

MINUTES OF THE AUGUST 14, 2019 REGULAR COUNCIL MEETING

The following are the Minutes of the August 14, 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, Ekamon Venin and Councilwoman Jennifer Polidori. Councilman Frank Jaconetta arrived at 7:33pm.

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

MAYOR PRESENTATIONS AND UPDATES:

Mayor Serra announced in an effort to continue addressing concerns by residents regarding DuPont/Chemours the New Jersey Department of Environmental Protection and the Environmental Protection Agency are scheduled to be at the Borough on Thursday, August 15, 2019 from 10am-4pm to provide guidance and answers. Mayor Serra urged those residents with concerns or questions to stop at the Borough and speak with the representatives from both of the agencies who oversee the mitigation process.

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.

ROB SANDERS, 76 Ringwood Court

Mr. Sanders commented on the recent activity in the area of "Spring Pond" located near his home. Mayor Serra provided some input and stated "Spring Pond" is actually a retaining basin that is not draining properly as there is debris within and around the tunnel of the basin. Mayor Serra stated the removal of the obstruction allows for proper drainage and moves toward a permanent solution for clearing of all debris and trees. Mayor Serra further noted the construction of rock walls along with tunnel piping will aid in proper drainage.

Mr. Sanders questioned why there was no advance notification advising residents of the project. Mayor Serra responded and stated the Borough is not required to give notification for maintenance and repairs to the basin. Mayor Serra stated the work is ongoing at this time and anticipates the project to be completed within the next few months.

Mr. Sanders then commented with his concern for wildlife in the area. Mayor Serra replied and assured Mr. Sanders once the basin has been filled there should be no negative impact for wildlife.

WALTER BOUDREAUX, Iron Forge Square

Mr. Boudreaux commented on the partnership of Chemours/DuPont and indicated he has concerns Chemours may not have the funding to carry out the cleanup process. Mayor Serra stated he and Council President Reicher met with the Attorney General regarding this matter and stated the Federal Government directed the removal of the DuPont name from the partnership. Mayor Serra then stated the State ordered both names to remain on the Partnership as a safeguard. Mayor Serra informed Mr. Boudreaux the Governing Body supports the lawsuit, National Resource Damages, filed by the State Attorney General against DuPont.

Councilwoman Reicher expanded and stated from a corporate standpoint the State of New Jersey understands DuPont has delegated the cleanup responsibilities to Chemours however, the State ordered the DuPont name to remain on all documentation as a safeguard.

Mayor Serra stated the Governing Body continues to advocate for funding from National Resource Damages suits to remain in Pompton Lakes where the pollution took place.

Mr. Boudreaux then questioned the status regarding the car dealership located on Wanaque Avenue. Mayor Serra informed Mr. Boudreaux a Subaru dealer has contracted a five-year lease for the property and will be utilizing the premises as a second service center.

Mr. Boudreaux requested clarification for Resolution 19-169 Authorizing the Borough Administrator to Execute a Memorandum of Agreement between New Jersey Future and the Borough of Pompton Lakes. Councilman DeLine replied and stated in an effort to assist and improve the towns aging-friendly services New Jersey Future has selected the Borough as a community that would benefit from an assessment process. Councilman DeLine stated a completed memorandum of agreement filed with New Jersey Future is required in order to accept the pre planning assistance.

Councilwoman Reicher provided some background for the assessment process and stated this project is funded through a foundation that was instituted and formed by the Taub family. Councilwoman Reicher thanked Councilman DeLine for his expertise and in pursuing the assessment with New Jersey Future.

MADISON CIANCITTO, 246 Midland Avenue

Madison Ciancitto stated she is a member of the Girl Scouts and seeking to achieve her Gold Award. Madison provided the details for her project and requested assistance from the Governing Body. Madison commented on the need to have visible house numbers for emergency first responders and stated she is requesting residents within the Borough paint their house numbers on the curbing in front of their homes. Madison stated she could provide residents with a kit and this concept has been promoted through social media and during National Night Out; several residents have expressed an interest in participating. Madison requested an Ordinance be considered that would mandate residents have their house numbers painted on the curb or driveway in the front of their homes.

Mayor Serra voiced some concerns with mandating house numbers be painted on curbing and associated costs. Mayor Serra stated he would follow up and discuss the matter with the Governing Body.

