

## **MINUTES OF THE OCTOBER 16, 2019 REGULAR COUNCIL MEETING**

The following are the Minutes of the October 16, 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, Councilwoman Jennifer Polidori Councilmen William Baig, Frank Jaconetta, and Ekamon Venin. Councilman Erik DeLine was excused from the Meeting

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

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

Mayor Serra invited members of the PRIDE Lake Committee to announce the winner of the photo contest. Mr. Lipman, PRIDE member, congratulated Ms. Drazek for the winning photo she submitted. Mr. Lipman announced the photos submitted would be posted on the PRIDE Facebook page along with the PRIDE calendar.

Mayor Serra stated he appreciated the time and effort the PRIDE Committee has given to the Borough in helping to monitor the rivers and lakes.

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

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

#### **MARIA KENT, Glen Court**

Ms. Kent thanked everyone who attended and volunteered their time during the town-wide river cleanup and expressed how pleased she was with the results of the cleanup. Ms. Kent also thanked the DPW for their service, the various local businesses for their generosity, local school and various civic organizations and the Governing Body for their support and participation helping to make the river cleanup a success.

Mayor Serra also thanked all the volunteers who have made the event a success.

#### **JUSTIN FOSTER, Willard Street**

Mr. Foster commented on his recent purchase of a home in Pompton Lakes and expressed how proud he is to be a first time homeowner and how pleased he is with the township and community. Mr. Foster commented on his displeasure with the contractor who damaged his irrigation system while working on sidewalk repairs. Mr. Foster provided some input as to the damage to the system and the failed attempt by the contractor to repair the damage. Mr. Foster requested some assurance the system would be repaired and returned to proper working order. Mayor Serra replied and stated that he would contact the Town Engineer and the contractor to address the problem.

#### **PETER CHAZOTTE, Woodlawn Avenue**

Mr. Chazotte also commented on the town wide river cleanup and stated he would donate several folding "pick up and grab" tools for distribution to groups for future cleanups. Mayor Serra thanked Mr. Chazotte for his donation.

Mr. Chazotte inquired about several vehicles parked in the rear of R & M Hardware Store on Wanaque Avenue and questioned whether parking the vehicles in this area is a violation. Mayor Serra responded and stated he was unaware cars were parked below the Hardware Store and assured Mr. Chazotte he would follow-up with the proper Borough officials to determine whether this was a violation.

**RANDY HINTON, Montclair Avenue**

Mr. Hinton offered some additional details and information regarding the vehicles parked in the rear of the R & M Hardware Store.

Mr. Hinton commented on the successful Chamber of Commerce Car Show.

Mr. Hinton informed the Governing Body of the ratio of tree plantings and tree removals; more trees planted than removed. Mayor Serra requested residents to remove fallen leaves that are clogging the storm drains near their homes. Mr. Hinton thanked the Governing Body, the DPW and the Police Department for their help and support of the Shade Tree Commission.

Mr. Hinton thanked the Governing Body for the paving on Montclair Avenue and inquired as to when the project would be completed. Mr. Boyle stated the next and final phase of the road paving is scheduled for November 8, 2019.

Mr. Hinton questioned the change in the upcoming Council Meeting dates. Mayor Serra explained the changed dates were to accommodate for the Jewish Holiday. Mayor Serra announced there would be one meeting during the month of November and one meeting during the month of December.

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

**MINUTES:**

Motion moved by Councilman Jaconetta, second by Councilman Venin to approve the Regular Meeting Minutes of September 25, 2019. All voted in favor of the motion.

**BILL LISTS:**

Motion moved by Councilman Baig, second by Councilwoman Reicher to approve the following Bill Lists.

Current Fund	\$ 2,883,488.62
Capital Fund	\$ 139,058.10
Recreation Trust	\$ 1,494.80
Unemployment	\$ 89.40
Dog Trust Account	\$ 856.00
Other Trust Account	\$ 66,926.89
Clerk's Account	\$ 50.00
Open Space Trust	\$ 1,543.50

All voted in favor of the motion.

