

## MINUTES OF THE APRIL 13, 2022 REGULAR COUNCIL MEETING

The following are the Minutes of the April 13, 2022 Regular Meeting of the Mayor and Council of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 7:30 P.M.

Mayor Michael Serra opened the Meeting and led participants in saluting the flag.

Mayor Serra read the Open Public Meeting Law Statement of Compliance.

A Roll Call indicated the following members were present: Mayor Michael Serra, Council President Jennifer Polidori, Councilmen William Baig, Bobby Cruz, Erik DeLine, Ekamon Venin and Councilwoman Maria Kent.

Also present were Borough Attorney, Mark J. Semeraro, Borough Administrator, Kevin Boyle and Borough Clerk, Elizabeth Brandsness.

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

#### **2022 SPECIAL IMPROVEMENT DISTRICT BUDGET**

Second Reading And Final Adoption Of The 2022 Special Improvement District Budget

*Clerk to read Special Improvement District (S.I.D.) Budget by Title for Second Reading and Final Adoption:*

#### **AUTHORIZING ADOPTION OF A BUDGET IN THE AMOUNT OF \$285,000.00 FOR THE SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF POMPTON LAKES FOR THE YEAR 2022**

Motion moved by Councilwoman Polidori, second by Councilwoman Kent to open the Meeting for public comments on the 2022 Special Improvement District (S.I.D.) Budget. All voted in favor of the motion.

Councilman DeLine commented on the Business Improvement District and stated there was a period of time when the BID (Business Improvement District) suspended the tax collection from property owners and inquired if they will be resuming the collection of taxes.

Mr. Walker replied and stated the Business Improvement District is back to full operations, and will be resuming the collection of Business Improvement District Tax. Mr. Walker noted the Business Improvement District will reinstate all activities and events that support and promote the Business District. Mr. Walker stated in addition to its normal activities and events the BID (Business Improvement District) will now decorate the South and North side of town.

Mayor Serra commented on the tax imposed on the property owners, and stated the tax is used to provide improvements, promotion and activities within the Business District. Mayor Serra stated the Business Improvement District provides a fundamental asset to the Borough.

Motion moved by Councilman Venin, second by Councilwoman Polidori to close the Meeting for public comments on the 2022 Special Improvement District (S.I.D.) Budget All voted in favor of the motion.

Motion moved by Councilwoman Polidori, second by Councilman Baig to approve the 2022 Special Improvement District (S.I.D.) Budget for Second Reading and Final Adoption.

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

#### **2022 MUNICIPAL BUDGET**

#### **PUBLIC HEARING ON THE 2022 MUNICIPAL BUDGET**



Motion moved by Councilman DeLine, second by Councilman Baig to adopt Resolution 22-139 amended 2022 Budget.

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

**RESOLUTION 22-140 ADOPT AMENDED 2022 BUDGET**

**RESOLUTION 22-140  
ADOPTION OF AMENDED BUDGET  
SECTION 2 - UPON ADOPTION FOR YEAR 2022**

Be it Resolved by the COUNCIL MEMBERS of the POMPTON LAKES County of PASSAIC BOROUGH that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 10,383,998.00 (Item 2 below) for municipal purposes, and  
 (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,  
 (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.  
 (d) \$ 119,010.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy  
 (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy  
 (f) \$ 452,513.00 (Item 5 Below) Minimum Library Tax

**RECORDED VOTE**  
(Insert last name)

Ayes	Nays	Abstained	

SUMMARY OF REVENUES			
1. General Revenues			
Surplus Anticipated	08-100	\$	1,750,000.00
Miscellaneous Revenues Anticipated	13-099	\$	2,246,381.73
Receipts from Delinquent Taxes	15-499	\$	317,069.12
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	10,383,998.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	-
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	452,513.00
<b>Total Revenues</b>	13-299	\$	15,149,961.85

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**SUMMARY OF APPROPRIATIONS**

<b>5. GENERAL APPROPRIATIONS:</b>	XXXXXX	XXXXXXXXXXXXXX
<b>Within "CAPS"</b>	XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$ 10,864,571.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 1,321,381.00
(g) Cash Deficit	46-885	\$ -
<b>Excluded from "CAPS"</b>	XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 1,095,889.85
(c) Capital Improvements	44-999	\$ 180,000.00
(d) Municipal Debt Service	45-999	\$ 898,120.00
(e) Deferred Charges - Municipal	46-999	\$ -
(f) Judgments	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$ -
(g) Cash Deficit	46-885	\$ -
(k) For Local District School Purposes	29-410	\$ -
(m) Reserve for Uncollected Taxes	50-899	\$ 790,000.00
<b>6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)</b>	07-195	
<b>Total Appropriations</b>	34-499	\$ 15,149,961.85

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 13th day of April, 2022. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2022 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 13th day of April, 2022, \_\_\_\_\_, Clerk

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Motion moved by Councilman DeLine, second by Councilman Cruz to adopt Resolution 22-140 (Amended Municipal Budget).

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

**RESOLUTION 22-141 ADOPT SELF EXAMINATION 2022 BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Pompton Lakes has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of Pompton Lakes meets the necessary conditions to participate in the program for the 2022 budget year, so now therefore

BE IT RESOLVED, by the Borough Council of the Borough of Pompton Lakes that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated.
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE Director of the Division of Local Government Services.

Motion moved by Councilman Baig, second by Councilman DeLine to adopt Resolution 22-141. (Adopt Self Examination 2022 Budget)

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

*Clerk to read 2022 Municipal Budget:*

## **ADOPTION OF THE 2022 MUNICIPAL BUDGET RESOLUTION**

Be It Resolved by the Borough Council of the Borough of Pompton Lakes of the County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of \$10,383,998.00 for Municipal purposes and (d) \$119,010.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy and (e) \$ 452,513.00 minimum Library Tax.

Mayor Serra thanked Mr. Cerullo for his report and assistance.

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

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

#### **KATHLEEN VENIN, Sunset Road**

#### **JAMIE PEREZ, Walnut Avenue**

Kathleen Venin and Jamie Perez provided some input for a project *Voices of the Trails* they completed towards achieving their Girl Scouts Silver Award. The project included a recorded message at designated kiosks throughout the Trails in the South End of Town. Kathleen and Jamie extended an invitation to the Governing Body to the ribbon cutting ceremony scheduled for Friday, April 22, 2022 at Willow Field at 4:00pm. Mayor and Council commented on the project and congratulated the girls on this achievement.

#### **LAUREN VENIN, Sunset Road**

Ms. Venin requested permission to install a library hut similar to the free library stations located at Hershfield and Lakeside parks. Ms. Venin stated Junior Girl Scouts Troop 97471 is working towards their Bronze Service Award and the troop has secured funding as well as a donation from the Chamber of Commerce. Ms. Venin stated she has contacted Ms. Murphy, Recreation Director, and is seeking approval from the Governing Body. After further discussion, Mayor and Council agreed to the project.

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

### **MINUTES:**

Motion moved by Councilman DeLine, second by Councilman Cruz to approve the Regular Meeting Minutes of March 23, 2022. All voted in favor of the motion.

Motion moved by Councilman DeLine, second by Councilman Cruz to approve the Closed Session Meeting Minutes of March 23, 2022 (6:00PM). All voted in favor of the motion.

