

## **MINUTES OF THE JULY 13, 2022 REGULAR COUNCIL MEETING**

The following are the Minutes of the July 13, 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 Bobby Cruz, William Baig and Councilwoman Maria Kent. Councilmen Erik DeLine and Ekamon Venin were excused from the Meeting.

Also present were Borough Attorney, R. Scott Fahrney, Borough Administrator, Paula Cozzarelli and Borough Clerk, Elizabeth Brandsness.

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

#### **PROCLAMATION:**

#### **TURN THE TOWN TEAL\OVARIAN CANCER AWARENESS**

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

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

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

#### **JUDY BRADARIC, Albert Street**

Ms. Bradaric stated several street signs within the Borough are difficult to read and requested new street signs replace the old signage. Ms. Bradaric stated portions of Ringwood Avenue only have sidewalks on one side of the roadway and requested the Mayor and Council consider sidewalks for both sides of Ringwood Avenue.

Mayor Serra responded and stated Ringwood Avenue is a County roadway and he has approached the County to request additional sidewalks. Mayor Serra agreed worn/damaged street signs should be replaced and requested the Borough Administrator, Ms. Cozzarelli follow up with the Department of Public Works Superintendent, Dan O'Rourke to have the signage replaced.

Ms. Bradaric commented on her concerns regarding recreational activity on Twin Lakes. Ms. Bradaric suggested signage be put up as a deterrent for anyone with intentions of swimming in the lake. Mayor Serra informed Ms. Bradaric there are no restrictions for swimming in the lakes and added the water is tested, but not for swimming.

#### **AMELIA SORCE, Jefferson Avenue**

Ms. Sorce stated she wanted to bring public awareness to the need for alternate ways to grow fresh produce. Ms. Sorce brought forth information for year round geo thermal ground heat that allows for the growing of produce year round. Ms. Sorce requested the Governing Body further research the possibility of greenhouses in Pompton Lakes for homegrown produce.

Mayor Serra stated the Open Space Committee explored the possibility of community gardens in the south end of Town but unfortunately, the area was in a floodway so therefore the project did not move forward.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton questioned why the Pompton Lakes Police boat was not patrolling on the lake during the Memorial Day weekend and July 4<sup>th</sup> of this year. Mayor Serra replied and stated Police Officers are in the process of training and should be completely trained by the end of July. Mayor Serra stated there is no set schedule for Police patrolling the lake but there will be sporadic presence.

Mr. Hinton commented on the deer population in the Borough and questioned if there are any plans to control the growing number of deer in the town. Mayor Serra responded the only way to have an impact on the reduction of the deer population is for the State to initiate a plan.

Mr. Hinton requested additional information for Resolution 22-199 Deferring Due Date for Third Quarter Property Taxes. Ms. Cozzarelli responded the Borough has not received the certified tax rate from the County and once the Borough receives the certified tax rate from the County, the tax bills are processed. Ms. Cozzarelli stated third quarter tax payments received after the 25<sup>th</sup> calendar day following the mailing would be subject to accrued interest commencing back to August 1, 2022.

**TOM MEDINO, Chestnut Avenue**

Mr. Medino questioned whether the Borough has a noise Ordinance as he has been experiencing loud music in his neighborhood.

Mayor Serra responded and stated a noise ordinance establishes standards measured by a sound meter that records decibels and monitored by the State. Mayor Serra stated he would reach out to the Police Department and request additional police patrol during the night in the south end of town. Mayor Serra noted if there were laws broken other than loud music the police could enforce those law.

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

**MINUTES:**

Motion moved by Councilman Cruz, second by Councilwoman Polidori to approve the Regular Meeting Minutes of June 22, 2022. All voted in favor of the motion.

**BILL LISTS:****RESOLUTION 22-195 AUTHORIZING PAYMENT OF BILLS IN THE AMOUNT OF \$2,969,466.86**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that the summary of bills in the total amount of **\$2,969,466.86** having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

**BE IT FURTHER RESOLVED**, that the CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Pompton Lakes to fund the payment of the following bills attached hereto and made a part of this resolution.