**PETITIONS: None**

**CONSENT AGENDA:**

*(No Council Members Required Any Resolutions To Be Pulled from The Consent Agenda for Separate Action)*

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes has reviewed the Consent Agenda consisting of various proposed Resolutions, and

**WHEREAS**, the Mayor and Council of the Borough of Pompton Lakes does not desire to remove any Resolutions for individual action from that Agenda

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

1. Resolution 19-189 Authorizing Refund Of Tax Overpayment Block 100 Lot 8
2. Resolution 19-190 Authorizing Cancellation Of Taxes Block 9521 Lot 1

3. Resolution 19-191 Authorizing The Mayor And Council To Approve Estimate #1 In Connection With The 2019 River De-Silting And De-Snagging Project To DMK Services, LLC In The Amount Of \$7,943.00
4. Resolution 19-192 Authorizing The Mayor And Clerk To Approve Estimate #1 In Connection With The 2019 Roadway Resurfacing Preparation Project To Diamond Construction In The Amount Of \$36,247.50 Including Change Orders #1 And #2
5. Resolution 19-193 Authorizing The Mayor And Council To Approve Estimate #1 In Connection With The 2019 Inlet Reconstruction/Reset Program To John Garcia Construction Co. In The Amount Of \$43,070.00

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

**RESOLUTION 19-189**

**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

BLOCK /LOT	NAME	AMOUNT		REASON
100 / 8 1 - 55 WANAQUE AVE	UB POMPTON LAKES I LLC 321 RAILROAD AVE GREENWICH, CT 06830	\$ 29,758.37	2018	2
		\$ 73,380.00	2019	2
	<b>Resolution Total</b>	<b>\$203,138.37</b>		

**RESOLUTION 19-190**

**WHEREAS**, The Tax Assessor has determined the owner of the below property to be eligible for a 100% Disabled Veteran Exemption effective May 31<sup>st</sup> 2019,

**AND WHEREAS**, Taxes have been billed for the property through December 31<sup>st</sup> 2019.

**AND WHEREAS**, Taxes on the property have been paid through September 30<sup>th</sup> 2019.

**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.

**WHEREAS**, The Tax Assessor has determined the owner of the below property to be eligible for a 100% Disabled Veteran Exemption effective May 31<sup>st</sup> 2019,

**AND WHEREAS**, Taxes have been billed for the property through December 31<sup>st</sup> 2019.

**AND WHEREAS**, Taxes on the property have been paid through September 30<sup>th</sup> 2019.

**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.

<b>Block Lot</b>	<b>Location</b>	<b>Taxes Cancelled</b>	<b>Taxes Refunded</b>	<b>Period</b>
9521/1	142 Haroldson PL		\$1,011.08	2Q 31/91 <sup>th</sup> 's to Homeowner
			\$3,073.02	3Q entirely to Mortgage Company
		\$3,073.00		4Q Rescinded
	<b>Total</b>	<b>\$3,073.00</b>	<b>\$4,084.10</b>	

**RESOLUTION 19-191**

**WHEREAS**, the Borough of Pompton Lakes awarded the bid for the 2019 River De-Silting & De-Snagging Project to DMK Services, LLC; and

**WHEREAS**, DMK Services, LLC has submitted estimate #1 in the amount of \$7,943.00 for approval and payment; and

**WHEREAS**, upon review, it is the recommendation of Darmofalski Engineering, Assoc. and the Borough Administrator to approve estimate #1 in the amount of \$7,943.00.

**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 authorizes the payment of estimate #1 to DMK Services, LLC in the amount of \$7,943.00.

**RESOLUTION 19-192**

**WHEREAS**, the Borough of Pompton Lakes awarded the bid for the 2019 Roadway Resurfacing Preparation Project to Diamond Construction; and

**WHEREAS**, Diamond Construction has submitted estimate #1 in the amount of \$36,247.50 for approval and payment; and

**WHEREAS**, upon review, it is the recommendation of Ferriero Engineering, Inc. and the Borough Administrator to approve estimate #1 in the amount of \$36,247.50.

**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 authorizes the payment of estimate #1 to Diamond Construction in the amount of \$36,247.50 including change estimate #1 and #2.