### **BILL LISTS: None**

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

### **PETITIONS: None**

### **CONSENT AGENDA:**

*(Council Members Required Resolution 22-144 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 22-144 for individual action from that Agenda, and

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

1. Resolution 22-127 Authorizing The Person To Person Liquor License Transfer Pompton Wines And Liquor LLC, T/A Empire Wine And Liquor, 84 Wanaque Avenue, Pompton Lakes, NJ to Panchamrut Liquor & Wines LLC, T/A Empire Wine And Liquor Located At 84 Wanaque Avenue, Pompton Lakes, NJ Effective Date April 18, 2022
2. Resolution 22-128 Authorizing Payment In Lieu Of Health Benefits To Qualified Borough Employees
3. Resolution 22-129 Supporting The 2022 UDrive. UText. UPay. Distracted Driving Crackdown April 1 - 30, 2022
4. Resolution 22-130 Approving A Chapter 159 Resolution Providing For The Insertion Of A Special Item Of Revenue In The 2022 Budget (NJ DHTS Distracted Driver Grant)
5. Resolution 22-131 Award Of A Bid For Playground Equipment For Pacifico Gallo Park To MRC Recreation Under ESCNJ 20/21-6 Co-Op Contract #65MCECCPS In The Amount Of \$124,987.00
6. Resolution 22-132 Appointment Of Various Fire Fighters To The Position Of Part Time Fire Inspectors With The Fire Prevention Bureau
7. Resolution 22-133 Accepting The Retirement Of Brinda Kostro From The Pompton Lakes Building Department
8. Resolution 22-134 Promotion Of Zachary P. Fagan To The Position Of Laborer 1 With The Department Of Public Works
9. Resolution 22-135 Authorizing Amended Work Hours For Administrative Offices At Borough Hall
10. Resolution 22-136 To Recognize The Month Of May As Mental Health Month
11. Resolution 22-137 Authorizing Payment In Lieu Of Health Benefits To Qualified Borough Employees
12. Resolution 22-138 Award Of A Bid For Pagers And Radios To ESS, Inc. Under State Contract #83909 In The Amount Of \$3,645.50
13. Resolution 22-144 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 Benjamin Delisle
14. Resolution 22-145 Authorizing An Application For And Acceptance Of A Grant From The New Jersey Hazardous Discharge Site Remediation Fund In An Amount Not To Exceed \$63,978.19 For Remedial Investigation Of The Former A-1 Auto Body (Block 3000 Lot 35)
15. Resolution 22-146 Award Of Bid For A Western Star 47x Cab And Chassis To Hudson County Motors Under ESCNJ Co-Op Contract #20/21-55 Class 8 Trucks

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

### **RESOLUTION 22-127**

**WHEREAS**, The Mayor and Council of the Borough of Pompton Lakes are in receipt of a request for a *Person-to-Person* transfer of Liquor License Number 1609-44-010-008 from Pompton Wines and Liquor, LLC, T/A Empire Wine and Liquor, 84 Wanaque Avenue, Pompton Lakes NJ 07442 to Panchamrut Liquors & Wines LLC, T/A Empire Wine and Liquor, 84 Wanaque Avenue, Pompton Lakes, NJ 07442; and

**WHEREAS**, the Borough Clerk is in receipt of an application for a *Person to Person* transfer, fees for same, proof of notification advertised in the local papers, consent to transfer, notification letter for the closing date of license purchase on April 18, 2022, and alcoholic



beverage retail licensee clearance certificate (transfer) provided by Panchamrut Liquor & Wines LLC, T/A Empire Wine and Liquor as required by ABC license transfer guidelines; and

**WHEREAS**, the *Person to Person* application and supporting documents have been reviewed by the Police, Fire, Heath and Building Departments, found to be compliant and no objections to the issuance of a *Person to Person* transfer of said liquor license; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes approves the transfer of the *Person to Person* application as follows:

**TRANSFER**

- Liquor License Number 1609-44-010-008 from Pompton Lakes Wines and Liquor LLC, T/A Empire Wine and Liquor, 84 Wanaque Avenue, Pompton Lakes NJ to
- Liquor License Number 1609-44-010-009, Panchamrut Liquor & Wines LLC, T/A Empire Wine and Liquor, 84 Wanaque Avenue, Pompton Lakes, NJ.
- Effective Date April 18, 2022

**RESOLUTION 22-128**

**WHEREAS**, the Borough has negotiated with both employee bargaining units contract language providing for an employee to opt out of receiving health benefits from the Borough when the employee is covered by a bona fide health plan from their spouse or other source, as provided by statute; and

**WHEREAS**, the Borough agrees to refund 25% of the premium of the N.J. Direct 15 plan or \$5,000.00, whichever is less, for which the employee is eligible to the opting out employee, payable in equal installments by pay period during the course of the plan year, as long as the employee is covered by such optional insurance; and

**WHEREAS**, an employee has provided the Borough Administrator with proof of such coverage and the documents have been found satisfactory by the Borough Administrator;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that the following named employee shall not be provided health benefits, but shall receive a refund of premium payment as shown herein:

Paula Cozzarelli - \$4,999.92 annually.

**RESOLUTION 22-129**

**WHEREAS**, distracted driving is a serious, life-threatening practice that is preventable; and

**WHEREAS**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**WHEREAS**, in 2019 alone distracted driving-related crashes resulted in 3,142 deaths and 400,000 injuries on our nation's roads; and

**WHEREAS**, in New Jersey distracted driving was listed as a contributing circumstance in 49-percent of all motor vehicle crashes in 2019; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Distracted Driving 2022 Crackdown* from April 1 – 30, 2022 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**WHEREAS**, the national slogan for the campaign is *UDrive. UText. UPay*; and

**WHEREAS**, a reduction in distracted driving in New Jersey will save lives on our roadways.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey declares their support for the *Distracted Driving 2022 Crackdown* both locally and nationally from April 1- 30, 2022 and pledges to increase awareness of the dangers of distracted driving.

**RESOLUTION 22-130**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division Of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of any item of appropriation for an equal amount; and

**WHEREAS**, the Borough of Pompton Lakes wishes to amend its 2022 Budget to include an amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Pompton Lakes hereby requests the Director of Division of Local Government Services to approve the insertion of an item in the budget of the year 2022 in the sum of .....\$7,000.00

which is now available as a revenue from:  
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:  
Public and Private Revenues Offset with Appropriations:  
NJ DHTS Distracted Driver Grant

**BE IT FURTHER RESOLVED**, that a like sum of.....\$7,000.00 be and the same is hereby appropriated under the caption of:

- General Appropriations
- (A) Operations – Excluded from CAPS
- Public and Private Programs Offset by Revenue
- NJ DHTS Distracted Driver Grant

**RESOLUTION 22-131**

**WHEREAS**, the Borough of Pompton Lakes seeks to upgrade the playground area at Lakeside Park; and

**WHEREAS**, MRC Recreation was awarded the contract for such equipment under ESCNJ 20/21-6 co-op contract #65MCESCCPS; and

**WHEREAS**, the treasurer has certified funds are available in the Open Space Trust Account #T-16-56-005-801.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that a bid be awarded to MRC Recreation for playground equipment for Pacifico Gallo Park under ESCNJ 20/21-6 co-op contract #65MCESCCPS in the amount of \$124,987.00.

**RESOLUTION 22-132**

**WHEREAS**, John Keating, Fire Official/Fire Prevention Chief, has requested additional part-time inspectors for the Fire Prevention Bureau; and

**WHEREAS**, these new inspectors are current members of the Pompton Lakes Fire Department; and

**WHEREAS**, the following have been recommended for appointment:

John Futcher                      Step 1                                      \$16.00ph



James Titus, Jr. Step 1 \$16.00ph

**WHEREAS**, the Borough Administrator and Fire Chief concur with these recommendations and supports these appointments.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that the Fire Fighters listed above are hereby approved to the part-time position of Fire Inspector April 18, 2022.

