

MINUTES OF THE MAY 11, 2022 REGULAR COUNCIL MEETING

The following are the Minutes of the May 11, 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 Semeraro, Borough Administrator, Kevin Boyle and Borough Clerk, Elizabeth Brandsness.

MAYOR PRESENTATION AND UPDATES:

Oath of Office – Borough Administrator / Paula Cozzarelli

Mayor Serra invited Ms. Cozzarelli to come forward with her family and administered the Oath of Office. Mayor Serra and Council welcomed Ms. Cozzarelli as the newly appointed Borough Administrator for the Borough of Pompton Lakes.

Ms. Cozzarelli thanked the Governing Body, Mr. Semeraro, Mr. Boyle and her family for their support. Ms. Cozzarelli stated she is amazed at the solidarity and the number of volunteers in this community. Ms. Cozzarelli stated she was grateful for their confidence in her abilities to serve in her new role as the Borough Administer. Ms. Cozzarelli thanked the Mayor and Council for this opportunity and promised to do her best for the Borough.

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.

No one from the public wished to make a comment.

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

MINUTES:

Motion moved by Councilwoman Polidori, second by Councilman Cruz to approve the Regular Meeting Minutes of April 27, 2022. All voted in favor of the motion.

BILL LISTS: None

Motion moved by Councilman, second by Councilman to approve the following Bill Lists

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

PETITIONS: None

CONSENT AGENDA:

(No Council Members Required Any Resolutions to Be Pulled from the Consent Agenda for Separate Action)

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

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

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

1. Resolution 22-156 Resolution Authorizing The Borough To Purchase KD Steel Lockers From Nickerson Corporation Under ESCNJ 18/19-64 Co-Op Contract #65MCESCCPS In The Amount Of \$6,915.59
2. Resolution 22-157 Authorizing The Approval Of Pay Estimate #1 To American Asphalt And Trucking, LLC In Connection With The Lincoln Avenue Improvements Project In The Amount Of \$81,320.79
3. Resolution 22-158 Authorizing Payment Or Accrued Benefit Time To Kevin F. Boyle
4. Resolution 22-159 Extending Grace Period For BID Bills
5. Resolution 22-160 Authorizing The Use Of Hershfield Park By The Bicycle Touring Club Of North Jersey During The Ramapo Rally
6. Resolution 22-161 Sustainable Land Use Pledge Resolution

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

RESOLUTION 22-156

WHEREAS, the Borough Department of Public Works wishes to purchase new steel lockers for the garage; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.1 et seq., the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, a bid was awarded to Nickerson Corporation for a steel lockers under ESCNJ 18/19-64 co-op contract #65MCESCCPS; and

WHEREAS, the Borough of Pompton Lakes wishes to purchase these steel lockers under ESCNJ 18/19-64 co-op contract # 65MCESCCPS in the amount of \$6,915.59; and

WHEREAS, the Treasurer has certified funds are available in the Capital account # C-04-55-853-904.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that, pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.1 et seq., the Borough is authorized to purchase from Nickerson Corporation for steel lockers under ESCNJ 18/19-64 co-op contract #65MCESCCPS in the amount of \$6,915.59

BE IT FURTHER RESOLVED, that the Treasurer has certified that sufficient uncommitted funds are available in the Capital account # C-04-55-853-904 to fund the above purchase of goods in the 2022 Capital Budget.

RESOLUTION 22-157

WHEREAS, American Asphalt and Trucking, LLC was awarded the contract for the Lincoln Avenue Improvements Project in the amount of \$242,295.27; and

WHEREAS, pay estimate #1 has been approved by Ferriero Engineering in the amount of \$81,320.79 in connection with this project; and

WHEREAS, the Treasurer has certified funds are available in the Capital Budget account #C-04-55-855-902.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby approves pay estimate #1 to American Asphalt in the amount of \$81,320.79.

BE IT FURTHER RESOLVED that the Treasurer has certified that sufficient uncommitted funds are available in the Capital Budget account #C-04-55-855-902 to fund the above contract obligation.

RESOLUTION 22-158

WHEREAS, Kevin F. Boyle provided notice he would retire from the Borough of Pompton Lakes on May 31, 2022; and

WHEREAS, upon separation he is entitled to payment of any accrued benefit time as outlined in his employment agreement and the Pompton Lakes Borough Employees Association Collective Bargaining Agreement; and

WHEREAS, upon review of his personnel records it has been determined that he is owed \$24,376.25 based upon his accrued balance of sick and vacation time.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby authorizes a terminal payment of \$24,376.25 to Kevin F. Boyle.