**RESOLUTION 19-193**

**WHEREAS**, the Borough of Pompton Lakes awarded the bid for the 2019 Inlet Reconstruction/Reset Program to John Garcia Construction Co.; and

**WHEREAS**, John Garcia Construction Co. has submitted estimate #1 in the amount of \$43,070.00 for approval and payment; and

**WHEREAS**, upon review, it is the recommendation of Ferriero Engineering, Inc. and the Borough Administrator to approve estimate #1 in the amount of \$43,070.00.

**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 authorizes the payment of estimate #1 to John Garcia Construction Co. in the amount of \$43,070.00.

**RESOLUTIONS FOR SEPARATE ACTION**

1. Resolution 19-194 Ratifying A Collective Bargaining Agreement With The Borough Of Pompton Lakes Employee Association For The Term January 1, 2020 Through

December 31, 2025 And Authorizing The Mayor And Clerk To Execute The Agreement

**WHEREAS**, the Borough Employee Association of Pompton Lakes and the Borough of Pompton Lakes have reached an agreement on the terms of a new collective bargaining agreement covering the term January 1, 2020 through December 31, 2025; and

**WHEREAS**, the membership of the PLBEA ratified the agreement on October 16, 2019.

**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 hereby ratifies the terms of the collective bargaining agreement by and between the parties as set forth above.
2. The Mayor and Clerk are authorized to execute the collective bargaining agreement once the agreement has been executed by the Association.
3. This Resolution shall take effect immediately upon adoption according to law.

Motion moved by Councilman Jaconetta, second by Councilman Baig to approve Resolution 19-194.

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

**ORDINANCES:**

**ORDINANCE FOR FIRST READING AND INTRODUCTION:**

*(This Ordinance will be presented for Second Reading and Final Adoption on October 30, 2019)*

**ORDINANCE 19-23**

**AN ORDINANCE REGULATING AND LICENSING VAPE SHOPS, ELECTRONIC SMOKING AND VAPOR DEVICES**

Mr. Ragno stated the purpose of Ordinance 19-23 was to regulate vape shops in the Borough including their licensing and the penalties to be incurred should they violate the Ordinance.

Motion moved by Councilman Baig, second by Councilwoman Polidori to approve Ordinance 19-23 for First Reading and Introduction.

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

Motion moved by Councilwoman Reicher, second by Councilman Venin to appoint Chris Sudol as a Member of the Environmental Protection Committee to fill an unexpired term ending (12/2019). All voted in favor of the motion.

- asked residents to remove leaves from storm drains
- commented on the successful Chamber of Commerce Car Show and thanked the many volunteers and participants
- commented on the newly installed handicapped ramps and the Federal Grant regulations associated with the installation
- announced the dates for the Council Meetings for the next two months; November 13, 2019 and December 11, 2019

- attended the ribbon cutting ceremony for the new turf field at Lakeside Middle School and congratulated the Board of Education for having the turf field installed. Mayor Serra noted the Board of Education has permitted community groups the use of the field.

#### **COUNCIL PRESIDENT REICHER:**

Councilwoman Reicher reported on the following.

- commented on the successful Chamber of Commerce Car Show and offered the suggestion to incorporate a “People’s Choice” award for next year
- attended the realtor’s program and stated the EPA provided a power point presentation with facts and figures regarding the plume which helped to alleviate some of the misconceptions and misinformation that had been circulating. The EPA, DEP and DuPont/Chemours also provided contact information.
- commented on the changing Recycling Program and requested further precise information be added to pamphlets being sent to homeowners. Mayor Serra replied the pamphlets would contain this updated information.
- commented plastic bags are no longer recyclable and encouraged residents to drop plastic bags at “TREX” boxes and provided their locations throughout the Borough, Councilwoman Reicher emphasized the “TREX” program allows the Borough the opportunity to receive free benches. Mayor Serra informed the public the TREX recycling of plastic bags is a PILOT program and it is not mandatory. Councilwoman Reicher suggested that everyone follow these guidelines.
- commented on an incident involving a Windsor School vehicle and asked that the Police Department put commercial vehicles as well as residential vehicles on notice for speeding on Wanaque Avenue and not stopping at pedestrian crosswalks
- anyone requesting flu vaccines may contact Jill Walsh in the Health Department office to make an appointment
- the next BID Bucks sale will be held on November 9, 2019 at Colombia Bank

Councilwoman Reicher requested one Closed Session for personnel.