**RESOLUTION 22-133**

**WHEREAS**, Brinda Kostro notified the Construction Official that she would be retiring from her position of T.A.C.O. effective May 1, 2022; and

**WHEREAS**, her formal letter dated February 1, 2022 is on file with the Borough.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that it hereby accepts this letter of retirement and thanks Brinda for her service to the Borough and wishes her well in her future endeavors.

**RESOLUTION 22-134**

**WHEREAS**, Zachary P. Fagan was appointed as a part-time laborer on October 13, 2020; and

**WHEREAS**, based upon review, a request has been made by Daniel O'Rourke, Superintendent of Public Works to promote him to Laborer 1 at a starting salary of \$36,234.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that Zachary P. Fagan be promoted to the full-time position of Laborer 1 at a starting salary of \$36,234.00.

**RESOLUTION 22-135**

**WHEREAS**, in an effort to provide residents the opportunity to conduct Borough business during summer hours, the Mayor and Council have approved an amended work schedule for Borough Hall staff; and

**WHEREAS**, the Borough Administrator has recommended Borough Hall be opened in accordance with the following schedule; and

Monday	8:00 am – 4:30 pm
Tuesday	8:00 am – 4:30 pm
Wednesday	8:00 am – 4:30pm
Thursday	8:00 am – 4:30 pm
Friday	8:00 am – 1:00 pm (no lunch hour for employees)

**WHEREAS**, the Borough Administrator has suggested this schedule commence on Monday, May 23, 2022 and run through Friday, September 2, 2022; and

**WHEREAS**, the proposed work schedule has been presented to the Pompton Lakes Borough Employees Association (PLBEA);

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes the proposed amended work schedule shall commence on Monday, May 23, 2022 and run through Friday, September 2, 2022. The office hours for all administrative departments will be as follows:

Monday	8:00 am – 4:30 pm
Tuesday	8:00 am – 4:30 pm
Wednesday	8:00 am – 4:30 pm

Thursday 8:00 am – 4:30 pm  
 Friday 8:00 am – 1:00 pm (no lunch hour for employees)

### **RESOLUTION 22-136**

**WHEREAS**, mental health is essential to everyone's overall health and well-being; and

**WHEREAS**, mental health conditions are real and prevalent in our nation; and

**WHEREAS**, mental illness increases the risk for many types of physical health problems, particularly long-lasting conditions; and

**WHEREAS**, more than one in four adults living with serious mental health illness also has a substance use problem; and

**WHEREAS**, stigma harms the one in five Americans affected by mental health conditions; and

**WHEREAS**, stigma is toxic to mental health as it creates an environment of shame, fear and silence that prevents many people from seeking help and treatment; and

**WHEREAS**, focus on the prevention of mental health conditions and substance use disorders among children and adolescents through screening and early intervention helps improve lives, and

**WHEREAS**, Pompton Lakes is dedicated to eradicating the stigma of mental illness by increasing awareness that these illnesses are common and treatable, and that recovery is possible; and;

**WHEREAS**, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, do hereby proclaim May 2022 as Mental Health Awareness Month in Pompton Lakes to recognize the importance of mental health and mental health related issues. As the Mayor and Council Members, we call upon all community members to support residents suffering from mental illness and substance use disorders, raise awareness of mental health conditions through appropriate programs and activities and commit our municipality to innovative prevention, diagnosis, and treatment.

### **RESOLUTION 22-137**

**WHEREAS**, the Borough has negotiated with both employee bargaining units contract language providing for an employee to opt out of receiving health benefits from the Borough when the employee is covered by a bona fide health plan from their spouse or other source, as provided by statute; and

**WHEREAS**, the Borough agrees to refund 25% of the premium of the N.J. Direct 15 plan or \$5,000.00, whichever is less, for which the employee is eligible to the opting out employee, payable in equal installments by pay period during the course of the plan year, as long as the employee is covered by such optional insurance; and

**WHEREAS**, an employee has provided the Borough Administrator with proof of such coverage and the documents have been found satisfactory by the Borough Administrator;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey that the following named employee shall not be provided health benefits, but shall receive a refund of premium payment as shown herein:

Zachary P. Fagan - \$4,999.92 annually.

### **RESOLUTION 22-138**

**WHEREAS**, the Borough of Pompton Lakes/Riverdale First Aid Squad requested new pagers and radios within the 2022 Capital Budget; and

**WHEREAS**, ESS, Inc. was awarded a contract for such equipment under State Contract #83909; and

**WHEREAS**, the Treasurer has certified funds are available in the Capital Budget.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Clerk of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that a bid be awarded to ESS, Inc. for radios and pagers for the First Aid Squad under State Contract #83909 in the amount of \$3,645.50.

#### **RESOLUTION 22-145**

**WHEREAS**, the Borough of Pompton Lakes has begun the clean-up of the former A-1 Auto Body; and

**WHEREAS**, in that process it was determined that additional environmental investigation was necessary; and

**WHEREAS**, the State Hazardous Discharge Site Remediation Fund (HDSRF) provides grants to municipalities and qualifying agencies for environmental investigation and remediation; and

**WHEREAS**, 100% of the remedial investigation costs will be covered by the HDSRF Grant with no cost share required; and

**WHEREAS**, the Borough of Pompton Lakes received notification that the New Jersey Department of Environmental Protection has reviewed the technical aspects of an application for a grant for the former A-1 Auto Body and has recommended Borough submission of the same; and

**WHEREAS**, this Resolution authorizes the Borough of Pompton Lakes to apply for and accept a grant of \$63,978.19 from the HDSRF for remedial investigation of the former A-1 Auto Body.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that the Borough Administrator, a duly authorized representative of the Borough of Pompton Lakes, is hereby authorized to apply for and accept a Hazardous Discharge Site Remediation Grant for remedial investigation of the former A-1 Auto Body in an amount not to exceed \$63,978.19.

**BE IT FURTHER RESOLVED** that a comprehensive plan exists specifically for development or redevelopment of contaminated or potentially contaminated real property in the Borough of Pompton Lakes and an opportunity exists that the former A-1 Auto Body site will be developed or redeveloped within a three-year period from completion of the remediation.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

**BE IT FURTHER RESOLVED** that the Borough Administrator is authorized and directed to take all actions necessary to secure and administer the Grant as noted in the Resolution.

#### **RESOLUTION 22-146**

**WHEREAS**, the Superintendent of Public Works recommended the purchase of a 47X Cab and Chassis as part of his 2022 Capital Budget request; and

**WHEREAS**, the Borough Council authorized the inclusion of funds for this vehicle in the 2022 Capital Budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that a bid be awarded to Hudson County Motors for a Western Star 47X Cab and Chassis in the amount of \$150,478.38 under ESCNJ Co-Op Contract #20/21-55 Class 8 Trucks.

**SEPARATE ACTION RESOLUTIONS:**

**RESOLUTION 22-144**

**WHEREAS**, there exists a need for the procurement of goods or services for the Borough of Pompton Lakes from Benjamin Delisle; and

**WHEREAS**, the Treasurer has certified that funds will be available in 2022 Temporary Budget for this purpose; and

**WHEREAS**, Pompton Lakes desires to enter into contract with Benjamin Delisle 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 exceed \$17,500.00; and

**WHEREAS**, the term of the contract will be from April 13, 2022 through December 31, 2022; and

**WHEREAS**, Benjamin Delisle 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 Redevelopment Consulting Services.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract with Benjamin Consulting Services.

Said Benjamin Delisle shall be engaged pursuant to contract to be entered by and between Benjamin Delisle 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.

**Discussion**

Mr. Boyle offered some input and stated Mr. Benjamin Delisle would be hired as a Redevelopment Consultant. Mr. Boyle stated Mr. Delisle has a strong background and knowledge for Redevelopment and land use.

