as a truck driver as provided for in the current contract; and

WHEREAS, a request has been made by Daniel O'Rourke, Superintendent of Public Works to confirm said recommended appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Robert M. Cuffe be hereby appointed to the full-time position of Laborer 2 with a CDL differential.

RESOLUTION NO. 19-73

WHEREAS, the Borough of Pompton Lakes awarded the bid for the construction of the Summit Avenue Retaining Wall to Alimi Builders, Inc.; and

WHEREAS, Alimi Brothers, Inc. has submitted estimate No. 1 in the amount of \$98,199.63 for approval and payment; and

WHEREAS, upon review, it is the recommendation of Ferriero Engineering, Inc. and the Borough Administrator to approve estimate No. 1 in the amount of \$98,199.63.

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 authorizes the payment of estimate No. 1 in the amount of \$98,199.63

ORDINANCES:

ORDINANCES FOR FIRST READING AND INTRODUCTION:

(Ordinance will be presented for second reading and final adoption on February 27, 2019)

ORDINANCE 19-08

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

Motion moved by Councilman Baig, second by Councilwoman Reicher to approve Ordinance No. 19-08 for Introduction.

Mr. Ragno stated minor changes have been made to this section of regulations for towers and towing in an effort to bring it into compliance with Resolution 19-62.

Roll Call: Councilwoman Polidori Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes Councilman Baig, Yes, Councilman DeLine, Yes, Councilman Jaconetta Yes.

ORDINANCE 19-09

AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 190 RELATING TO THE HAMBURG REDEVELOPMENT AREA

Motion moved by Councilwoman Reicher, second by Councilman Baig to approve Ordinance No. 19-09 for Introduction.

Mr. Ragno stated the Governing Body recently adopted an area known as the Hamburg Redevelopment Area and this Ordinance amends zoning regulations to conform to the Redevelopment Plan. Mr. Ragno stated once the Ordinance is adopted the amendments would be included with Chapter 190.

Roll Call: Councilwoman Polidori Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes Councilman Baig, Yes, Councilman DeLine, Yes, Councilman Jaconetta Yes.

ORDINANCE 19-10

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

Motion moved by Councilman DeLine, second by Councilman Jaconetta to approve Ordinance No. 19-10 for Introduction.

Mr. Ragno stated the purpose of this Ordinance is to primarily revise the application process to obtain a license to solicit and canvass. Mr. Ragno noted the Supreme Court prohibits Municipalities from fingerprinting applicants.

Roll Call: Councilwoman Polidori Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes Councilman Baig, Yes, Councilman DeLine, Yes, Councilman Jaconetta Yes.

ORDINANCES FOR SECOND READING AND FINAL ADOPTION:

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

ORDINANCE 19-07

AN ORDINANCE AMENDING SECTION 8-2 OF CHAPTER 8, NOISE, OF THE BOROUGH ADMINISTRATIVE CODE

Motion moved by Councilman Jaconetta, second by Councilman DeLine to open the Meeting for public comments on Ordinance No. 19-07. All voted in favor of the motion.

No one from the public wished to comment on Ordinance No. 19-07.

Motion moved by Councilwoman Polidori, second by Councilwoman Reicher to close the Meeting for public comments on Ordinance No. 19-07. All voted in favor of the motion.

Motion moved by Councilman Venin, second by Councilman Jaconetta to approve Ordinance No. 19-07 for Final Adoption.

Mr. Ragno stated this Ordinance would amend and establish new regulations restricting and controlling noise within the Borough. Currently the Borough shares services with the Wayne Board of Health and this Ordinance was written and mirrored after Wayne Township's current Noise

Ordinance. Both the Wayne Board of Health and the Passaic County Board of Health would be the lead agencies who monitor and provide enforcement for violations.

Roll Call: Councilwoman Polidori Yes, Councilwoman Reicher, Yes, Councilman Venin, Yes Councilman Baig, Yes, Councilman DeLine, Yes, Councilman Jaconetta Yes.

MAYOR SERRA

Motion moved by Councilman Baig, second by Councilman Venin to approve the appointment of John Keating as a Class II member to the Planning Board to fill an unexpired term through December 31, 2019. All voted in favor of the motion.

Mayor Serra reported on the following.