Mayor Serra reported State regulations for recyclable items has changed and the contractor who provides the hauling services will restrict the recyclables collected. Mayor Serra stated the Borough must conform to the new State regulations or the Borough will be subject to fines. Mayor Serra stated the Borough has informed the residents of these changes through means of social media, Channel 77, Local Radio and through a Notification call.

#### **COUNCILMAN DELINE:**

Councilman DeLine was excused.

#### **COUNCILMAN JACONETTA:**

Councilman Jaconetta reported on the following.

- attended and assisted in the river clean up along with his son
- attended the Dedication Ceremony for the new turf field
- commented on the number of trees planted within the Borough
- an updated tree list consists of the removal of fifty trees and pruning of twenty-three trees. The DPW will be removing four small diseased plum trees.
- the fall planting list consist of twenty-three trees that will be planted at different locations and provided with deer guards and stakes

Mayor Serra commented on a Grant the Borough received in an effort to educate the public on pedestrian crosswalk safety. Mayor Serra urged the public to use crosswalks and stated police will issue tickets to motorists that do not obey the laws.

#### **COUNCILWOMAN POLIDORI:**

Councilwoman Polidori reported on the following.

Motion moved by Councilwoman Polidori, second by Councilman Venin to approve the request of St. Mary's Church to close one roadway travel lane of Hamburg Turnpike, Ringwood Avenue and Wanaque Avenue 7:30am to 8:30am on Sunday, December 8, 2019 for the procession of the Virgin of Guadalupe (Passaic Co. Freeholders, Hundertmark Agency. Police and Fire Depts. have been notified.

- attended Coffee with the Council which was held at "Hug a Mug" located on Wanaque Avenue. The next date for Coffee with the Council is November 4, 2019, at the same location.
- participated in the river clean up and thanked Ms. Kent for her time and effort in organizing and supporting the event. Councilwoman Polidori and her river clean up partner concentrated their efforts at Joe Grill and Willow Field and encouraged the public to pick up and properly dispose of any water bottles they may find.
- attended the Rotary Steak and Chops event and commented on the honoree Bill Bashaw and his many years of involvement within the VFW.
- attended the successful Chamber of Commerce Car Show and congratulated the winners
- the Pompton Reformed Church will be sponsoring their Autumn Festival on Saturday, October 19, 2019
- the Girl Scouts are sponsoring the Girl Scout Fall Festival on Sunday, October 20, 2019 at Hershfield Park
- the Halloween Hunt is scheduled for Sunday, October 20, 2019 also at Hershfield Park
- the Recreation Commission offers many programs and urged residents to view their website
- commented on the changing recycling rules and advised additional information is available for residents on the "Recycling Coach" app

#### **COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- congratulated the winner of the PRIDE photo contest and thanked the PRIDE volunteers for monitoring and helping to keep the lakes clean
- commented on the successful Chamber of Commerce Car Show
- the Historic Commission plans for the 125<sup>th</sup> Anniversary of the Borough are ongoing and the next meeting will be held on October 22, 2019
- the Borough received 3,000 daffodil bulbs through a grant and the planting of the bulbs is scheduled for November 2, 2019
- congratulated the Lakeside Middle School students who were elected to Student Council