Mayor Serra emphasized the need to hire a Redevelopment Consultant and stated Redevelopment Agency members would appoint Mr. Delisle to fill the vacancy left by the former Chairperson, Michael Fabrizio. Mayor Serra stated the position has been vacant for some time and the law requires a Director for the Redevelopment Agency. Mr. Boyle stated the salary is based on an hourly wage of \$160.00 per hour.

Motion moved by Councilman Baig, second by Councilman DeLine to approve Resolution 22-144.

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

1. Resolution 22-142 Resolution Determining The Form And Other Details Of \$7,110,000 General Bonds Of 2022 Of The Borough Of Pompton Lakes, In The County Of Passaic, New Jersey, And Providing For Their Sale, Be It Resolved By The Borough Council Of The Borough Of Pompton Lakes, In The County Of Passaic, New Jersey, As Follows:
2. Resolution 22-143 Resolution Providing For The Combination Of Certain Issues Of Bonds Of The Borough Of Pompton Lakes, In The County Of Passaic, New Jersey, Into A Single Issue Of General Bonds Aggregating \$7,110,000 In Principal Amount. Be It Resolved By The Borough Council Of The Borough Of Pompton Lakes, In The County Of Passaic, New Jersey As Follows:

### **RESOLUTION 22-142**

Section 1. Terms of Bonds. The \$7,110,000 General Bonds of 2022 (the “Bonds”) of the Borough of Pompton Lakes, in the County of Passaic, New Jersey (the “Borough”), referred to and described in the resolution adopted pursuant to the Local Bond Law of the State of New Jersey, by the Borough Council of the Borough on April 13, 2022, entitled “Resolution providing for the combination of certain issues of bonds of the Borough of Pompton Lakes, in the County of Passaic, New Jersey, into a single issue of General Bonds aggregating \$7,110,000 in principal amount” and authorized by certain bond ordinances of the Borough therein described, shall be dated the date of delivery thereof, shall bear interest payable semi-annually on June 1 and December 1 in each year, commencing December 1, 2022, expressed in a multiple of 1/8 or 1/20 of 1%, shall mature in the principal amount of \$300,000 on June 1 in each of the years 2023 to 2025, both inclusive, \$400,000 on June 1, 2026, \$430,000 on June 1, 2027, \$590,000 on June 1 in each of the years 2028 and 2029, and \$600,000 on June 1 in each of the years 2030 to 2036, both inclusive, and shall each bear a distinctive number to distinguish it from all other General Bonds of said issue.

Book-Entry-Only Bonds. The Bonds shall be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity will be issued to The Depository Trust Company, New York, New York (“DTC”), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amount of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The successful bidder, as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal and redemption price, if any, of and interest on the Bonds will be payable by the Borough or its agent to DTC or its nominee as registered owner of the Bonds. The Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, under the seal of the Borough affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Borough Clerk.

Redemption. (A) The Bonds maturing prior to June 1, 2030 are not subject to redemption prior to maturity at the option of the Borough. The Bonds maturing on or after June 1, 2030 are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after June 1, 2029, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

(B) Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like designation, maturity and interest rate in any of the authorized denominations.

Form of Bonds. The Bonds shall be in substantially the following form with such changes and modifications as may be required, necessary, convenient or desirable for delivery thereof:

**UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF PASSAIC  
BOROUGH OF POMPTON LAKES  
GENERAL BONDS OF 2022**

**Number:** R – G - \_\_\_\_

**Registered Owner:** Cede & Co

**Principal Amount:** \$\_\_\_\_\_

**Dated Date:** June 2, 2022

**Interest Rate:** \_\_\_\_\_%

**Maturity Date:** June 1, \_\_\_\_\_

**CUSIP Number:** 732233

The **BOROUGH OF POMPTON LAKES** (the “Borough”), a municipal corporation of the State of New Jersey, situate in the County of Passaic, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures at the above-stated Interest Rate per annum payable semi-annually on June 1 and December 1 in each year, commencing December 1, 2022. Principal of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Borough on May 15 and November 15 next preceding each interest payment date.

This bond is transferable only upon the books of the Borough kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey (the “Transfer Agent”), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new

bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Borough, the Transfer Agent and any paying agent of the Borough may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Borough Council of the Borough, entitled: "Resolution providing for the combination of certain issues of bonds of the Borough of Pompton Lakes, in the County of Passaic, New Jersey, into a single issue of General Bonds aggregating \$7,110,000 in principal amount", adopted on April 13, 2022 and the bond ordinances referred to therein.

The Bonds maturing prior to June 1, 2030 are not subject to redemption prior to maturity at the option of the Borough. The Bonds maturing on or after June 1, 2030 are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after June 1, 2029, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

**IN WITNESS WHEREOF**, the **BOROUGH OF POMPTON LAKES** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Borough Clerk and this bond to be dated the above-stated Dated Date.

**BOROUGH OF POMPTON LAKES**

(SEAL)

By \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Chief Financial Officer



The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

<b>TEN</b>	– as tenants in common	<b>UNIF GIFT MIN ACT</b>
<b>COM</b>		
<b>TEN ENT</b>	– as tenants by the entireties	_____ Custodian _____
<b>JT TEN</b>	– as joint tenants with right of survivorship and not as tenants in common	(Cust) _____ (Minor)
		under Uniform Gifts to Minors Act
		_____
		State

**ASSIGNMENT**

**FOR VALUE RECEIVED** the undersigned hereby sells, assigns and transfers unto

**PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE (FOR COMPUTER RECORD ONLY)**

Please Print or Typewrite Name and Address of Transferee)

the within Bond, and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ Attorney, to transfer the within Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

**NOTICE:** The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Sale of Bonds and Publication of Notice. The Bonds shall be sold upon electric bids submitted on either Grant Street Group’s MuniAuction website or the PARITY® Electronic Bid System of i-Deal LLC (as shall be determined by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel) on May 19, 2022 until 11:00 o’clock A.M. (or such other date or time as shall be determined by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel) and the Borough Clerk is hereby authorized and directed to (a) cause a notice of such sale to be published at least once, the first publication to be at least seven days prior to said sale in the “*Suburban Trends*”, a newspaper published in the County of Passaic, and circulating in the municipality, and (b) cause a summary of the notice of sale to be published at least once, the first publication to be at least seven days prior to said sale in “*The Bond Buyer*”, a financial newspaper published and circulating in the City of New York, New York.

Forms of Notices. Said notice of sale and said summary of notice of sale shall be in substantially the following forms, respectively, with such changes and modifications as may be approved by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel:

**NOTICE OF SALE**

**THE BOROUGH OF POMPTON LAKES,  
IN THE COUNTY OF PASSAIC, NEW JERSEY**

**\$7,110,000 GENERAL BONDS OF 2022**

**ELECTRONIC BIDS** will be received by the Chief Financial Officer of the Borough of Pompton Lakes, in the County of Passaic, New Jersey (the "Borough"), via the PARITY® Electronic Bid System ("PARITY®") of i-Deal LLC ("i-Deal") on **Thursday, May 19, 2022**, until 11:00 a.m., eastern time, at which time they will be publicly announced, for the purchase of \$7,110,000 General Bonds of 2022 (the "Bonds") of the Borough due on June 1 as follows:

\$300,000 in each of the years 2023 to 2025, both inclusive, \$400,000 in 2026, \$430,000 in 2027, \$590,000 in 2028 and 2029, and \$600,000 in each of the years 2030 to 2036, both inclusive.

Payment Dates. The Bonds will be dated the date of delivery thereof and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance with this Notice of Sale payable on June 1 and December 1 in each year until maturity or earlier redemption, commencing December 1, 2022. The record dates for the payment of principal of and interest on the Bonds will be the May 15 and November 15 next preceding each such payment date.