- thanked those involved with the posting of a historical video portraying events within the Borough from the 1950's to PLTV Channel 77
- attended a meeting with Congresswoman Mikie Sherrill to discuss flooding and the possibility of assistance to address flooding concerns from the Federal Government. Mayor Serra stated several Mayors from surrounding towns were in attendance and many of the Mayors recognized and applauded the efforts made by Pompton Lakes in addressing flooding issues. Mayor Serra stated discussions included the mitigation process, securing permits from the DEP, and seeking alternative ways to protect against flooding. Discussions also included the Army Corp of Engineers, installment and design of the dam gates and the building of berms along the rivers to funnel water into the adjacent waterways. Mayor Serra further explained the importance of continued river maintenance as Pompton Lakes is surrounded by three rivers along with a dam and the effect on the Borough's tax base with the acquisition of homes.
- attended meeting for the Stigma Free Initiative program and training will be planned for first responders in an effort to assist with eradicating the stigma associated with mental illness. The program supports wellness and recovery.
- attended a personnel meeting and discussed staffing and improvements for employees
- no issues were reported during the recent snowstorm. Mayor Serra reminded residents to remove vehicles from roadways during snow events until the snow is properly cleared from the roadways. Mayor Serra stated trash pick-ups will take place unless a notification call is sent to residents. Mayor Serra thanked the DPW and all emergency services for their assistance.

COUNCILWOMAN REICHER:

Councilwoman Reicher reported on the following.

- voiced her concerns with the dangerous road conditions on Summit Avenue and stated there is very limited access through the area. Councilwoman Reicher stated the contracted company hired for the retaining wall project on Summit Avenue has had debris and cones in the roadway and no work has been going on for the last several days. Councilwoman Reicher stated there is no supervision at the site and drivers are not adhering to the detour signs. Councilwoman Reicher stated if the project cannot be completed at this time she would appreciate having the debris and cones moved off to the side of the roadway to provide safer access for residents above that area.
- commented on a proposed project offered through Ring, a video and doorbell home security system, that will reduce the cost for purchasing the equipment. Councilwoman Reicher questioned whether Council has determined the direction Council would like to take regarding this project. Council discussed the program, associated costs, and the benefits with participating in the program. After discussions, the Governing Body agreed the project would not be feasible for our community.
- encouraged Councilmembers to provide information to Michael Carelli, Public Information Officer for posting to the social medial page.
- announced Pompton Reformed Church's free pancake breakfast scheduled for March 23, 2019 from 9:00am-12:00pm

- the Friends of the Library are in the process of planning additional programs which include a “Planning for End of Life” program
- requested the directory listing of employees and committee members include the cell phone numbers; Ms. Brandsness offered to send a memo to board and committee members requesting cell phone information.

Mayor Serra reported the engineer consultant hired by the Borough to dispute the new FEMA flood maps will continue to pursue the issue as he believes the models being used are incorrect. Mayor Serra stated Bloomingdale Borough has identified several homes that were mistakenly placed in the floodway and then removed, but cautioned the funding for the consultants to identify and amend the mapping were quite high.

COUNCILMAN JACONETTA:

Councilman Jaconetta reported on the following.

- provided the Shade Tree Commission’s report as follows; Tree City USA report has been submitted, the Commission provided 767 volunteer hours, several trees have been pruned, planted and removed. Two Shade Tree Members continued to receive Continuing Education Units (CEU’s) to retain Tree City USA status. An inventory has been maintained to determine the number of trees planted since 2013 as well as identifying types of trees that do not impede on power lines and sidewalks.
- commented on issues with trees encroaching on the sidewalks. Councilman Jaconetta questioned whether this concern would impact the Complete Streets policy to which Councilman DeLine replied there would be no impact. Councilman Jaconetta then questioned whether incentives could be provided for residents to repair their sidewalks.

Mayor Serra agreed the costs associated with the installation for new sidewalks is expensive for residents and seeking ways to help with funding is ongoing. Councilwoman Reicher questioned whether the Borough’s grant consultant, Millennium Strategies could provide some assistance. Mr. Boyle replied and reminded Council the maintenance of sidewalks belongs to the property owner. Mr. Boyle stated he is not aware of any grants available to offset the costs.

- resident, Bradley Glass who resides on Summit Avenue thanked the efforts of the Superintendent Dan O’Rourke, Supervisor Tim Duffy and the DPW for collecting the trash bags and debris that he placed along the hill in the area of Summit Avenue as well as area of George’s Market on Hamburg Turnpike. Mayor Serra also thanked Mr. Glass for cleaning those areas and bagging the trash.

