

1. Regular Council Meeting Documents June 8, 2022

Documents:

[JUNE 8, 2022.PDF](#)

1.1. Ordinance 22-15

Documents:

[22-15 POND HOLE REGULATIONS.PDF](#)

**AGENDA
REGULAR MEETING
June 8, 2022**

The following is the Agenda for the Regular Council Meeting of the Borough of Pompton Lakes Mayor and Council, a Municipal Corporation in the County of Passaic. The Meeting will begin at 7:30pm on June 8, 2022 in the Municipal Building. Consistent with the New Jersey Open Public Meetings Act, the Meeting will be opened for public comments. Public comments may be made at designated times during the meeting and may be submitted in writing to be read aloud during the meeting. Comments to be read at the meeting must be submitted at least 24 hours prior to the meeting by email or to the Clerk's office at 25 Lenox Avenue, Pompton Lakes, NJ and must be of a length that can reasonably be read within the time limit for public comment.

1. CALL TO ORDER – Mayor Michael Serra

PRAYER

SALUTE TO FLAG

STATEMENT OF COMPLIANCE: “In conformance with the Open Public Meetings Law, Public Law 1975, Chapter 231, adequate notice of this Meeting setting forth the time, date, place and purpose of this regular Meeting through notice posted on the Bulletin Board in the Municipal Building, mailed to all who had requested and paid for same, and published in the Suburban Trends.

ROLL CALL:

Mayor Michael Serra
Council President Jennifer Polidori
Councilman William Baig
Councilman Bobby Cruz
Councilman Erik DeLine
Councilwoman Maria Kent
Councilman Ekamon Venin

Borough Officers:
Mark J. Semeraro, Borough Attorney
Paula Cozzarelli, Borough Administrator
Elizabeth Brandsness, Municipal Clerk

MAYOR PRESENTATIONS AND UPDATES

Proclamation Recognizing June as PRIDE Month

2. MEETING OPEN FOR PUBLIC COMMENTS:

Motion to open the Meeting for Public Comments ___Second___ All in favor___Nays___
Motion to close the Meeting for Public Comments ___Second___ All in favor___Nays___

3. APPROVAL OF MINUTES:

Motion to approve the following Minutes ___Second___. All in favor___, Nays___.

Regular Meeting Minutes May 25, 2022
Closed Session Meeting Minutes May 25, 2022

4. AUTHORIZED BILLS AND CLAIMS:

Motion to approve the following Bill Lists ___Second___. All in favor___Nays___.

Current Fund	\$
Capital Fund	\$
Recreation Trust	\$
Unemployment	\$
Dog Trust Account	\$
Other Trust Account	\$
Clerk's Account	\$
Open Space Trust	\$

5. PRESENTATION OF PETITIONS:**6. CONSENT AGENDA – RESOLUTIONS:**

(Does Any Councilperson Require Any Consent Agenda Item To Be Pulled For Separate Actions?)

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 / does not*) desire to remove 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 22-172 Authorizing Return Of Road Opening Maintenance Escrow Deposited With The Borough By Elizabeth Manno
2. Resolution 22-173 Authorizing Return Of Road Opening Maintenance Escrow Deposited With The Borough By Christopher Conte
3. Resolution 22-174 Authorizing Refund Of Outside Lien Block 3700 Lot 21
4. Resolution 22-175 2022-2023 Liquor License Renewals Borough Of Pompton Lakes
5. Resolution 22-176 Accepting The Resignation Of JoAnn Hauselben From The Pompton Lakes Municipal Court
6. Resolution 22-177 A Resolution Of The Borough Council Of The Borough Of Pompton Lakes Authorizing The Transfer Of A Tax Sale Premium To The Current Fund
7. Resolution 22-178 Authorizing Payment In Lieu Of Health Benefits To Qualified Borough Employees
8. Resolution 22-179 Authorizing The Borough To Purchase Security Cameras For The Pompton Lakes Police Department From Monarch Technology Solutions LLC In The Amount Of \$2,542.00
9. Resolution 22-180 Authorizing The Approval Of Payment #2 To AB Designs Contracting Corp For Pompton Lakes Library Improvements In The Amount Of \$59,780.00
10. Resolution 22-181 Approving A Chapter 159 Resolution Providing For The Insertion Of A Special Item Of Revenue In The 2022 Budget (FY 2022 Clean Community Grant)

Motion to approve the Resolutions____, Second____. All in favor____, Nays____.