GREGORY WAYNE COCKEFAIR, Albert Street

Mr. Cockefair commented on his participation in a play and invited the Governing Body to attend on October 9, 2019. Mr. Cockefair thanked the Borough for the funds the theater group received.

PETER CHAZOTTE, Woodlawn Avenue

Mr. Chazotte remarked on a lawsuit filed by Chemours underestimating the cost for pollution damages by DuPont. Mr. Chazotte stated DuPont believes the complaint should be addressed on a Federal Level and not on a State Level. Mayor Serra responded and stated the dispute is with the Federal Government but he believes the State Attorney General will become involved and offer input into this legal matter.

RANDY HINTON, Shade Tree Commission

Mr. Hinton commended Madison Ciancitto for her initiative to have house numbers painted on the curbs in the Borough and stated this concept would also benefit the Shade Tree Commission.

Mr. Hinton commented on repairs and maintenance to the basin in the area known as "Spring Pond" and questioned whether the Borough has a right of way to enter the area. Mayor Serra stated permission has been granted by a home owner for use of their property to address some issues with the basin. Mr. Hinton stated he is concerned with buried root flares caused by the contractor working in the area.

Mr. Hinton questioned findings in the Summary of the Audit Proof of Publication Affidavit and questioned whether the Governing Body was included in the State Defined Contribution Retirement Plan to which Mayor Serra replied this does apply to the Governing Body.

Mr. Hinton also had questions regarding Resolutions 19-155, 19-157 and 19-165. Mr. Boyle responded and explained; Resolution 19-155 is a contract to allow DMK to perform shoal work in the rivers as approved by the NJDEP; Resolution 19-157 is a contract with EcolSciences for the protection of wood turtles; Resolution 19-165 accepts the donation of a police vehicle from the County.

Mr. Hinton questioned if approval was needed from the NJDEP to clean out "Spring Pond." Mayor Serra replied that approval is needed only if fill is removed and not for the removal of debris.

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

MINUTES:

Motion moved by Councilman Venin, second by Councilman DeLine to approve the Closed Session Meeting Minutes of July 17, 2019. All voted in favor of the motion.

Motion moved by Councilwoman Reicher, second by Councilman Jaconetta to approve the Regular Meeting Minutes of July 17, 2019. All voted in favor of the motion.

BILL LISTS:

Current Fund	\$ 4,926,855.80
Capital Fund	\$ 37,654.85
Recreation Trust	\$ 19,344.49
Unemployment	\$ 7,768.31
Dog Trust Account	\$ 78.60
Other Trust Account	\$ 12,831.18
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:

(Council Members Required Resolution 19-153 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 desire to remove Resolution 19-153 for individual action from that Agenda,

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

1. Resolution 19-153 Authorizing And Directing The Borough Attorney To Enter Into Settlement Of The UB Pompton Lakes, LLC Tax Appeals, Block 100 Lot 8, For The Years 2017 Through 2019 As Set Forth On The Stipulation Of Settlement
2. Resolution 19-154 Passaic County Senior Citizen Week August 19 To August 23, 2019
3. Resolution 19-155 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 DMK Services, LLC
4. Resolution 19-156 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 Darmofalski Engineering Associates, Inc.
5. Resolution 19-157 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 Ecolsciences, Inc.

6. Resolution 19-158 Annual Audit Report For Year 2018
7. Resolution 19-159 Resolution To Approve Year 2018 Corrective Action Plan
8. Resolution 19-160 Approving a Promotion Within The Pompton Lakes Department Of Public Works Effective August 19, 2019
9. Resolution 19-161 Approval Of A Promotion For Jill Walsh To Keyboarding Clerk #4 Effective August 19, 2019
10. Resolution 19-162 Promoting Stephanie Phillippe To Senior Public Safety Tele-Communicator Effective August 19, 2019
11. Resolution 19-163 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 Epiphany Community Services
12. Resolution 19-164 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 Reaching Software
13. Resolution 19-165 Accepting A Donation Of A Surplus Vehicle From The Passaic County Sheriff's Office
14. Resolution 19-166 Authorizing Refund Of Other Lien Block 2803 Lot 9
15. Resolution 19-167 Deferring Due Date For Third Quarter Property Taxes
16. Resolution 19-168 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 Triad Associates
17. Resolution 19-169 Authorizing The Borough Administrator To Execute A Memorandum Of Agreement Between New Jersey Future And The Borough Of Pompton Lakes
18. Resolution 19-170 Authorizing The Mayor And Borough Clerk To Execute A Memorandum Of Understanding Between The Borough Of Pompton Lakes And Passaic County Department Of Health Services For A Q-Star Camera
19. Resolution 19-171 Authorizing The Award Of Bid And Execution Of A Contract For The FY CDBG Ramp Reconstruction Project To Diamond Construction In An Amount Not To Exceed \$142,183.00
20. Resolution 19-172 Resolution Approving Appointment Of Two Full Time Crossing Guards
21. Resolution 19-173 Resolution To Employ Part Time Crossing Guards