COUNCILWOMAN POLIDORI:

Councilwoman Polidori reported on the following.

Motion moved by Councilwoman Polidori, second by Councilwoman Reicher to approve the request for Pompton Lakes/Riverdale Little League (PLRLL) to conduct the annual parade on Saturday, April 6, 2019 at 12:00noon. Parade Route begins at the Pompton Lakes High School parking lot through the business district onto Joe Grill Little League complex. Traffic pattern will be monitored and controlled by the Police Department. (Police/Fire/First Aid to be notified)

All voted in favor.

- the Easter Egg Hunt will be held on April 14, 2019 at 3:00pm with a rain date of April 20, 2019 at 3:00pm
- the Recreation Commission is offering Softball and Field Hockey clinics to be held at Lakeside Middle School for grades 1-8 and fee is \$70.00
- the Walking Club, Yoga and Men’s Basketball is ongoing
- the Get Fit program will begin Monday, March 11 through May 1, 2019
- additional information for Recreation activities can be found on their Facebook page

- the vendor applications for Pompton Day and can be found at the Municipal Building
- Mike Longo has been reappointed as Commissioner of the MUA, effective February 1, 2019
- attended the Open Space Committee meeting
- the Elks Lodge are inviting veterans to a free breakfast on the fourth Sunday of every month
- “Coffee with Council” is held on the first Friday of the month and may be changed to evenings to help accommodate more residents. Information will be posted on the new Borough of Pompton Lakes Facebook page.
- attended the International Outreach Dinner for the Women’s Club and stated new members are always welcome. Councilwoman Polidori acknowledged member, Jennifer Keane who has coordinated the “Soles for Souls” project, collecting gently used shoes to help women, men or children in need of shoes. For more information, visit the Women’s Club Facebook page.
- two sessions for the Cyber Security event were held in December, 2018 and January, 2019. Parents were invited to equip themselves with information and facts so that they could help their children be smart and cautious. The strategies discussed will help parents be proactive in protecting their children. Councilwoman Polidori said she recognizes the importance of programs such as Cyber Security, Prevention Coalition and other resources provided by the Borough.
- attended the “Cardinal Flight” program which encourages students in Pompton Lakes elementary schools to participate in the "Look for the Good" campaign to recognize acts of charity and gratefulness. The campaign includes a growing "Gratitude Wall" where students post messages of appreciation. Councilwoman Polidori commented on her son’s membership in the program and during the campaign noted appreciation for his newly acquired dog.
- commented on the Hershfield Park Dog Park and thanked the DPW for their hard work in maintaining the area

COUNCILMAN VENIN:

Councilman Venin reported on the following.

- congratulated Councilwoman Polidori on her son being a part of the Lenox Cardinal Flight Team. The Cardinal Flight Team spreads positive messages and encouragement through team activities and builds comradery between Pompton Lakes Elementary students making the changeover between grades an easier transformation.
- met with the Library Board of Trustees there will be a position opening up within the next year. Councilman Venin stated anyone that is interested in filling the position should reach out to him.
- Technology committee now meets quarterly the next meeting is scheduled for April. The committee discussed potential projects one of which is a Parking Meter App. The App will be a good step to be used while transitioning into the uni meters

Mayor Serra commented the town will be transitioning into using uni meters and will form a group to expedite this transition. Residents can then have the convenience of paying by credit card or online.

Mayor Serra stated he participated in a meeting along with all the sports organizations regarding the usage of the new field which he feels is a positive and exciting addition to the town. Lighting automatically turns off at 9:30 pm.

Mayor Serra congratulated Councilman Venin on his daughter being a part of the Cardinal Flight team as well as Councilwomen Polidori’s son.

COUNCILMAN BAIG:

Councilman Baig reported on the following.

- commented on the Police, Fire and First Aid Squad reports for the month of January
- attended the Prevention Coalition meeting and provided some of the past year's accomplishments included in the evaluation; participation in the State wide Knock Out Opioid initiative, translated ID checking guides into Spanish and distributed them to Alcohol Venders and held two Vaping Information Sessions for the Public and School Faculty.
- during the Board of Education meeting a presentation was provided by students and staff for academic programs offered at Lakeside Middle School. Some of the offered programs included the hiring of a Counselor for students who are deemed academically at risk, a dance curriculum required by the State and the formation of a Social Studies online text book program.