Book-Entry Only. The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$5,000 or integral multiples of \$1,000 in excess thereof. Payments of principal or redemption price, if any, and interest will be made by the Borough or its agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

Redemption. The Bonds maturing prior to June 1, 2030, are not subject to redemption prior to their stated maturities at the option of the Borough. The Bonds maturing on or after June 1, 2030, are subject to redemption prior to their stated maturities at the option of the Borough upon mailed notice, as described in the resolution of the Borough authorizing the Bonds, in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after June 1, 2029, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Bank Qualification. The Bonds will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Interest Rate and Price Parameters. Each bid must specify in a multiple of one-eighth (1/8<sup>th</sup>) or one-twentieth (1/20<sup>th</sup>) of one percent (1%) the rate or rates of interest which the Bonds are to bear. Not more than one rate of interest may be specified for the Bonds of the same maturity. There is no limitation on the number of rates of interest that may be specified. The difference between the highest and the lowest rates of interest specified shall not exceed three percent (3%). No bid shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale (i.e., \$7,110,000). Any bid premium must not exceed one percent (1%) of the principal amount of the Bonds offered for sale (i.e., \$71,100). The Borough may, and expects to, after the receipt of bids, adjust the maturity schedule of the Bonds, as set forth in more detail below.

Basis of Award. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed, as to each bid, by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the Bonds and to the price bid. If two (2) or more bidders offer the same lowest true interest cost, then the Bonds will be sold to one (1) of such bidders selected by lot from among all such bidders. The right is reserved to reject any and all bids and, to the extent permitted by law, to waive any irregularity or informality in any bid.

Good Faith Deposit. Each bidder is required to deposit a certified or cashier's or treasurer's check drawn upon a bank or trust company payable to the order of the Borough of Pompton Lakes, in the County of Passaic, New Jersey, for \$142,200 (the "Deposit Amount"). In lieu of the foregoing, a bidder may deliver the Deposit Amount via a wire transfer of immediately available funds to the Borough. Wiring instructions may be obtained by contacting the Borough's Administrator, Kevin Boyle at administrator@pomptonlakesgov.com or (973) 835-0143 (x239). Such check or wire transfer must be received by the Chief Financial Officer of the Borough at or before 11:00 a.m., eastern time, on the bid date at the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey, 07442. No interest on the Deposit Amount will accrue to the successful bidder. The Deposit Amount will be applied in part payment for the Bonds or to secure the Borough from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award and Closing. Award of the Bonds to the successful bidder, or rejection of all bids, is expected to be made promptly after receipt of the bids, but a bidder may not withdraw its bid until after 2:00 p.m., eastern time, of the day of such bid-receipt and then only if such award has not been made prior to the withdrawal. The Bonds will be delivered and shall be paid for in immediately available

funds on or about June 2, 2022, at such place in Newark, New Jersey, and on such business day and at such hour, as the undersigned shall fix on five (5) business days' notice to the successful bidder, or at such other place and time as may be agreed upon with the successful bidder.

PARITY®. Each bid must be submitted via PARITY®. No bidder will see any other bidder's bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY® conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY®, potential bidders may contact PARITY® at i-Deal at (212) 404-8102. The Borough may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY®. Each bidder further agrees that: (1) if a bid submitted electronically via PARITY® is accepted by the Borough, the terms of this Notice of Sale and the information that is electronically transmitted via PARITY® shall form a contract and the successful bidder shall be bound by the terms of such contract, (2) PARITY® is not an agent of the Borough and the Borough shall have no liability whatsoever based on any bidder's use of PARITY®, including but not limited to any failure by PARITY® to correctly or timely transmit information provided by the Borough or information provided by the bidder, (3) the Borough may choose to discontinue use of electronic bidding via PARITY® by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., eastern time, on the last business date prior to the bid date, (4) once the bids are communicated electronically via PARITY® to the Borough, each bid shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale and (5) each bidder shall be solely responsible to make necessary arrangements to access PARITY® for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Borough nor i-Deal shall have any duty or obligation to provide or assure such access to any bidder, and neither the Borough nor i-Deal shall be responsible for a bidder's failure to register to bid or for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The Borough is using PARITY® as a communication mechanism, and not as the Borough's agent, to conduct the electronic bidding for the Bonds. By using PARITY®, each bidder agrees to hold the Borough harmless for any harm or damages caused to such bidder in connection with its use of PARITY® for bidding on the Bonds.

Change in Federal Tax Law. The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is taxable, or shall be taxable at a future date, for federal income tax purposes, and in such case the Deposit Amount paid by it will be returned and the successful bidder will be relieved of its contractual obligations arising from the acceptance of its bid.

Bond Insurance Option. If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not in any way relieve the successful bidder of its contractual obligations arising from the acceptance of its bid for the purchase of the Bonds.

Establishment of Issue Price (10% Test or Hold-the-Offering-Price Rule May Apply if Competitive Sale Requirements are Not Satisfied – Bidder Option). The successful bidder shall assist the Borough in establishing the issue price of the Bonds and shall execute and deliver to the Borough at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, with such modifications as may be appropriate or necessary, in the reasonable judgment of the successful bidder, the Borough and bond counsel to the Borough. The form of such certificate is available from bond counsel to the Borough.

The Borough intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because: (1) the Borough shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters, (2) all bidders shall have an equal opportunity to bid, (3) the Borough may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds and (4) the Borough anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Unless a bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public, a bidder by submitting its bid represents that it is an underwriter of municipal bonds that has an established industry reputation for underwriting new issuances of municipal bonds.

In the event that the competitive sale requirements are not satisfied, the Borough shall so advise the successful bidder. In such event, unless the successful bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public, the successful bidder shall elect to treat (i) the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the "hold-the-offering-price rule"), in each case applied on a maturity-by-maturity basis. The successful bidder shall advise the Borough if any maturity of the Bonds does not satisfy the 10% test as of the date and time of the award of the Bonds. The successful bidder shall promptly advise the Borough which of such maturities of the Bonds shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to either the 10% test or the hold-the-offering-price rule in order to establish the issue price of the Bonds.

By submitting a bid, the successful bidder shall (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following: (1) the close of the fifth (5th) business day after the sale date or (2) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public. The winning bidder will advise the Borough promptly after the close of the fifth (5th) business day after the sale date whether it has sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

If the competitive sale requirements are not satisfied and the successful bidder has elected the 10% test to apply to any maturity of the Bonds, then until the 10% test has been satisfied as to each such maturity of the Bonds, the successful bidder agrees to promptly report to the Borough the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the successful bidder's reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the Borough or bond counsel to the Borough.

The Borough acknowledges that, in making the representations set forth above, the successful bidder will rely on (i) the agreement of each underwriter to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in a selling group agreement and the related pricing wires and (iii) in the event that an underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The Borough further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable: (A)(1) to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the successful bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder and (2) to comply with the hold-the-

offering-price rule, if applicable, if and for so long as directed by the successful bidder and as set forth in the related pricing wires, (B) to promptly notify the successful bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the successful bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it, whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the successful bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder or such underwriter and (B) comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the successful bidder or the underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale: (i) "public" means any person other than an underwriter or a related party, (ii) "underwriter" means (A) the successful bidder, (B) any person that agrees pursuant to a written contract with the successful bidder to form an underwriting syndicate to participate in the initial sale of the Bonds to the public and (C) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (B) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public), (iii) "related party" means any entity if an underwriter and such entity are subject, directly or indirectly, to (I) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (II) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another) or (III) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other) and (iv) "sale date" means the date that the Bonds are awarded by the Borough to the successful bidder.