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

RESOLUTION 19-154

WHEREAS, Americans are living longer and healthier lives, the Senior Citizen population continues to grow; and

WHEREAS, Passaic County is the home for some 86,403 citizens ages 60 and older; and

WHEREAS, the Passaic County Board of Chosen Freeholders and the Mayor and Council of the Borough of Pompton Lakes are committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, older adults in Passaic County and especially in Pompton Lakes play an important role by contributing their experience, knowledge, wisdom and lifelong accomplishments; and

WHEREAS, these special citizens have led us through times of conflict, depression and peace while being witness to many of our Country's milestones.

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 joins with the Passaic County Board of Chosen Freeholders to proclaim August 19 to August 23, 2019 as Passaic County Senior Citizen Appreciation Week.

BE IT FURTHER RESOLVED, by the Mayor and Council that it joins with the Board of Chosen Freeholders to annually honor our Senior Citizens during the third week of August.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Clerk of the Board of Chosen Freeholders and those Senior Citizen Organizations that serve the Borough of Pompton Lakes.

RESOLUTION 19-155

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from DMK Services, LLC; and

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

WHEREAS, Pompton Lakes desires to enter into contract with DMK Services, LLC, 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 August 14, 2019 through December 31, 2019; and

WHEREAS, DMK Services, LLC. has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 14th day of August, 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 DMK Services, LLC to perform river de-snagging as approved by N.J.D.E.P.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said DMK Services, LLC shall be engaged pursuant to contract to be entered by and between DMK Services, LLC 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 19-156

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Darmofalski Engineering Associates, Inc.; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Darmofalski Engineering Associates, Inc. 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 August 14, 2019 through December 31, 2019; and

WHEREAS, Darmofalski Engineering Associates, Inc. has submitted a Business Entity Disclosure Certification in compliance with law.

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. The Borough of Pompton Lakes is authorized to engage Darmofalski Engineering Associates, Inc. for the purpose of providing a data base in support of Stream Cleaning Oversight.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Darmofalski Engineering Associates.

Said Darmofalski Engineering Associates, Inc. shall be engaged pursuant to contract to be entered by and between Darmofalski Engineering Associates, Inc. and the Borough 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 19-157

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from EcolSciences, Inc.; and

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

WHEREAS, Pompton Lakes desires to enter into contract with EcolSciences, Inc. 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 \$12,000.00; and

WHEREAS, the term of the contract will be from August 14, 2019 through December 31, 2019; and

WHEREAS, EcolSciences, Inc. has submitted a Business Entity Disclosure Certification in compliance with law.

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. The Borough of Pompton Lakes is authorized to engage EcolSciences, Inc. for the purpose of providing wood turtle construction monitoring services.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with EcolSciences, Inc.

Said EcolSciences, Inc. shall be engaged pursuant to contract to be entered by and between EcolSciences, Inc. and the Borough 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 19-158

WHEREAS, N.J.S.A. 40A: 5-4 requires the Governing Body of every local unit to have an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with Elizabeth Brandsness, Municipal Clerk as per the requirements of N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall certify to the Local Finance Board of the State of New Jersey by Resolution that all members of the Governing Body have at a minimum reviewed the sections of the annual audit entitled:

“General Comments and Recommendations”, and

WHEREAS, the members of the Governing Body have personally reviewed at a minimum the annual Report of Audit, and specifically the sections of the annual Audit entitled:

“General Comments and Recommendations”, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to an affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Pompton Lakes hereby state that they have complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution along with the required affidavit to the Local Finance Board as evidence of their satisfactory compliance.