Mayor Serra commented on the volunteers of the Pompton Lakes/Riverdale First Aid Squad who have provided emergency medical services to the community. Mayor Serra stated volunteer members respond to numerous emergency calls and crisis throughout the year and thanked them the members for their dedication.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- attended the Board of Education meeting and was especially interested in the Independent Learning Class which allows students to engage in a subject they are interested in. Councilman Baig also commented on how impressed he was with the program and gave an example of one student's Eiffel Tower project and another eighth grade student who created and sewed her own dress.
- Storm Water Management will be hosting a Rain Garden Workshop on March 17th. They are asking for RSVP's and are hopeful they will have a good attendance, if not they may decide to cancel the workshop. This is an educational workshop where participants will have guidance in locating and constructing a Rain Garden along with planting plans. Small projects such as this one aid in flood prone areas.
- Trail Maintenance will meet Sunday the 17th at the Willow Field parking lot for the Winter Maintenance Day. The purpose of the Winter Maintenance day is to basically get the trails ready for the spring and summer months.

JOSEPH RAGNO, Borough Attorney

Mr. Ragno had no report.

KEVIN BOYLE, Borough Administrator

Mr. Boyle reported on the following.

- 2019 Historic Preservation Grant-Deadline 3/29/19
- PD Monthly Report-December 2018
- PD Yearly Report -2018
- Altice/Cablevision - Annual Franchise Fee \$52,415
- Chemours - 4th Quarter 2018 Program Report
- N.J.D.E.P. Receptor Evaluation -PSE&G Site
- Chief's Test -Results

- Millennium Strategies-January '19 Monthly Report
- CDBG '19 Grant - No Application
- 2019 Budget - Finance Committee Meet 2/12/19
- Ring Grant Program - Awaiting Council Determination
- NRESC- January Monthly Report
- 2018 Annual - Debt Statement well below the maximum allowed debt load
- Budget/Tax Rate Comparisons - 2008 to Present
- Passaic County O/S App's - Now Due 4/30/19

Mayor Serra reported a listing of roadways in need of maintenance and/or paving has been created by the engineer in an effort to assess and prioritize the order in which the maintenance/paving of the roadways will be addressed.

Councilman Jaconetta questioned whether the County planned to pave Lakeside Avenue Bridge. Mr. Boyle replied and stated Lakeside Avenue Bridge and the Rotary Park Bridge will both be paved along with repairs to sidewalk.

TABLED ITEMS: None

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.

MILLIE TORSELLO, Midland Avenue

Ms. Torsiello addressed Councilwoman Polidori and commented on how pleased she is with the excellent school programs and how it has benefited her grandson in developing to be a stand up and confident individual being able to handle certain situations such as bullying within the school.

Ms. Torsiello inquired if the Civic Center will remain standing or if it will be demolished. Mayor Serra informed Ms. Torsiello the plan at this time is for the Civic center building to remain standing and will be renovated however the town is engaged in talks and negotiations on the subject of relocating the Seniors.

Ms. Torsiello questioned the Summit Avenue Wall project. Mayor Serra and Borough Administrator Kevin Boyle provided Ms. Torsiello insight on the plans and the location of the retaining wall repair on Summit Avenue.

Ms. Torsiello commented on the ongoing problem she incurred with a Borough Planted Tree damaging her sidewalk. Ms. Torsiello explained if she replaces the sidewalk and the town does not remove the tree that is causing damage to the sidewalk she will eventually have to replace the sidewalk over and over again.

Mayor Serra agreed with Ms. Torsiello this is an ongoing problem and the replacement of the sidewalk is the responsibility of the homeowner. Mayor Serra suggested to shave the roots and then replace the sidewalk. Councilman Jaconetta stated this problem is being addressed in unity between the Borough, Shade Tree Commission and the homeowner. Councilman Jaconetta provided a hopeful solution by the town removing the mature tree causing damage to the sidewalk and replacing it with a different type of tree addressing the ongoing problem residents are experiencing.

Ms. Torsiello inquired when roadways are paved whether curbing is replaced. Borough Administrator Kevin Boyle informed Ms. Torsiello curbs would be replaced however if the County is doing the roadwork curbs may not be replaced.

VINCENT STIGLIANO, Carr Street

Mr. Stigliano congratulated Councilman Venin and Councilwoman Polidori on their children's involvement within the Cardinal Flight Team.