7. RESOLUTIONS FOR SEPARATE ACTION (ROLL CALL)**8. INTRODUCTION OF ORDINANCES–FIRST READING AND INTRODUCTION:**

(Ordinance will be presented for second reading and final adoption on _____, 2022)

9. ORDINANCES FOR SECOND READING AND FINAL ADOPTION:

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

ORDINANCE 22-15**AN ORDINANCE AMENDING CHAPTER 7, “TRAFFIC”, SECTION 7-44.1, “POND HOLE PARKING LOT REGULATIONS”, OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES**

Motion to open the Meeting for public comments on Ordinance #22-15 ____, Second____.
All in favor____, Nays____.

Motion to close the Meeting for public comments on Ordinance #22-15____, Second____.
All in favor____, Nays____.

Motion to approve Ordinance #22-15 for Final Adoption____, Second____.

Roll Call:

10. MAYOR REPORT:

11. COUNCIL COMMITTEE REPORTS:

Council President Polidori:

Councilman Baig:

Councilman Cruz:

Councilman DeLine

Councilwoman Kent:

Councilman Venin:

Professional Reports:

12. TABLED ITEMS: None

13. MEETING OPEN FOR PUBLIC COMMENTS:

Motion to Open Meeting for Public Comments__Second__All in favor __Nays__.

Motion to Close Meeting for Public Comments__Second__All in favor__ Nays__.

14. PRIVILEGE OF THE FLOOR:

15. ADJOURN TO EXECUTIVE SESSION WHEN REQUIRED:

Motion to Adjourn____Second____. All in favor____Nays____.

Closed Session Time _____ Open Session Time _____

Motion to Open____Second____. All in favor____Nays____.

16. ADJOURNMENT: Motion to Adjourn____Second____. All in favor____Nays____.
Adjourn Time ____.

Ordinance 22-15

AN ORDINANCE AMENDING CHAPTER 7, "TRAFFIC", SECTION 7-44.1, "POND HOLE PARKING LOT REGULATIONS", OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES

BE IT HEREBY ORDAINED by the Borough Council of the Borough in the County of Union and the State of New Jersey as follows:

Purpose:

The purpose of this Ordinance is to update Chapter 7, "Traffic," Section 7-44.1, "Pond Hole Parking Lot Regulations," to establish revised parking lot regulations.

Repeal and replace Chapter 7, "Traffic," Section 7-44.1, "Pond Hole Parking Lot Regulations," in its entirety and replace with the following:

§ 7-44.1 Pond Hole Parking Lot Regulations.

A. Lot No. 28, Block 6300, as shown on the Tax Assessment Map of the Borough of Pompton Lakes and commonly known as the "Pond Hole Parking Lot" will hereby include the following designations as shown on the amended site plans which are on file in the office of the Municipal Clerk.

1. Metered parking
2. Permit parking
3. Reserved parking
4. Aisles and roadways
5. Handicap parking

B. No person shall park any vehicle or permit any vehicle to stop or stand or to be parked on the premises known and designated as the "Pond Hole Parking Lot" except in accordance with the designations and within the areas as shown on the amended site plans which are made part of this subsection; except that the following restrictions shall apply to all parking spaces within the Pond Hold Parking Lot:

1. No vehicle shall be parked in the Pond Hole Parking Lot between the hours of 3:00 a.m. and 5:00 a.m. except for vehicles displaying an appropriate parking sticker or permit.
2. Parking in the Pond Hole Parking Lot is hereby restricted to a ten-hour maximum time limit for all vehicles during the hours of 5:00 a.m. to 3:00 a.m. the following day unless the vehicle has a parking permit allowing a longer parking duration or has a parking permit that restricts parking durations to less than 10 hours.
3. Metered Parking Spaces may be time limited and such time limits shall be conveyed to parking lot users via conspicuously placed signs installed as directed by the Chief of Police or Borough of Pompton Lakes.