RESOLUTION 19-159

WHEREAS, pursuant to the Local Fiscal Affairs Law, municipalities must prepare a corrective action plan as part of the annual audit process, and

WHEREAS, the Borough Council of the Borough of Pompton Lakes has accepted the Year 2018 audit as prepared and presented to the Borough by its independent auditing firm, and

WHEREAS, Debbie Buchanan, Chief Financial Officer for the Borough of Pompton Lakes has prepared a corrective action plan addressing the findings and recommendations of the Year 2018 Audit, and has presented copies of same to the Mayor and Council of the Borough of Pompton Lakes.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Council of the Borough of Pompton Lakes in the County of Passaic, that the corrective action plan, a copy of which is annexed hereto, is approved for submission to the Division of Local Government Services of the State of New Jersey, Department of Community Affairs.

RESOLUTION 19-160

WHEREAS, George Pepling has been recommended by Daniel O'Rourke, Superintendent of Public Works for promotion; and

WHEREAS, the Personnel Committee has reviewed the Superintendent's request and recommends the Mayor and Council approve the following as provided by the contract:

George Pepling	Laborer 1 to Laborer 2	\$2,000.00
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NOW, THEREFORE, IT IS RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby approves the promotion listed above as recommended by the Personnel Committee effective August 19, 2019 as provided for by the contract.

RESOLUTION 19-161

WHEREAS, Jill Walsh has been employed by the Borough of Pompton Lakes since 2011; and

WHEREAS, over the years, she has taken on additional responsibilities in support of the Clerk's office, Tax Assessor and Borough Administrator; and

WHEREAS, based upon her request, the Personnel Committee met with the Borough Administrator who provided a case and recommendation for said promotion; and

WHEREAS, the Personnel Committee has concurred with the recommendation and supports said promotion.

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 approves the promotion of Jill Walsh to Keyboarding Clerk #4 with a base salary adjustment of \$2,000 effective August 19, 2019.

RESOLUTION 19-162

WHEREAS, Stephanie Phillippe has been recommended by Chief Agosto to be considered for promotion to Senior Public Safety Tele-Communicator; and

WHEREAS, she currently serves as a Public Safety Tele-Communicator for the Police Department; and

WHEREAS, the Personnel Committee has reviewed the Chief's request and has recommended she be promoted to Senior Public Safety Tele-Communicator with a salary of \$37,577.00.

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 supports Stephanie Phillippe to the position of Senior Public Safety Tele-Communicator with a salary of \$37,577.00 effective August 19, 2019.

RESOLUTION 19-163

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Epiphany Community Service; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Epiphany Community Service 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 \$8,500.00; and

WHEREAS, the term of the contract will be from October 1, 2019 through September 30, 2020; and

WHEREAS, Epiphany Community Service has submitted a Business Entity Disclosure Certification in compliance with law.

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. The Borough of Pompton Lakes is authorized to engage Epiphany Community Service for the purpose of providing ongoing evaluation of the Pompton Lakes Prevention Coalition.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Epiphany Community Service.

Said Epiphany Community Service shall be engaged pursuant to contract to be entered by and between Epiphany Community Service 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 19-164

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Reaching Software; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Reaching Software 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 \$2,000.00; and

WHEREAS, the term of the contract will be from October 1, 2019 through September 30, 2020; and

WHEREAS, Reaching Software has submitted a Business Entity Disclosure Certification in compliance with law.

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. The Borough of Pompton Lakes is authorized to engage Reaching Software for the purpose of providing a data base in support of Epiphany Community Services.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Reaching Software.

Said Reaching Software shall be engaged pursuant to contract to be entered by and between Reaching Software 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 19-165

WHEREAS, the Pompton Lakes Police Department requested a surplus vehicle from the Passaic County Sheriff's Office; and

WHEREAS, this request comes as a result of the need for an additional vehicle due to a recent accident and normal maintenance issues; and

WHEREAS, the Mayor and Council are desirous of accepting said donation of a 2016 Ford Explorer, Vin #1FM5K8AR1GGA52844 police vehicle.

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 gracious donation of a 2016 Ford Explorer Police Vehicle, Vin # 1FM5K8AR1GGA52844 from the Passaic County Sheriff's Office.