Mr. Stigliano questioned as a homeowner if he is permitted to remove a town tree at his own cost. Mayor Serra informed Mr. Stigliano the homeowner is not allowed to remove a town owned tree and described the due process that involves contacting the Shade Tree commission.

Mr. Stigliano inquired as to the anticipated completion date for the Summit Avenue Project. Mayor Serra stated the project was expected to be completed before the winter however there were delays.

Mr. Stigliano gave a brief history of his longtime involvement with Little League and complemented the DPW on a great job maintaining the fields however he would like to request the DPW spend more time and attention when it comes to edging the fields. Mr. Stigliano described the importance of the edging and how the league has spent over \$5,000.00 in the past for landscapers to come and edge the fields. This is an expense the League cannot afford on a regular basis therefore he is asking for assistance from the town.

Mayor Serra informed Mr. Stagliano in the past the fields were not maintained by the DPW and this was the responsibility of the various groups using the fields and this is something he implemented as Mayor however the DPW has many responsibilities throughout the Borough. Mayor Serra stated he will discuss this matter with Tim Duffy the DPW Assistant Director.

RANDY HINTON, Montclair Avenue

Mr. Hinton addressed the sidewalk and tree situation occurring throughout the Borough. Mr. Hinton explained the Shade Tree Commission will determine the situation and in some cases will allow the homeowner to remove the tree at their own expense. At no time will the Shade Tree allow a homeowner to remove a healthy tree as healthy trees serve as an asset to the community.

Mr. Hinton thanked Mayor Serra for attending the past Shade Tree Commission meeting and discussing the sidewalk issue. Mr. Hinton stated the Shade Tree Commission along with the Township will come up with a program to address the ongoing issue.

Mr. Hinton commented on the Historic video he viewed on Channel 77 and encouraged residents to take the time to view it. Mr. Hinton commented on how the video brought back fond memories and familiar sites such as the Lenox School and the Pond Hole of days gone by.

Mr. Hinton questioned the status of the Radio Station. Mayor Serra stated it is a work in process and moving forward.

Mr. Hinton questioned the town's intention regarding purchasing the house located on Perrin Avenue to be used as a Historical Museum. Mayor Serra informed Mr. Hinton the house is for sale at a reasonable price however the problem is the cost of the renovations for the property.

Mr. Hinton inquired on the Legal Notice published regarding the Willow Field Project meeting of February 27th. Kevin Boyle stated the meeting is rescheduled for March 13th. Ms. Brandsness stated the announcement of the March 13th meeting was also published in the newspaper.

Motion moved by Councilman Venin, second by Councilman Jaconetta to close the Meeting for Public Comments. All voted in favor of the motion.

PRIVILEGE OF THE FLOOR:

Mayor Serra stated redevelopment is moving forward and reported the former Salvation Army building has been demolished. Mayor Serra commented on parking improvements for the Pond

Hole and Business District and stated the need to formulate a committee to discuss the matter. After a brief discussion on parking issues, Councilwoman Reicher and Councilman DeLine expressed an interest in becoming a member of the committee. Mayor Serra stated members of the Business Improvement District would also be included with the committee.

Mayor Serra stated the Business Improvement District has offered monetary assistance to help fund the restoration and repairs for the underground drainage system in the Pond Hole. Mr. Boyle stated the Borough Engineer, Ferriero Engineering would begin to survey and design a refurbished drainage system with funds from last year's Capital Budget. Mayor Serra commented and stated it is essential to restore the drainage system and the expansion of parking in an effort to resolve the current parking issues.

Councilman DeLine recommended the Borough address the subject of legalization of marijuana that is now legislation and expressed the importance for the Council to go beyond the creation of an Ordinance and arrange for a Town Hall Forum in order to provide the community the opportunity to discuss all aspects of this matter.

Mayor Serra stated the Borough must await the State's decision regarding the legalization of marijuana before the Borough can determine its future decisions. Councilman Baig and Mr. Ragno advised Mayor Serra the Borough has a period of time to make any decisions after legislation has been passed. Councilman DeLine suggested the Governing Body address the issue and make any recommendations during that period.

RESOLUTION TO ADJOURN INTO CLOSED SESSION: None

ADJOURNMENT:

Motion moved by Councilman Venin, second by Councilman Jaconetta to Adjourn the Meeting at 9:10PM. All voted in favor of the motion.

ATTEST: _____ APPROVED BY:

**ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK**

**MICHAEL SERRA
MAYOR**

February 13, 2019