C. Whenever snow has fallen and the accumulation is such that it covers the premises known as the "Pond Hole Parking Lot," the Chief of Police or, in his absence, the ranking officer, is authorized to declare an emergency and to direct the posting of temporary signs and/or barricades designed to enable the safe and efficient clearing of snow and ice from parking lot surfaces. Any business or individual in possession of any parking permit for the Pond Hole Parking Lot shall provide phone and/or email contact information that the Chief of Police or Borough of Pompton Lakes may employ to convey special parking instructions during snow or other emergencies events. When weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the maintenance of the parking lot, notification that emergency parking procedures have been enacted shall be given to any business or individual in possession of any parking permit for the Pond Hole Parking Lot or the operator or owner of any vehicle which has been parked prior to the enactment of emergency procedures or posting of the signs. Any unoccupied vehicle parked

or standing in violation of this subsection shall be deemed a nuisance, and any Police Officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage which may result from such removal before gaining possession of such vehicle.

D. No person shall park or permit any vehicle to be parked in any designated aisle or roadway.

E. All moving vehicles within said parking lot shall be operated in accordance with the following provisions:

- 1.** Maximum speed limit: 10 miles per hour.
- 2.** Vehicles shall proceed in the direction of travel designated by pavement markings on the parking lot surface and/or posted signs.
- 3.** All vehicles shall park within the marked areas of a parking stall.
- 4.** Vehicles travelling within the parking lot or from one area of the parking lot to another area shall be limited to parking aisles or roadways only and shall not travel across or through painted parking stalls or cross-hatched areas.

F. Parking stalls shall be painted upon the paved surface of the parking lot and regulatory signs shall be installed to reasonably notify users of the parking lot of these regulations.

G. Parking Permits shall be designated by appropriate identification tags or stickers, the form and location of which shall be prescribed by the Chief of Police or Borough of Pompton Lakes, and issued in accordance with procedures hereinafter set forth:

- 1.** The Chief of Police or Borough of Pompton Lakes shall determine the number of parking permits which can be issued, marking appropriate allowance for turnover of use, seasonal variations or changes in parking patterns so that the maximum number of permits may be issued.
- 2.** Permits shall be issued on a first-come first-served basis and shall be classified as follows:
 - a.** Student (S) Permits which shall be valid only on school days between the hours of 7:00 a.m. and 4:00 p.m.
 - b.** Employee (E) Permits which shall be valid at all times between the hours of 5:00 a.m. and 3:00 a.m. the following day.
 - c.** Resident (R) Permits which shall be valid at all times.
- 3.** The fees to purchase Parking Permits shall be:
 - a.** \$75.00 per trimester for a Student (S) Permit. The first trimester shall be defined by the period of time between September 1 and the start of the Christmas/Holiday Break; the second trimester shall be defined by the period of time between January 1 and the start of Spring Break; and the third trimester shall be defined by the period of time between the end of Spring Break and June 30.
 - b.** \$50.00 per month for an Employee (E) Permit which shall be valid between the first and last day of the month purchased.
 - c.** \$100.00 per month for a Resident (R) Permit which shall be valid between the first and last day of the month purchased.
- 4.** The following valid documents must be provided in order to purchase a Parking Permit:
 - a.** For a Student (S) Permit: Vehicle Registration of the vehicle that will display the Parking Permit; Student ID; Drivers License of the student named on the Student ID.
 - b.** For an Employee (E) Permit: Vehicle Registration of the vehicle that will display the Parking Permit; Copy of a recent Pay Stub (with sensitive information redacted) from a business located on the east side of Wanaque Avenue or a property bordering the Pond Hole Parking Lot; Driver License of the employee named on the Pay Stub.