RESOLUTION 19-166

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

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective liens, and

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to pay the indicated amount to the holder of the lien certificates as hereinafter shown below:

<u>LC#</u>	<u>DOS</u>	<u>B/L</u>	<u>AMOUNT</u>	<u>Pay to the Lien Holder</u>
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ECKEL, TODD M. 336 STILES CT POMPTON LAKES, NJ 07442	15-00005	04/09/2015	2803/9 336 STILES CT	\$58,284.68	MILLENIUM TRUST COMPANY, LLC AS CST & INT FOR TLOA OF NJ LLC 1245 FARMINGTON AVENUE #349 WEST HARTFORD, CT 06107
			Premium	\$23,100.00	
			Total	\$81,384.68	

RESOLUTION 19-167

WHEREAS, the 2019/2020 tax bills were mailed out July 26, 2019; and

WHEREAS, pursuant to N.J.S.A. 54:4-66 et. seq., the third installment of 2019 taxes shall not be subject to interest until the twenty-fifth calendar day after the date the final tax bills were mailed by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey in accordance with law the third installment of 2019 taxes shall not be subject to interest until the twenty-fifth calendar day after the date the final tax bills were mailed by the Borough.

BE IT FURTHER RESOLVED all third installments tax payments received after that date shall be subject to interest commencing from August 1, 2019 until the date the third installment tax payment is received.

RESOLUTION 19-168

WHEREAS, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Triad Associates; and

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

WHEREAS, Pompton Lakes desires to enter into contract with Triad Associates, 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 August 14, 2019 through December 31, 2019; and

WHEREAS, Triad Associates has submitted a Business Entity Disclosure Certification in compliance with law.

NOW THEREFORE BE IT RESOLVED, this 14th day of August, 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 Triad Associates to perform administrative agent services in connection with the Fair Housing Act.
2. The Mayor and Borough Clerk is hereby authorized and directed to execute said proposal.

Said Triad Associates shall be engaged pursuant to contract to be entered by and between Triad Associates 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 19-169

WHEREAS, the Borough of Pompton Lakes recently applied to New Jersey Future for consideration in its community assessment process; and

WHEREAS, the Borough was notified that it has been chosen by New Jersey Future as a community that would benefit from such a review in an effort to support and enhance the Borough's aging-friendly characteristics.

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 Borough Administrator to execute a Memorandum of Agreement between New Jersey Future and the Borough of Pompton Lakes.

RESOLUTION 19-170

WHEREAS, the Passaic County Department of Health Services is donating a Q-Star Solar Flash Camera to the Borough of Pompton Lakes to enhance enforcement of illegal dumping of solid and hazardous waste and theft of recyclable materials; and

WHEREAS, camera is portable allowing the Borough the ability to target areas of concern; and

WHEREAS, the Borough of Pompton Lakes appreciates this donation.

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 Mayor and Borough Clerk to execute a Memorandum of Understanding between the Borough of Pompton Lakes and the Passaic County Department of Health Services for a Q-Star Camera.

RESOLUTION 19-171

WHEREAS, on July 31, 2019, the Borough of Pompton Lakes received bids for the FY 2018 CDBG Curb Ramp Reconstruction Project; and

WHEREAS, 2 General Contractors provided bids for said improvements; and

WHEREAS, based upon review of the bids submitted it has been determined that Diamond Construction was the "lowest responsible bidder" for said improvements; and

WHEREAS, Ferriero Engineering, Inc. and the Borough Administrator has recommended award to Diamond Construction; and

WHEREAS, the Treasurer has certified funds are available in the Capital Budget for said purpose.

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 awards the bid for the FY 2018 CDBG Curb Ramp Construction Project to Diamond Construction located at 35 Beaverson Blvd., Suite 12C, Brick, NJ 08723 in an amount not to exceed \$142,183.00

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute a contract with Diamond Construction with the terms and conditions noted in the bid document.

RESOLUTION 19-172

WHEREAS, the Chief of Police has advised Mayor and Council that two full-time crossing guard positions have become available due to two vacancies; and

WHEREAS, the Chief of Police has recommended Mr. Stephen Rigoll and Ms. Carol Smith who are currently part-time crossing guards and have performed well be appointed to full-time status; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes that:

1. Mr. Stephen Rigoll and Ms. Carol Smith are hereby appointed to full-time crossing guard status effective August 14, 2019;
2. Compensation to be paid to Mr. Stephen Rigoll and Ms. Carol Smith shall be in accordance with the collective bargaining agreement between the Borough and Communications Workers of America AFL-CIO;

RESOLUTION 19-173

WHEREAS, the Business Administrator was advised by the Chief of Police that the Police Department is in need of part-time crossing guards; and,

WHEREAS, the Chief of Police has provided his recommendations for the position of part-time crossing guard; and