CUSIP Numbers. It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the successful bidder to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the successful bidder.

Initial and Continuing Disclosure. A preliminary official statement (the "Preliminary Official Statement") relating to the Bonds is available at [www.munihub.com](http://www.munihub.com) and the Preliminary Official Statement is deemed final as of its date by the Borough for purposes and within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. A final official statement (the "Official Statement") will be delivered to the successful bidder within seven (7) business days of the award of the Bonds. In order to assist bidders in complying with said Rule 15c2-12, the Borough will undertake to provide certain continuing disclosure as further described in the Preliminary Official Statement.

Legal Opinion and Closing Documents. The successful bidder will be furnished, without cost, with the approving opinion of the law firm of Hawkins Delafield & Wood LLP, bond counsel to the Borough, to the effect that the Bonds are valid and legally binding obligations of the Borough and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable property therein without limitation as to rate or amount. The obligations under this Notice of Sale to deliver or accept the Bonds pursuant to this Notice of Sale shall be conditioned on the availability to the successful bidder and delivery at the time of delivery of the Bonds of the said approving opinion and of certificates in form and tenor satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor and including a statement, dated as of the date of such delivery, to the effect that, except as may be disclosed in the Official Statement, there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened relating to the Bonds.

Postponement and Adjustments. The Borough reserves the right to postpone, from time to time, the date and time established for receipt of bids and the right to adjust the maturity schedule for the Bonds. Any such postponement or adjustment will be published on TM3 News Services, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for the receipt

of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Services, or by other available means, at least forty-eight (48) hours prior to such alternative sale date.

Availability of Information. Additional information regarding the sale, may be obtained from Hawkins Delafield & Wood LLP, bond counsel to the Borough, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

Dated: May 5, 2022

### SUMMARY OF NOTICE OF SALE

#### **THE BOROUGH OF POMPTON LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY**

#### **\$7,110,000 GENERAL BONDS OF 2022**

**ELECTRONIC BIDS** for the above-described bonds (the “Bonds”) will be received by the Chief Financial Officer of the Borough of Pompton Lakes, in the County of Passaic, New Jersey (the “Borough”), via the PARITY® Electronic Bid System of i-Deal LLC on **Thursday, May 19, 2022**, until 11:00 a.m., eastern time. As described in the full Notice of Sale, a good faith check or a wire transfer must be received by the Chief Financial Officer of the Borough prior to or simultaneously with the submission of a bid. The Bonds shall mature on June 1 as follows:

\$300,000 in each of the years 2023 to 2025, both inclusive, \$400,000 in 2026, \$430,000 in 2027, \$590,000 in 2028 and 2029, and \$600,000 in each of the years 2030 to 2036, both inclusive.

The Bonds will be dated the date of delivery thereof and will bear interest payable on June 1 and December 1 in each year until maturity, commencing December 1, 2022, at the rate or rates per annum specified, in multiples of one-eighth (1/8<sup>th</sup>) or one-twentieth (1/20<sup>th</sup>) of one percent (1%), by the successful bidder in accordance with the full Notice of Sale. The Bonds will be issued in book-entry form only and **will** be designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Bonds are subject to redemption in accordance with the full notice of sale.

Copies of the full Notice of Sale and the Preliminary Official Statement will be available at [www.munihub.com](http://www.munihub.com) and may also be obtained by contacting Hawkins Delafield & Wood LLP, bond counsel to the Borough, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

Additional Matters Contained in Bonds. The Chief Financial Officer is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed (a) to cause the applicable CUSIP numbers (if any) assigned for each of said bonds by the CUSIP Service Bureau of Standard & Poor’s Corporation of New York, New York, to be printed on the Bonds, and (b) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance, at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP.

Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the successful bidder and the payment of the purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to said bidder (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the “Code”), (b) an undertaking to provide continuing disclosure in order to assist said bidder in complying with Rule 15c2-12 of the Securities and Exchange Commission (“Rule 15c2-12”) in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

Delegation of Power to Award Bonds. The Borough Council of the Borough, as the governing body thereof, does by this resolution designate the Chief Financial Officer of the Borough, or such other Borough official as may be deemed appropriate (the “Chief Financial

Officer”), to sell and award the Bonds in accordance with the advertised terms of public sale. The Chief Financial Officer or other Borough official making such sale shall report in writing to this governing body at its next meeting thereafter as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The Chief Financial Officer or other Borough official is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to accomplish the sale of the Bonds including, after consultation with the Borough auditor and bond counsel, (a) adjusting the maturity schedule of the Bonds and (b) postponing and rescheduling from time to time the sale of the Bonds in accordance with the provisions set forth in the notice of sale and as provided by law.

Bank-Qualified Designation. The Bonds are hereby designated as “qualified tax-exempt obligations” pursuant to and for the purposes of Section 265(b)(3) of the Code, or to the extent the Bonds refund other obligations of the Borough, the Bonds are “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(D)(iii) of the Code. Not more than \$10,000,000 of obligations, including the Bonds, of the Borough and all subordinate entities thereof are expected to be designated by the Borough for purposes of Section 265(b)(3) of the Code. As of the date hereof, the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, as referred to and defined in Section 141 of the Code and current refunding’s of other obligations of the Borough), which will be issued by the Borough and all subordinate entities thereof during the 2022 calendar year does not exceed \$10,000,000.

Preliminary Official Statement. All action taken to date by the officials, employees and agents of the Borough with respect to the issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto be and the same hereby are approved, ratified, adopted and confirmed and the Chief Financial Officer of the Borough is hereby authorized to deliver said Preliminary Official Statement for its use in the sale, resale and distribution of the Bonds. The Chief Financial Officer of the Borough or such other Borough official as may be appropriate is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer of the Borough with respect to the issuance of the Bonds by and on behalf of the Borough, is hereby authorized, and the Chief Financial Officer of the Borough or such other Borough official as may be deemed appropriate is hereby authorized and directed to execute the same in the name and on behalf of the Borough Council and is further authorized to deliver said final Official Statement in executed form for its use in the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer of the Borough or such other Borough official as may be deemed appropriate shall be conclusive evidence of any approval required hereby.

Actions to be Taken on Behalf of the Borough. The Borough Administrator, the Chief Financial Officer of the Borough and the Borough Clerk are hereby authorized to do all matters necessary, useful, convenient or desirable to accomplish the sale and delivery of the Bonds, including without limitation matters relating to the provision of electronic bids for the Bonds and the obtaining of a credit rating for the Bonds.

Prior Action. All action heretofore taken by Borough officials and professionals relating to the sale of the Bonds is hereby ratified, confirmed, adopted and approved.

Effective Date. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

Mr. Boyle stated this Resolution authorizes the sale of notes in the amount of \$7,110.00.00.



Motion moved by Councilman Baig, second by Councilman DeLine to approve Resolution 22-142.

**Discussion**

Mr. Boyle stated this Resolution simply authorizes the sale of notes in the amount of \$7,110,000.