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

Current Fund	\$ 2,956,464.57
Capital Fund	\$ 2,100.00

Recreation Trust	\$ 797.96
Unemployment	\$ 96.72
Dog Trust Account	\$ -0-
Other Trust Account	\$ 10,007.61
Clerk's Account	\$ -0-
Open Space Trust	\$ -0-

**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:

1. Resolution 22-192 Authorizing Refund Tax Over Payment Block 7400 Lot 11
2. Resolution 22-193 Accepting The Resignation Of Jose Bissio From The Pompton Lakes Department Of Public Works
3. Resolution 22-194 Authorizing Refund Tax Over Payment Block 6702 Lot 31
4. Resolution 22-196 Authorizing Payment Of Accrued Benefit Time To Sean Kesenheimer
5. Resolution 22-197 Authorizing An Application For And Acceptance Of A Grant From The New Jersey Department Of Community Affairs American Rescue Plan Firefighter Grant FY 2022
6. Resolution 22-198 Authorizing The Purchase Of The Annual Enforsys Polisy CAD/RMS System Maintenance And Support Services For The Borough of Pompton Lakes Police Department From April 1, 2022 Through March 31, 2023 In the Amount of \$10,900.00
7. Resolution 22-199 Deferring Due Date For Third Quarter Property Taxes

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

**RESOLUTION 22-192**

**WHEREAS**, there appears on the tax records overpayments as shown below, and

**WHEREAS**, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund of such overpayments, and

**NOW, THEREFORE, BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as listed below:

<b>Reason:</b>	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

<b>BLOCK /LOT</b>	<b>NAME</b>	<b>AMOUNT</b>	<b>REASON</b>
7400/11 525 Wanaque Ave POMPTON LAKES,	525 Wanaque Ave Associates 456 Victor Way		

NJ 07442	Wyckoff, NJ 07481	\$ 4,222.87	2020	2
		\$ 6,114.36	2021	2
	<b>Resolution Total</b>	<b>\$ 10,337.23</b>		

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$10,337.23 are available in the 2022 Borough of Pompton Lakes Budget for the purposes set forth herein.

**RESOLUTION 22-193**

**WHEREAS**, Jose Bissio notified the DPW Superintendent that he would be resigning from his position of Summer Seasonal Employee effective June 21, 2022; 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 that it hereby accepts the resignation of Jose Bissio.

**RESOLUTION 22-194**

**WHEREAS**, there appears on the tax records overpayments as shown below, and

**WHEREAS**, the overpayments were created by the reasons indicated below, and the Collector of Taxes recommends the refund of such overpayments, and

**NOW, THEREFORE, BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as listed below:

<b>Reason:</b>	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

<b><u>BLOCK /LOT</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>	<b><u>REASON</u></b>
6702/31 300 Bartholf Ave Pompton Lakes, NJ 07442	PEAK Abstract LLC 1 Kinderkamack Rd Hackensack, NJ 07601	\$ 233.48	2022Q3
	<b>Resolution Total</b>	<b>\$ 233.48</b>	5

**BE IT FURTHER RESOLVED** that the Chief Financial Officer (CFO) has certified that sufficient uncommitted funds in the amount of \$233.48 are available in the 2022 Borough of Pompton Lakes Budget for the purposes set forth herein.

**RESOLUTION 22-196**

**WHEREAS**, Sean Kesenheimer provided notice he would retire from the Borough of Pompton Lakes on June 24, 2022; and

**WHEREAS**, upon separation Sean Kesenheimer is entitled to payment of any accrued benefit time as outlined in the Pompton Lakes Borough Employees Association Collective Bargaining Agreement; and

**WHEREAS**, upon review of Sean Kesenheimer personnel records it has been determined that Sean Kesenheimer is owed \$1,010.91 based upon the accrued balance of sick and vacation time.

**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 a terminal payment of \$1,010.91 to Sean Kesenheimer.

**BE IT FURTHER RESOLVED**, that the Treasurer has certified that sufficient uncommitted funds in the amount of \$1,010.91 are available in the 2022 Budget for the purpose set forth herein.

#### **RESOLUTION 22-197**

**WHEREAS**, the Borough of Pompton Lakes desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in amount not to exceed \$75,000 to carry out a project to purchase Personal Protective Equipment for members of the Pompton Lakes Fire Department.

**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:

1. The Mayor and/or his designee, the Business Administrator, are hereby authorized to submit the application for such a grant from the New Jersey Department of Community Affairs (the "Department") from the American Rescue Plan Firefighter Grant FY 2022.
2. The Borough of Pompton Lakes recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant award from the Department, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of grant funds pursuant to the terms of the agreement between the Borough of Pompton Lakes and the Department.

**BE IT FURTHER RESOLVED** that the Mayor and/or his designee, the Business Administrator, are hereby authorized to enter into and execute the grant agreement on behalf of the Borough of Pompton Lakes and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement, subject to the availability of funding by the Borough of Pompton Lakes.