- c. For a Resident (R) Permit: Vehicle Registration of the vehicle that will display the Parking Permit; a recent Utility or Tax Bill having an address located within 400' of the Pond Hole Parking Lot and matching the address on the Vehicle Registration, Driver License of the permit holder.
- d. Student (S) Permits being renewed need to be re-purchased each trimester with the required accompanying documentation using procedures determined by the Chief of Police or Borough of Pompton Lakes.
- e. Employee (E) Permits may be automatically renewed each month however, recent Pay Stubs must be re-submitted at least every three (3) months to verify continued employment within the boundaries described in Section G.4.b.
- f. Resident (R) Permits may be automatically renewed each month however, recent Utility or Tax Bills must be re-submitted at least every three (3) months to verify continued residency within the boundaries described in Section G.4.c.
- g. Parking Permits will not be automatically renewed for any month or trimester when the accompanying Driver License or Vehicle Registration is set to expire.

5. The number of Parking Permits issued shall be limited as follows however, the Chief of Police or Borough of Pompton Lakes may, from time to time, make modifications to these limitations in accordance with Paragraph 1. of this section.

- a. Student (S) Permits issued shall be initially limited to a maximum of 35.
- b. Employee (E) Permits issued shall be initially limited to a maximum of 50.
- c. Resident (R) Permits issued shall be initially limited to a maximum of 150.

6. The Chief of Police or Borough of Pompton Lakes may issue Employee (E) Permits to businesses located on properties that border the Pond Hole Parking Lot using guidelines, rules and regulations that differ from Sections 2 through 5 above.

7. Any time the maximum number of Parking Permits in any category has been reached, the Chief of Police or Borough of Pompton Lakes may establish a waiting list for such permits in accordance with the following:

- a. If or when certain categories of Parking Permits become over-subscribed, customers may request to be placed on a waiting list to be contacted in the event a Parking Permit(s) becomes available. In the event a Parking Permit becomes available, the longest listed individual on the waiting list will be contacted to purchase the permit. If that individual refuses to purchase the permit they will be removed from the waiting list and the next longest listed individual will be contacted for the same purpose, and so forth.

H. The Pond Hole Parking Lot shall be available to public parkers without a parking permit on a first-come first-served basis subject to availability.

1. The Pond Hold Parking Lot will contain parking Pay Kiosks that will, upon deposit of United States currency or valid credit card, dispense "Paid" parking stubs for use by non-permitted public parkers who must display such stubs on their vehicle dashboard as proof of purchase of parking time. The fee for parking time shall be 50¢ per hour and the minimum purchase for credit card users shall be \$1.00.
2. It shall be unlawful for non-permitted public parkers to cause their vehicle to be parked in a Pond Hole Parking Lot parking space without displaying a valid, non-expired, "Paid" parking stub on the vehicle's dashboard.
3. It shall be unlawful for non-permitted public parkers to cause their vehicle to be parked in a Pond Hole Parking Lot parking space if a "Paid" parking stub displayed on the vehicle's dashboard is invalid due to expiration.
4. "Paid" parking stubs are valid for use and display in one (1) vehicle only and it shall be unlawful to transfer a still-valid "Paid" parking stub to another individual or vehicle after the stub has been displayed.

5. Non-permitted public parkers are subject to all rules and regulations posted on signs within the Pond Hole Parking Lot, posted or displayed on the parking Pay Kiosks, and printed on the parking stubs. It shall be unlawful for non-permitted public parkers to violate any of these rules and regulations.