#### **COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- congratulated the Chamber of Commerce for the successful Car Show
- attended the Rotary Steak and Chops event and congratulated the honoree, Bill Bashaw. Councilman Baig invited anyone wishing to become a member of the Rotary Club to join members at Villa Verde on October 23, 2019 at 12:00noon.
- the Prevention Coalition Coordinator attended all Back to School nights and distributed information regarding alcohol and drug prevention
- the High School HAWC Club will be attending the Passaic County Team Summit. The HAWC Club and the Prevention Coalition will sponsor two events on October 26, 2019: National Prescription Drug Take Back Day, at Borough Hall from 10:00am-1:00pm and distribution of alcohol and drug prevention information at the High School Homecoming Football Game.
- Dr. Amoroso announced Eileen Allan achieved a milestone in her career as the High School Girls Field Hockey Coach by winning her 400<sup>th</sup> game
- Diane Gelok, Pompton Lakes Education Foundation President, presented the Board of Education a check for \$25,000.00 and the funds will go towards technology
- students in all schools have exceeded the state average scores for testing in English/Language Arts and Math for the year 2019

- commented on the First Aid Squad, Police Department and Fire Department reports for the month of September, 2019

Mayor Serra commended and praised the Volunteer Fire Department and First Aid Squad for the service to the community and stated anyone interested in becoming a member may contact himself, Borough Hall or Councilman Baig.

#### **PROFESSIONAL REPORTS:**

##### **JOSEPH RAGNO, Borough Attorney**

Mr. Ragno had no report.

##### **KEVIN BOYLE, Borough Administrator**

Mr. Boyle reported on the following.

- MCMJ Insurance Fund-2020 Proposed Budget
- Passaic County-Interpretive Plan
- NJDOT Commitment to Communities - Fall 2019
- Millennium Strategies - September Monthly Report
- NRESC-September Monthly Report
- Stormwater Management Services – Report
- Pro Champs - Foreclosure Assistance
- Recycling Program - Updated Public Information
- 2019 ROSI - Awaiting NJDEP Approval
- Drive Sober Holiday Crack Down - Under Review/Deadline 11/15
- PD - August '19 Monthly Report

**TABLED ITEMS: None**

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

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

##### **PETER CHAZOTTE, Woodlawn Avenue**

Mr. Chazotte commented on the regulation of vape shops in the Borough and questioned if there was an age limit set for the purchase of vape items. Mayor Serra responded and stated the Borough could set age limits.

Mr. Chazotte requested clarification regarding the app for Recycling from Councilwoman Polidori and she responded the “Recycle Coach,” app provides information on current recycling trends and can be found on the Borough website.

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

Mr. Hinton questioned whether the Borough would provide residents with recycling pamphlets. Mayor Serra replied and stated the Borough would be mailing residents a pamphlet in the near future. Mr. Hinton commented on the Golden Agers and invited Councilman Baig to attend the next meeting held on October 17, 2019.

Mr. Hinton requested clarification regarding the NJDEP Permit by Rule. Mr. Boyle responded and stated the work performed in the streams and ponds must meet all criteria of the Permit by Rule. Mr. Hinton stated the NJDEP requires notification to residents if remediation on nearby property is to occur. Mayor Serra replied and stated he will review this information with the Borough Engineer.

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



**PRIVILEGE OF THE FLOOR:**

Councilwoman Reicher announced Abe Pressman recently passed away and commented on his jewelry business and involvement in the community.

**RESOLUTION TO ADJOURN INTO CLOSED SESSION:**

Motion moved by Councilwoman Polidori, second by Councilman Jaconetta to adjourn into Closed Session at 8:50pm. All voted in favor of the motion.

**BE IT HEREBY RESOLVED**, pursuant to NJSA 10:4-13 and 10: 4-12 that the Mayor and Council of the Borough of Pompton Lakes hold Closed Session for personnel matters. It is expected that the discussions undertaken in Closed Session on this date can be made public at the time official action is taken by the Mayor and Council to release same.

Motion moved by Councilwoman Reicher, second by Councilwoman Polidori to open the Meeting at 8:58pm. All voted in favor of the motion.

Mayor Serra stated personnel matters were discussed in Closed Session.

**ADJOURNMENT:**

Motion moved by Councilman Jaconetta, second by Councilman Venin to Adjourn the Meeting at 8:59 PM. All voted in favor of the motion.

**ATTEST:** \_\_\_\_\_ **APPROVED:** \_\_\_\_\_  
**ELIZABETH BRANDSNESS, RMC** **MICHAEL SERRA**  
**MUNICIPAL CLERK** **MAYOR**

Dated: October 16, 2019