#### **RESOLUTION 22-198**

**WHEREAS**, Police Department operations require the continued annual maintenance and support of the Enforsys Polisy CAD/RMS software solutions system; and

**WHEREAS**, the procurement of these services is permitted under N.J.S.A.40A:11-5(1) (dd) as an exception to the public bidding requirements since the services are for the support and maintenance of Law Enforcement proprietary computer hardware and software.

**WHEREAS**, all matters executed under this Contract shall have funds certified by the Borough Treasurer through an appropriated prepared and approved purchase order(s), and all annual renewals are subject to and conditioned upon the availability of funds as annually certified by the Treasurer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey the Mayor and Borough Clerk are hereby authorized and directed to execute the attached Contract and any related documents; and

**BE IT FURTHER RESOLVED** that upon receipt, inspection and approval of vouchers therefore by the using agency, payment, pursuant to said purchase orders, are hereby authorized with the same to be charged against funds established in the account for said purpose; and

**BE IT FURTHER RESOLVED** that the terms of this Maintenance and Support Services Agreement is from April 1, 2022 to March 31, 2023; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Enforsys, Inc, 27 Bleeker Street, Milburn, NJ 07041.

**RESOLUTION 22-199**

**WHEREAS**, the Borough of Pompton Lakes Tax Collector has not received the certified tax rate and is unable to prepare property tax bills; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-66 et. seq., the third installment of 2022 property taxes shall not be subject to interest until the twenty-fifth calendar day after the date on which the final tax bills are mailed by 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 in accordance with law that the third installment of 2022 property taxes shall not be subject to interest until the twenty-fifth calendar day after the date on which the final tax bills are mailed by the Borough.

**BE IT FURTHER RESOLVED** all third installment property tax payments received at the Borough's offices after said 25<sup>th</sup> calendar day following the mailing of property tax bills by the Borough shall be subject to interest commencing from August 1, 2022, until such date on which the third installment tax payment is received.

**SEPARATE ACTION RESOLUTIONS: None**

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

*(Ordinances will be presented for second reading and final adoption on August 17, 2022)*

**ORDINANCE 22-16**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE TO CREATE CHAPTER 28, "TELEVISION AND MOVIE FILMING" TO THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion moved by Councilwoman Polidori, second by Councilman Baig to Approve Ordinance No. 22-16 for Introduction.

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

**ORDINANCE FOR SECOND READING AND FINAL ADOPTION: None**

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

**MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following.

- commented on Ordinance 22-16 that states movie companies doing business in the Borough must pay fees. He also stated that the *Walking Dead* producers have halted production until further notice.
- the Senior Picnic will be held on Saturday, July 16, 2022 at the Elks Lodge
- attended a meeting with Borough Administrator, Paula Cozzarelli and Department of Public Works Superintendent, Dan O'Rourke, to discuss staffing and projects. Mayor Serra stated the Department is understaffed and there may be a delay in some services.
- updated activities scheduled for Pompton Day - September 4<sup>th</sup> – rain date September 5<sup>th</sup>. Those interested in participating as a vendor may pick up an application at Borough Hall or on the Borough website
- scheduled to attend Summer Day Camp to speak with the campers
- acknowledged and thanked the Open Space Committee and Councilwomen Polidori and Kent for the renovations/new playground equipment at Pacifico-Gallo Park. Mayor Serra stated the Borough attempts to renovate one park a year through Open Space funds.
- a basketball organization in the Borough is pursuing the donation of new basketball courts at two town parks

**COUNCIL PRESIDENT POLIDORI:**

Councilwoman Polidori reported on the following.

- attended a CRS meeting with Mayor Serra and several committees, groups and professionals
- thanked all involved for their hard work with the renovation of Pacifico-Gallo Park and encouraged residents to visit the park

**COUNCILMAN DELINE:**

Councilman DeLine excused from the Meeting.

**COUNCILWOMAN KENT:**

Councilwoman Kent reported on the following.

- thanked Ms. Bradaric for her comments regarding new signage and stated she agreed that some of the street signs in town need to be replaced
- commented on the noise ordinance and her concerns the town was unable to offer a solution to eliminate the issue. Mayor Serra reiterated the State ordinance mandates the regulations.
- thanked Ms. Sorce for the information on the greenhouses and invited her to attend an Environmental Committee meeting to discuss her proposed project
- additional flags were placed in Lakeside Park during the holidays
- attended the Pacifico-Gallo Park Ribbon Cutting Ceremony and welcomed *Gorge-Ella*, the new giant frog playground apparatus. Councilwoman Kent thanked Mayor Serra and Councilmembers for supporting the restorations within the parks. Councilwoman Kent also thanked the Department of Public Works for their assistance with park projects.
- thanked Columbia Bank along with the Branch Manager, Gene Hoffman and staff for the tree donation
- assisted Recreation Commission during the registration of campers on the first day of Summer Camp
- commented on the Haroldson Place Habitat Restoration project- approval was granted and planting will begin in September
- Solitude Management continues to treat Pompton and Twin Lakes. Councilwoman Kent thanked Ms. Cozzarelli for obtaining the water reports and the Borough has been notified that the water quality of the lakes is good.