I. It shall be unlawful to utilize any portion of the Pond Hole Parking Lot, including but not limited to parking spaces, driveways, traffic lanes and planting areas, for the purpose of storing or causing to be stored commercial and/or private vehicles or for the purpose of using said public parking spaces or general areas for the storage, maintenance, washing, painting, repairing, loading or unloading of vehicles or for the conduct of private business, regardless of time limits posted and fees paid, within the subject areas, which practice denies or unduly limits the use of the parking facilities to the general parking public for whom they are intended. Nothing herein shall be construed to prohibit necessary and minimal emergency repairs which are required to render a car operational so that it can be moved from any parking space.

J. The Pond Hole Parking Lot includes parking spaces for handicapped persons in accordance with law and it shall be unlawful to park in any space designated for handicapped persons unless the appropriate handicapped parking credentials are displayed. The prohibition against parking in a space designated for handicapped persons without the appropriate credentials shall be enforced by Law Enforcement personnel in accordance with New Jersey State and Federal law.

K. It shall be unlawful to damage or tamper with parking control equipment or to deposit therein anything other than U.S. currency, credit cards, or parking stubs and slips. It shall be unlawful to deface, injure, tamper with, willfully break, destroy or impair the usefulness of, or to open without lawful authority, parking control equipment installed in the Pond Hole Parking Lot.

L It shall be unlawful to deface or alter in any way "Paid" Parking Stubs or Parking Permits issued by the Borough of Pompton Lakes. It shall be unlawful to produce or duplicate "Paid" Parking Stubs or Borough-issued Parking Permits. It shall be unlawful to attempt the use of any defaced, altered, duplicated, counterfeit, or unlawfully produced "Paid" Parking Stub or Parking Permit.

M. Loitering in or upon any parking areas, garages, facilities, or lots owned or operated by the Borough of Pompton Lakes which obstructs the free passage of pedestrians or vehicles, or obstructs, molests, or interferes with any person lawfully upon such Borough property shall be prohibited. No person shall be prosecuted for loitering upon such Borough property unless the violator shall first disobey a Police Officer's or Parking Enforcement Officer's direction to cease loitering and disburse, move on, or exit the property.

N. The Chief of Police or Borough of Pompton Lakes shall publish notice in the official newspaper of the Borough and prominently post notice in locations deemed by him to give adequate notice to the public of the acceptance of applications for parking permits.

O. The Chief of Police or Borough of Pompton Lakes is authorized to establish permit issuing procedures: to allow a person to whom a permit has been issued to substitute a vehicle; designed to improve or maximize the efficiency and/or utilization of the Pond Hole Parking Lot; to discourage abuse or misuse of parking permits; to discourage or alter the emergence of unhealthy parking patterns or practices; to prioritize permit issuance for Pompton Lakes residents or other user groups; to improve safety and security, or; for any reason or reasons that would better serve the interests of Pond Hole Parking Lot users, local businesses, Borough residents and/or the Borough of Pompton Lakes.

P. Parking violations within the Pond Hole Parking Lot will be issued in accordance with law and the following fine schedule which shall be subject to change.

1. Overtime Parking / Parking Without Payment - \$35
2. Unlawful Extension / Parking Beyond Posted Time Limits / Parking During Restricted Time Periods / Unlawful Transfer Of Paid Parking Stub - \$45
3. Improper Placement of Vehicle - \$55

4. Handicap Violations – In accordance with Federal and New Jersey statutes.

Q. Whenever any words and phrases are used in this subsection, the meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words and phrases used herein.

R. The provisions of this subsection imposing regulations shall not relieve any person of the duty to observe any more restrictive provisions set forth in Title 39 of the Revised Statutes of the State of New Jersey.

BE IT FURTHER ORDAINED as follows:

1. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
2. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
3. This Ordinance shall take effect after approval of the Mayor or in accordance with law and publication and passage according to law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 25th day of May, 2022, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 8th day of June, 2022, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

Approved:

Michael Serra, Mayor

Elizabeth Brandsness, Borough Clerk