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

**RESOLUTION 22-143**

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$7,110,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

<u>Principal Amount of Bonds</u>	<u>Title of Ordinance and Date of Adoption</u>	<u>Period or Average Period of Usefulness (in Years)</u>
\$570,000 bonds	“Bond ordinance appropriating \$795,000, and authorizing the issuance of \$618,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Pompton Lakes, in the county of Passaic, New Jersey”, finally adopted on May 11, 2016 (#16-20)	19.4
\$758,000 bonds	“Bond ordinance appropriating \$1,400,000, and authorizing the issuance of \$879,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Pompton Lakes, in the County of Passaic, New Jersey”, finally adopted on April 26, 2017 (#17-09)	11.2
\$1,023,000 bonds	“Bond ordinance appropriating \$1,300,000, and authorizing the issuance of \$1,023,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Pompton Lakes, in the County of Passaic, New Jersey”, finally adopted on May 23, 2018 (#18-11)	21.9
\$1,137,000 bonds	“Bond ordinance appropriating \$1,600,000, and authorizing the issuance of \$1,137,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Pompton	13

	Lakes, in the County of Passaic, New Jersey”, finally adopted on March 27, 2019 (#19-12)	
\$948,000 bonds	“Bond ordinance appropriating \$1,540,000 and authorizing the issuance of \$948,500 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Pompton Lakes, in the County of Passaic, New Jersey”, finally adopted on May 27, 2020 (#20-14)	12.5
\$1,151,000 bonds	“Bond ordinance appropriating \$1,655,000, and authorizing the issuance of \$1,151,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Pompton Lakes, in the County of Passaic, New Jersey”, finally adopted on March 24, 2021 (#21-17)	12.9
\$1,523,000 bonds	“Bond ordinance providing for the acquisition of a new fire truck by the Borough of Pompton Lakes, in the County of Passaic, New Jersey, appropriating \$1,600,000 therefor and authorizing the issuance of \$1,523,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on October 23, 2021 (#21-25)	10

Section 3. The following matters are hereby determined with respect to said combined issue of bonds:

(a) The average period of usefulness, taking into consideration the respective amounts of obligations authorized to be issued pursuant to each of said bond ordinances, respectively, is fourteen (14) years.

(b) The bonds of said combined issue shall be designated “General Bonds of 2022” and shall mature within the said average period of usefulness hereinabove determined.

(c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.

(b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof.

(c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be

issued pursuant to said Local Bond Law and are not purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

Motion moved by Councilman Venin, second by Councilwoman Kent to approve Resolution 22-143.

#### **Discussion**

Mr. Boyle stated Resolution 22-143 authorizes the sale of Bonds based upon actual information; the principal amount of several issues of Bonds to be combined into a single issue. The Bond Ordinance authorizes each of the several issues described by reference to its title and date of adoption, and the average period of usefulness determined in each of the Bond Ordinances.

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

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

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

**ORDINANCE FOR SECOND READING AND FINAL ADOPTION:**

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

#### **ORDINANCE 22-10**

**ORDINANCE REPEALING ORDINANCE 16-08, AN ORDINANCE ESTABLISHING THE TECHNOLOGY AND INNOVATION COMMITTEE**

Motion moved by Councilwoman Polidori, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 22-10. All voted in favor of the motion.

No one from the public wished to make a comment.

Motion moved by Councilman Cruz, second by Councilman Venin to close the Meeting for public comments on Ordinance No. 22-10. All voted in favor of the motion.

Motion moved by Councilman Venin, second by Councilwoman Kent to approve Ordinance No. 22-10 for Second Reading and Final Adoption.

#### **Discussion**

Mayor Serra commented on the Technology and Innovation committee and stated there was a need for the committee at the time of formation however at this time, there is no need to continue the group so therefore the Borough has decided to dissolve the committee.

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

#### **ORDINANCE 22-11**

**BOND ORDINANCE APPROPRIATING \$995,000.00 AND AUTHORIZING THE ISSUANCE OF \$890,000.00 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF POMPTON LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY**

#### **Discussion**

Mr. Boyle stated this Ordinance authorizes the issuance of bond or notes for Borough projects. Mr. Boyle commented on the Bond Ordinance and noted this Ordinance is a typical Bond Ordinance with appropriations under the \$1,000,000 threshold. This includes the local street program in the south end of town, ADA handicap ramps in the Howard Street area, river work and storm water works, funding for a new garbage truck, radios for DPW and body cameras for the Police Department.

Motion moved by Councilman Baig, second by Councilman DeLine to open the Meeting for public comments on Ordinance No. 22-11. All voted in favor of the motion.

No one from the public wished to make a comment.

Motion moved by Councilman Venin, second by Councilman Cruz to close the Meeting for public comments on Ordinance No. 22-11. All voted in favor of the motion.

Motion moved by Councilman Baig, second by Councilman Venin to approve Ordinance No. 22-11 for Second Reading and Final Adoption.

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

### **ORDINANCE 22-12**

**ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF POMPTON LAKES, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND APPROPRIATING \$90,000.00 THEREFOR FROM MONEYS IN THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH.**

Motion moved by Councilman Venin, second by Councilwoman Polidori to open the Meeting for public comments on Ordinance No. 22-12. All voted in favor of the motion.

No one from the public wished to make a comment.

Motion moved by Councilwoman Polidori, second by Councilwoman Kent to close the Meeting for public comments on Ordinance No. 22-12. All voted in favor of the motion.

Motion moved by Councilman DeLine, second by Councilman Venin to approve Ordinance No. 22-12 for Second Reading and Final Adoption.

### **Discussion**

Mr. Boyle stated the Ordinance provides for Capital Improvements within several Borough departments. Mr. Boyle stated the Borough will not incur debt and the appropriated \$90,000.00 will go towards various improvements, equipment and small projects.

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

### **MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following.

Motion moved by Mayor Serra, second by Councilwoman Polidori to appoint Dawn Zanetti to District 5 as a member of the Open Space Committee to fill an unexpired term December 31, 2022. All voted in favor of the motion.

- County to repave Ringwood Avenue and Willard Street once PSE&G completes maintenance in area
- attended a meeting with Congresswoman Sherrill and was advised during the meeting the Borough entrance way into Tilcon would be closing thus eliminating truck traffic through Pompton Lakes. The entrance way into the facility would be through Wanaque.

- during the Mayors luncheon with Councilwoman Sherrill and District 11 Mayors there were discussions for funding for ballfield lighting in Totowa. Mayor Serra stated he would follow up and seek funding for a park in the Downtown area.
- Commented on the daffodil plantings around town and thanked Councilman Venin and all the volunteers who planted the bulbs
- attended the First Aid Squad dinner. Mayor Serra urged residents to thank *First Responders* for their service to the community

#### **COUNCIL PRESIDENT POLIDORI:**

Councilwoman Polidori reported on the following.

- commented on the initiatives the Change of Town Officers students suggested during the Mock Council Meeting held this evening. Councilwoman Polidori thanked the students for their suggestions and stated the Governing Body would further explore their concepts.
- attended a panel discussion sponsored by the Board of Education that included Pompton Lakes School Counselors, Passaic County professionals from family services and crisis management and youth counselors. The discussion created an open environment for families of school children to meet with professionals to discuss any difficulties or struggles they may be experiencing post COVID. Parents unable to attend the event will receive an information packet
- attended the First Vietnam Veterans Ceremony at the Veterans Memorial Park sponsored by the Lakeland Marine Detachment
- participated in the Pompton Lakes Riverdale Little League Parade
- thanked members of the First Aid Squad for the invitation to their dinner and commented on the number of awards presented to members
- she along with Councilwoman Kent are working with students at Lincoln and Lenox Schools to announce a contest to name the *giant frog* at Pacifico-Gallo Park
- recognized Department of Public Work employees for their interaction with residents during their route
- questioned whether safety rings at Lakeside Park have been installed. Mr. Boyle replied and stated they have been ordered and signs have been posted
- questioned whether the hours for metered parking spaces on Wanaque Avenue could be altered to help assist businesses with patrons making a quick stop. After discussion, Council agreed to further discuss the matter with the Business Improvement District to reserve parking spaces for *Take Out* orders
- questioned whether the time restriction and area on Wanaque Avenue prohibiting parking during the Little League parade could be changed. Councilwoman Polidori stated some business owners had expressed their concerns as it impacted their business. Further discussions to follow

#### **COUNCILMAN CRUZ:**

Councilman Cruz reported on the following.