**COUNCILMAN VENIN:**

Councilman Venin excused from the Meeting.

**COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- commented on the Police, Community Emergency Response Team (CERT) and Fire Department reports for the month of June. Mayor Serra commended the Volunteer Fire Department and First Aid Squad and thanked them for their service.

**COUNCILMAN CRUZ:**

Councilman Cruz reported on the following.

- Recreation Commission offers various activities for children
- the Senior Picnic will be held on Saturday, July 16, 2022 at the Elks Lodge and currently there are approximately 100 seniors attending the event

- Summer Camp began June 27 and runs through July 29, 2022 from 9am to 12pm – 190 campers have registered. Many activities take place during camp; arts and crafts, water safety demonstration, bike rodeo, tie dye, etc.
- Middle School Camp began July 5, 2022 and runs through July 15, 2022 from 10:00am – 12noon at Pompton Lakes High School
- paddle boat and kayak rentals are available on weekends from 10am-3pm, weather permitting at a fee of \$15.00 per hour

#### **PROFESSIONAL REPORTS:**

##### **R. SCOTT FAHRNEY, Borough Attorney**

Mr. Fahrney commented on the noise ordinance and stated the New Jersey's Ordinance is included with the New Jersey Administrative Code -- Chapter 7:29.

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

Ms. Cozzarelli reported on the following.

- the lakes in the Borough are treated twice a month
- JCP&L will be doing inspections to determine whether a tree is impeding the wires. If a tree is located on private property and is impeding the wires, JCP&L will remove the tree, however, remaining debris would be the responsibility of the homeowner.
- updates on the Pond Hole project; parking lot has been temporarily paved, Verizon to move their communication equipment to the new pole, follow up on the installation of parking meters and lights for the Pond Hole.
- met with Lauren Venin, Chair of the Flood Advisory Board, and discussed debris removal in the rivers that has allowed for a decrease in water levels. The Borough will be requesting the Department of Environmental Protection (EPA) to extend the permit for the Pequannock and Ramapo Rivers.
- the County will provide funds for the sculpture located at Lakeside Park. The installation of the "*sculpture*" will take approximately 3 weeks to install.
- will provide public announcements for the Local radio station WGHT on Thursday. Announcements will include Borough operations, events, public educational opportunities, etc.
- provided resources for those who are experiencing COVID related issues

Mayor Serra stated he was scheduled to be on radio station WGHT on Friday to discuss Borough events. Mayor Serra stated COVID halted operations and at this time, the local radio station WGHT is fully functioning and is now a FM station.

Mayor Serra participated in a meeting with DMK Contracting to discuss the continuation of work in the rivers.

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

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

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

Mr. Hinton stated the Shade Tree Commission recently planted sixteen trees in the Borough and thanked the Governing Body for their continued support. Mr. Hinton stated three trees would be planted at the Library.

Mr. Hinton commented on the Supreme Court decision regarding concealed weapons. Mayor Serra replied and stated this is a matter at the State level of Government.



**JUDY BRADARIC, Albert Street**

Ms. Bradaric commented on the recent school shooting incident and questioned whether the schools would be equipped with metal detectors. Mayor Serra replied and stated the Board of Education would make the decision as to whether the school district would consider using metal detectors in the schools. Mayor Serra noted the Police Department provides a School Resource Officer (SRO) and is assigned to the schools full time.

**RYAN GOSIKER, Carr Street**

Mr. Gosiker introduced himself and provided a brief background as to his education and experience in communications. Mr. Gosiker stated he is employed by WGHT and requested Borough events/information be sent to him and he would announce during broadcasting.

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

**PRIVILEGE OF THE FLOOR:**

Councilwoman Kent stated she would like to speak with Mr. Gosiker after the Meeting to discuss the radio station, WGHT.

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

**ADJOURNMENT:**

Motion moved by Councilwoman Polidori, second by Councilman Cruz to Adjourn the Meeting at 8:40 PM. All voted in favor of the motion.

**ATTEST:**

**APPROVED:**

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

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

Dated: July 13, 2022