BE IT FURTHER RESOLVED, that the Treasurer has certified that sufficient uncommitted funds in the amount of \$24,376.25 are available in the 2022 Budget for the purpose set forth herein. The Treasurer shall file a copy of the Certification of Funds for this resolution in the Office of the Borough Clerk.

RESOLUTION 22-159

WHEREAS, the 2022 Business Improvement District Budget was approved on April 13, 2022; and

WHEREAS, the Tax Collector requires time to prepare and mail tax bills; and

WHEREAS, State law requires the grace period to extend at least 25 days after the bills are postmarked.

NOW THEREFORE BE IT RESOLVED, that the grace period for the April 1, 2022 BID Tax be extended to June 10, 2022.

RESOLUTION 22-160

WHEREAS, over the years, the Bicycle Touring Club of North Jersey has utilized Hershfield Park as a rest stop during their annual Ramapo Rally; and

WHEREAS, the club has provided the necessary information to coordinate this event with the Pompton Lakes Police Department; and

WHEREAS, a certificate of insurance will be issued to the Borough for use of the park prior to the event date of August 21, 2022; and

WHEREAS, any additional use permits will be secured prior to the event date as well; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that it hereby approves the request of the Bicycle Touring Club of North Jersey to utilize Hershfield Park on Sunday, August 21, 2022, for the Ramapo Rally.

BE IT FURTHER RESOLVED, that any and all conditions for the use must be met by Monday, August 15, 2022 through coordination with the Pompton Lakes Police Department and Administration and that documentation supporting this submission is available at 25 Lenox Avenue, Pompton Lakes, NJ 07442 and maintained for no less than five years from this date.

RESOLUTION 22-161

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE, we the Borough of Pompton Lakes resolve to take the following steps with regard to our municipal land-use decisions with the intent of making the Borough of Pompton Lakes a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

SEPARATE ACTION RESOLUTIONS: None

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 22-13

AN ORDINANCE AMENDING CHAPTER 7, "TRAFFIC", SECTION 7-30, "TURN PROHIBITIONS," OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES TO ADD A NO LEFT TURN PROHIBITION ONTO WANAQUE AVENUE

Motion moved by Councilwoman Polidori, second by Councilman DeLine to open the Meeting for public comments on Ordinance No. 22-13. All voted in favor of the motion.

RANDY HINTON, Montclair Avenue

Mr. Hinton questioned whether the roadway in the Ordinance was Babcock Place. Mayor Serra replied and stated it incorporates the entrance into the parking structure.

Motion moved by Councilwoman Polidori, second by Councilman DeLine to close the Meeting for public comments on Ordinance No. 22-13. All voted in favor of the motion.

Motion moved by Councilman Venin, second by Councilwoman Kent to approve Ordinance No. 22-13 for Final Adoption.

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

ORDINANCE 22-14

AN ORDINANCE AMENDING CHAPTER 7, "TRAFFIC", SECTION 7-11.1, "VEHICLE STOPPING OR STANDING PROHIBITED", OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES TO ADD A NO STOPPING OR STANDING PROHIBITION ON WANAQUE AVENUE

Motion moved by Councilman Baig, second by Councilman Cruz to open the Meeting for public comments on Ordinance No. 22-14. All voted in favor of the motion.

No one from the public wished to comment.

Motion moved by Councilwoman Polidori, second by Councilman Venin to close the Meeting for public comments on Ordinance No. 22-14. All voted in favor of the motion.

Motion moved by Councilman Baig, second by Councilman Venin to approve Ordinance No. 22-13 for Final Adoption.

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

MAYOR MICHAEL SERRA:

Mayor Serra reported on the following.

- presented a Proclamation proclaiming May 8, 2022 as *Rosario Accardi Day*. Mayor Serra offered some background and stated Mr. Accardi is a longtime resident of Pompton Lakes and is celebrating his 95th birthday.
- he along with several Council Members met with the new Assemblymen and Senator for Pompton Lakes. Mayor Serra stated they are familiar with the Borough and are eager to represent and assist the community.
- commented on the *Teacher of the Year* Ceremony he attended and congratulated his daughter, Michelle and Ms. Allan for achieving this honor
- the Board of Education will begin to video record meetings and these recordings will be posted online
- attended meetings with residents to discuss their concerns with the operations of Tilcon. Mayor Serra stated Tilcon has a website that monitors all blasts and the public has access to the website.