WHEREAS, the recommended candidates have been interviewed, have undergone and passed a criminal background check and shall be medically screened and cleared by Chilton Occupational.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes that:

1. The following listed individuals are employed as part-time crossing guards within the Pompton Lakes Police Department:

Christine Wheeler – Pompton Lakes

Namalene Singh - Pompton Lakes

Taylor Gosson – Riverdale

Amanda Gosson - Riverdale

2. Compensation to be paid to all part-time crossing guards shall be in accordance with the collective bargaining agreement between the Borough and Communications Workers of America AFL-CIO;

SEPARATE ACTION RESOLUTIONS:**RESOLUTION 19-153**

AUTHORIZING AND DIRECTING THE BOROUGH ATTORNEY TO ENTER INTO SETTLEMENT OF THE UB POMPTON LAKES LLC TAX APPEALS, BLOCK 100 LOT 8, FOR THE YEARS 2017 THROUGH 2019 AS SET FORTH ON THE STIPULATION OF SETTLEMENT

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. The Mayor and Council hereby approve the settlement of tax appeals filed by UB POMPTON LAKES, LLC for properties known as Block 100 Lot 8 for tax years 2017

through 2019 and direct and authorize the Borough Attorney to execute and file such documents as will resolve all issues between the parties as set forth in the Stipulation of Settlement.

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

Discussion

Mr. Ragno stated this Resolution is the result of a settlement for a tax appeal on the former A&P property. Mr. Ragno commented on the vacancy of the anchor store within the shopping complex and explained that the property has been reevaluated and the assessed value had been significantly decreased for the years 2018 and 2019. Mr. Ragno stated if the vacant space becomes occupied there would be a reassessment of the property.

Motion moved by Councilwoman Reicher, second by Councilman Venin to approve Resolution 19-153. All voted in favor of the motion.

ORDINANCES:

ORDINANCES FOR FIRST READING AND INTRODUCTION: None
(*Ordinance will be presented for second reading and final adoption on*)

ORDINANCES FOR SECOND READING AND FINAL ADOPTION: None
(*This Ordinance has been advertised and posted on the Municipal Bulletin Board*)

MAYOR SERRA:

Motion moved by Councilman DeLine, second by Councilwoman Polidori to appointment Jason Lovasi as 1st Voting District Member to the Open Space Committee for an unexpired term through December 31, 2019. All voted in favor of the motion.

Mayor Serra reported on the following.

- reminded residents the NJDEP and the EPA would be available in the Municipal Building to answer questions on Thursday, August 15, 2019
- commented on the successful National Night Out, thanked all volunteers who helped and Congresswoman Mikie Sherrill for attending
- commented on the redevelopment of the former Salvation Army building and stated several people have been inquiring about the apartment rentals. Mayor Serra stated there is a phone number on the side of the building for anyone interested in further information.
- Pompton Day will be held on September 1, 2019 from 11:00am to 10:00pm. Additional events have been added to the program and the fireworks display will begin on the Lakeside Avenue Bridge at approximately 8:30pm.
- performed several weddings
- WGHT has been broadcasting remotely and will eventually move the radio system to Pompton Lakes
- attended the Senior Picnic and thanked the Recreation Commission for their assistance.
- The Recreation Commission seeks volunteers and anyone interested should contact Mayor Serra or Karen Murphy, Recreation Director

COUNCILWOMAN REICHER:

Councilwoman Reicher reported on the following.

- attended the Senior Picnic and acknowledged those involved with making the event a success
- Christ Church is sponsoring an Open House on September 15th from 2-4pm

- the contractor for the new apartment building (former Salvation Army) has generously offered to assist the High School Administration with repairing and painting the dome on the High School. Councilwoman Reicher stated the Historical Commission will be notified prior to when the renovations and repairs occur.
- commented on the retirement of the head custodian at the High School
- remarked on the creative goals for the school year that were facilitated by Board of Education Member, Stephanie Shaw
- provided the number of BID Buck packets (175) sold during the BID Bucks sale on Saturday, August 17, 2019
- commented on grants the Borough received; one from the Taub Foundation “New Jersey Future” and one for the Police Department for the “Drive Sober or Get Pulled Over” campaign
- commented on several power outages on Summit Hill. Mayor Serra stated fallen branches have caused most of these outages and he will be meeting with JCP&L to determine which trees need pruning to help with the prevention of these electrical failures.
- requested a change of date for an upcoming Council Meeting
- the Pompton Lakes Women’s Club has been collecting backpacks for Court Appointed Special Advocates (CASA). Councilwoman Reicher stated anyone who would like to donate backpacks may do so by the end of the week. Councilwoman Reicher stated the Board of Education would also like to get involved next year by helping children in need in our own community.