- commented on the curriculum report from the Board of Education highlighting a transitional program for students ages 18-21 that involves Pompton Lakes Special Services. One of the programs implemented was centered on young adults with special needs.
- the Wayne Board of Health will be sponsoring a COVID booster vaccine clinic on April 21, 2022 from 3-5 pm. CERT members will assist during the clinic
- Recreation members will meet with camp counselors on April 13, 2022
- announced the Recreation Commission will sponsor a Teen Night on April 18, 2022 from 7-9pm -- \$5 admission
- the Recreation Commission has scheduled a “family meetup group” scheduled for April 24, 2022 at Hershfield at 10:30am and encouraged new residents to attend

Motion moved by Councilman Cruz, second by Councilwoman Polidori to approve request for Lakeside Middle School to close a portion of Lakeside Avenue (Lakeside Avenue from Van Avenue to Mandeville Street) for the 8<sup>th</sup> Grade Awards Ceremony scheduled for Monday, June 20, 2022 (rain dates Tuesday, June 21, 2022 & Wednesday, June 22, 2022) from 6:15pm to

8:30pm and to make Van Avenue between Lakeside Avenue and Lenox Avenue a one-way street from 6:00-8:30pm (notify Police/Fire/First Aid). All voted in favor of the motion.

#### **COUNCILMAN DELINE:**

Councilman DeLine reported on the following.

- attended the community panel discussion sponsored by the Board of Education and stated resources are available for families who are experiencing post COVID struggles
- the Shade Tree Commission is preparing a spring planting list and have received requests from residents for new trees. The removal and pruning list for the spring is completed.
- Commented on the emerald ash boar and the removal of trees. The spotted lantern flies are expected to return.
- Arbor Day contest essays are being reviewed and two winners will be announced at the Arbor Day celebration on April 27, 2022
- attended the Little League parade
- attended a stakeholder meeting along with, Mr. Boyle and the Borough Planner to discuss the Passaic County Bike Plan in an effort to create bicycle networks throughout the County. Councilman DeLine stated this plan is intended more for recreational cyclists.
- commented on Change of Town Officers Day and stated he appreciated the creative ideas brought forward by the students

#### **COUNCILWOMAN KENT:**

Councilwoman Kent reported on the following.

- thanked Mr. Boyle and the Borough Auditor for preparing the Municipal Budget
- happy to participate in Change of Town Officer Day and was pleased to hear the students Resolutions especially with regard to environmental issues. Thanked Mr. Patrick, Mr. Smith, the Board of Education and the High School Administration for their support.
- attended the Vietnam Veterans Remembrance Ceremony along with Mayor Serra, Senator Corrado, Assemblymen DePhillips and Rooney
- commented on a Department of Public Works report
- the Flood Advisory Board Chairwoman announced drones would be flown over Borough rivers to assess conditions in the waterways
- attended the Little League parade and opening ceremony
- the Business Improvement District has purchased shirts for River Clean-up volunteers and thanked Val Coll. The spring clean-up handouts (totes) will be given to the volunteers. All volunteers should report to Hershfield Park on May 1, 2022 at 10:00am to assist in cleaning parks, open spaces, rivers, etc. Also thanked Ms. Coll for the information on the Ginkgo trees on Wanaque Avenue.
- commented on the *giant frog* contest and thanked Councilwoman Polidori for her support
- the certification form has been submitted for the Sustainable Community grant to revamp Stiles Park on Haroldson Place. Mr. Boyle stated the project has not yet been approved by the Department of Environmental Protection and the project will be delayed for the foreseeable future.
- thanked Tilcon for donating pieces of Pompton pink granite to the Borough and Mayor Serra for arranging the donation. Mayor Serra provided some history on the granite and stated there are only three buildings in the country that were built with Pompton pink granite.
- received a complaint from a resident regarding a collapsed storm drain off Colfax Avenue. Mr. Boyle responded and stated the storm drain is not collapsed and this has been an ongoing project.

Mayor Serra commented on logs at the top of the Pompton Lakes Dam and stated the Department of Environmental Protection (DEP) has received quotes for the removal of the debris.

**COUNCILMAN VENIN:**

Councilman Venin reported on the following.

- commented on the amount of rainfall last week and thanked the Flood Advisory Board, Office of Emergency Management and the Governing Body for appropriating the funds to address the rivers
- commented on the Little League parade
- attended the Easter Egg Hunt and thanked the Recreation Commission for sponsoring the event
- thanked the Governing Body for approving the *little free library*
- commented on the repair of the easy dock on the lake and stated the repairs were covered by the warranty
- commented on the 10,000 daffodil bulbs that were planted and thanked City Green and the County for the grant and a special thank you to the volunteers who provided the plantings.

**COUNCILMAN BAIG:**

Councilman Baig reported on the following.

- the Municipal Utilities Authority will begin spring hydrant flushing on April 25, 2022 during the hours of 12:00am-6:00am
- commented on the Police, Fire and First Aid Squad reports for the month of March
- the CERT Supervisor reported a total of 212 volunteer hours for the month of March

Mayor Serra wished Ms. Kostro a Happy Retirement.

**PROFESSIONAL REPORTS:****MARK J. SEMERARO, Borough Attorney**

Mr. Semeraro reported on the following.

- Ordinances to address left hand turn on Babcock will be on the next Agenda

**KEVIN BOYLE, Borough Administrator**

Mr. Boyle reported on the following.

- Letter from MUA - Hydrant Flushing 4/25/22
- the Reporter/Civil Service News - March '22 Issue #11
- Borough Response - NJDEP Draft Storm Water Reg Changes
- Millennium Strategies - March Monthly Report
- RAB Bond - LFB Approval
- Application for HDSRF Funding -A-1 Auto Body Resolution on 4/13 Agenda cost of \$69,000.00
- Letter from B Petreski, Esq.-Property Transfer Request resident would like the Borough to accept the parcel that is no longer accessible for them. To be determined by the Governing Body.
- each member of Congress allowed 16 projects in their district for potential funding –Hershfield Park good fit for this funding
- Lincoln Avenue – work will be cleaned up – milling and paving thereafter
- Pond Hole Ordinance- met with Police Department –passed on to the Ordinance Committee – one-month grace period for meter parking
- electricians will be pulling wires for the parking kiosk in the Pond Hole and lighting –may be finalized within the next five weeks. Waiting on Verizon.
- the Library addition- weather causing delays

Councilwoman Kent questioned if the Borough is working with the Business Improvement District with regard to the parking meters. Mayor Serra replied and stated this is a Police Department issue.



**MEETING OPEN FOR PUBLIC COMMENTS:**

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

**AL EVANGELISTA, Ringwood Court**

Mr. Evangelista commented on parking on Wanaque Avenue and suggested a *stop and go* area for patrons who frequent businesses on Wanaque Avenue. Mr. Evangelista also commented on the number of businesses who sponsor Little League and the impact on businesses during road closures.

Mr. Evangelista, OEM Coordinator stated there was no flooding issues during the recent rain storm.

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

**PRIVILEGE OF THE FLOOR: None**

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

**ADJOURNMENT:**

Motion moved by Councilman Venin, second by Councilwoman Kent to Adjourn the Meeting at 9:12 PM. All voted in favor of the motion.

**ATTEST:**

**APPROVED:**

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**ELIZABETH BRANDSNESS, RMC  
MUNICIPAL CLERK**

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**MICHAEL SERRA  
MAYOR**

Dated: April 13, 2022