COUNCILWOMAN POLIDORI:

Councilwoman Polidori reported on the following.

- thanked all the volunteers who assisted during National Night Out
- offered her assistance at the Senior Picnic and thanked the Recreation Commission for their hard work
- thanked the Police Department for their immediate response to her request regarding excessive speeding in the Howard Street area. Councilwoman Polidori stated the Borough is working on a traffic study to determine if further action is needed.
- Mayor Serra noted the bridge on Howard Street has been repaired and the plate has been installed
- offered her condolences to the Maletsky family on the passing of Geneva Maletsky and stated she will be missed
- volunteers for Pompton Day are needed and vendor space is still available. The Elks Lodge will be sponsoring their second carnival the week of Pompton Day and encouraged residents to attend.

COUNCILMAN VENIN:

Councilman Venin reported on the following.

- attended National Night Out and remarked on the large number of residents who attended
- spoke about the project presented by Madison Ciancitto and that he supports her efforts
- the Borough has been awarded 3,000 daffodil bulbs through a County grant and the date for the planting of the bulbs will be scheduled for early November
- saplings donated by the Shade Tree Commission have been planted by the DeLine and Venin families
- the Historic Commission continues to plan for the 125th Anniversary celebration of the Borough. A tentative date is set for July 25, 2020.
- on September 11th, 2019 he will take part in remembrance ceremony beginning in Washington DC and travelling to New York City for a 9/11 Memorial

Mayor Serra reminded the community the 9/11 Ceremony for the Borough would be held on Wednesday, September 11, 2019 prior to the Council Meeting.

COUNCILMAN BAIG:

Councilman Baig reported on the following.

- commented on the successful National Night Out and thanked Dawn Gosson and the many volunteers who assisted with the event
- attended the Senior Picnic and provided some details as to how the event has evolved
- provided the Police Department and the First Aid Squad reports for the month of July
- commented on the assistance by the contractor with painting the dome at the High School
- a new program will begin at the high school called “Mission Honor” honoring high school students who have served in the military; the goal is to install a monument on the high school grounds.
- commented on the goals and objectives the Board of Education established for the upcoming school year

Mayor Serra announced Pompton Lakes was rated the 29th best school district in New Jersey according to the Niche Study.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- thanked all volunteers for their assistance during National Night Out and was pleased seventy bike helmets were provided to families
- beginning in September, the Borough will be working with Trans Options, the Police Department, the Business Improvement District and the School District to raise safety awareness along Wanaque Avenue for drivers and pedestrians. The roadway will be monitored and the data collected will be noted and shared within the community to develop an action plan. An evaluation of the action plan will follow in November to determine whether safety changes have been successfully implemented. The only cost to the Borough would be the printing of materials and posters.
- met with the NJDEP and the EPA
- met with a member of the North Central Jersey Association of Realtors and discussed grant opportunities
- the Borough received the Aging Friendly Planning Assistance through the Taub Foundation and New Jersey Future. Councilman DeLine thanked Councilwoman Reicher for alerting the community of the opportunity to participate in this program and to the Governing Body for their support.
- thanked the Shade Tree Commission for offering tree saplings that were planted along the end of the Morris Canal Greenway
- the Trails Maintenance Committee will be meeting at Willow Field at 9:00am on August 18, 2019
- the Lake Restoration Committee is planning a lake cleanup on August 17, 2019 beginning at 10:00am
- commented on power outages particularly at the south end of the town and stated it is unacceptable for the utility company to take action only when it becomes an issue. Mayor Serra stated the power issue on the south end of town is a result of the aging and antiquated equipment at the sub-station.

Mayor Serra stated many of our local businesses provided donations for National Night Out and thanked all those who contributed.

COUNCILMAN JACONETTA:

Councilman Jaconetta reported on the following.

- thanked the volunteers for their assistance during National Night Out and commented on the progression of the event

- thanked the Shade Tree Commission for the donation of saplings and the families who assisted with the planting of the trees
- eighty-five volunteer hours were provided by the Shade Tree Commission for the month of July
- the Emerald Ash Borer has been identified in the neighboring community of Oakland
- thanked Mayor Serra for having the street sign at Ramapo and Corning Avenues installed

Mayor Serra stated homeowners should follow the regulations for trash collection; trash containers must have a secure lid and the Department of Public Works will not collect trash with liquids in the containers. Homeowners who do not follow the regulations will receive a decal tag advising the homeowner the reason their trash was not picked up.

PROFESSIONAL REPORTS:

JOSEPH RAGNO, Borough Attorney

Mr. Ragno had no report.

KEVIN BOYLE, Borough Administrator

Mr. Boyle reported on the following.

- Street Smart Campaign -Time Line
- N.J. Forest Service -NJ 2010 Forest Action Plan
- Montclair Ave Improvements-7/15/19 Pre-con Minutes
- Plum Law Properties, LLC-Pilot Reconciliation
- 2019 Tax Rate-County & Borough
- Police Department Monthly Report-June 2019
- FEMA Reimbursement Irene-Hershfield Park \$244,324.00 and reimbursement is now complete
- 2018 Audit-Comments & Recommendations
- N.J.D.O.T. -Commitment to Communities Summer '19
- Chemours -2nd Quarter 2019 Progress Report
- Millennium Strategies-July Monthly Report
- N.J.D.O.T.-2020 Local Freight Impact Fund Grant
- P.C. Health Department-Recycling Rangers Program
- PD-July Monthly Report
- Vacation -August 26 – Sept 6 Germany

Mr. Boyle informed the Governing Body all Federal financial reimbursements for Hurricane Irene damages have been received thus closing out the file.

Mr. Boyle commented on Resolution 19-168 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 Triad Associates. Mr. Boyle stated Triad Associates would be authorized as an affordable housing administrative agent to manage COAH operations within the Borough.

Mr. Boyle reported paving projects scheduled within the Borough are moving forward as follows; waiting for Tilcon's schedule; Garcia will begin with the drainage inlet repairs, the contract with Diamond Constructions will provide handicap access along with repairs to drainage on roads being paved in addition to Montclair Avenue.

Mayor Serra questioned when paving would take place on Colfax Avenue, a County Road. Mr. Boyle replied and stated it would be completed before November along with a section on Mill Street.

Mayor Serra stated he has received complaints regarding potholes on Mill Street and he will contact the Superintendent of the DPW to make the necessary repairs.

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.

GEETE CURTIS, Ramapo Avenue

Ms. Curtis questioned whether Chemours submits reports on the status of projects. Mr. Boyle replied and stated Chemours provides the Borough with a quarterly report of the status of all projects and they are available to the public on the EPA or NJDEP websites.

RANDY HINTON, Montclair Avenue

Mr. Hinton questioned the policy for notification to residents prior to work in the "Spring Pond" area. Both Mayor Serra and Mr. Boyle responded and stated the project did not require prior notification and the plantings are to be determined.

Mr. Hinton reported the Business Improvement District planted several trees throughout the Borough. Mr. Hinton questioned the timeline for renovations at the park on Stiles Court. Mr. Boyle replied the renovations will begin in early September and it will include new equipment and amenities.

Mr. Hinton questioned who would be responsible for maintenance along a path on the trails. Mayor Serra replied certain agreements were made and it does not involve maintenance by the DPW. Councilman DeLine informed Mr. Hinton the trail in question has been cleared.

Mr. Hinton voiced his concerns for the maintenance of properties where homes were acquired and have been demolished. Mayor Serra responded certain properties are being maintained by the Department of Public Works and he would further discuss the matter with the Superintendent of the DPW.

Mr. Hinton reported trees planted in the area of Rotary Park are not thriving and questioned who he should notify regarding the plantings. Mayor Serra responded he should contact Mr. Epps, Chemours Project Manager to discuss the matter.

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

PRIVILEGE OF THE FLOOR:

RESOLUTION TO ADJOURN INTO CLOSED SESSION: None

ADJOURNMENT:

Motion moved by Councilman Jaconetta, second by Councilman DeLine to Adjourn the Meeting at 9:02PM. All voted in favor of the motion.

ATTEST: _____ **APPROVED BY:** _____
ELIZABETH BRANDSNESS, RMC **MICHAEL SERRA**
MUNICIPAL CLERK **MAYOR**

August 14, 2019