COUNCIL PRESIDENT POLIDORI:

Councilwoman Polidori reported on the following.

- attended the *Meet and Greet* with Assemblymen Weber, Bergen and Senator Pennacchio and stated she looks forward to working with them
- wished all mother's a Happy Mother's Day
- delivered saplings to 3rd grade students at Lincoln and Lenox Schools. Councilwoman Polidori stated she, Ms. Schwartz, a member of the Woman's Club, and Mr. Hinton, Shade Tree Commissioner provided a presentation on the history of Arbor Day along with planting and caring for trees. Students were provided the opportunity to share the name given to their tree with their classmates.
- provided information on a contest offered to 2nd grade students from both elementary schools to name the giant frog (playground equipment) at Pacifico Gallo Park. The *Name the Frog* contest encourages children to select a name for the park apparatus and be recognized during the opening of the park.
- participated in the Pompton Lakes River-Clean-up and thanked Councilwoman Kent for her hard work

Mayor Serra stated an arborist inspected the cherry trees at the Library and determined the trees should be removed. The Shade Tree Commission will further decide tree plantings to replace the cherry trees.

Mayor Serra commented on the Eagle Scout Ceremony he attended along with Councilman Venin and commended Gregory DeBoer for his efforts and hard work in achieving this award.

COUNCILWOMAN KENT:

Councilwoman Kent reported on the following.

- welcomed Paula Cozzarelli and wished her well in her new position as the Borough Administrator
- the Flood Advisory Board (FAB) members are requesting the Governing Body contact the North Jersey Water Authority (NJWA) to remove logs on the dam. Mayor Serra replied and stated the North Jersey Water Authority has contracted a company to provide the service. Councilwoman Kent voiced her concerns with the process of securing a contractor and stated the Flood Advisory Board requested the Authority retain a company to avoid delaying the removal of logs. Mayor Serra agreed and stated North Jersey Water Authority should appoint a company. The Flood Advisory Board will make a request and forward to Mayor and Council.
- commented on a project planned by Passaic County to redesign the Dawes Highway Bridge and stated the Flood Advisory Board requested the Pompton Lakes Office of Emergency Management (OEM) and members of the Flood Advisory Board be permitted to have input with the project. Councilwoman Kent stated the Flood Advisory Board has concerns with flood control in this area and the design of the bridge. Mr.

Boyle stated this is a Passaic County project but he would contact the Borough Engineer to discuss the matter further.

- members of the Flood Advisory Board and volunteers who participated in the River Clean-up have begun the initial process for the New Jersey Sustainable/Haroldson Place Restoration program. Councilwoman Kent thanked Lauren Venin and Steve Florman for spearheading the project.
- repairs are being made to the wood dock on Lakeside Avenue
- Board of Health members discussed a Pest Inspection Ordinance to be considered to address retail stores and restaurants
- the Board of Health members discussed their website page and additional information would be forthcoming
- members of the Board of Health discussed the cottage industry regulations and will further discuss implementing guidelines
- commented on the success for the 19th Annual Town Wide River Clean-up and thanked all involved who offered their support. Certificates of Participation were given to various businesses, local agencies, School Board, Athletic Director, Environmental and Zonta Clubs and to all individuals who donated time and funds for the event. Councilwoman Kent offered special thanks to the Business Improvement District (BID) and the Police Athletic League (PAL) members for their generous donations of shirts. Councilwoman Kent also thanked the Passaic County Clean Community program, the Ice Cream Station, Franks Pizza, Ron and Julie Doncoes, Colombia Bank volunteers, Board of Education members including coaches, Pompton Lakes Riverdale Youth Organization, Pompton Lakes Riverdale Soccer Association, Pompton Lakes Riverdale Little League the Governing Body and also, Stephen Baig and Mike Meeker. Prizes were awarded. Councilwoman Kent thanked all participants for their help.

COUNCILMAN VENIN:

Councilman Venin reported on the following.

- participated in the River Clean-Up and commended Councilwoman Kent for her motivation and inspiration
- thanked the Business Improvement District for sponsoring the *Plant and Paint* event at the Library. Councilman Venin stated both his children participated and enjoyed the event.
- commented on the Eagle Scout Ceremony he attended and noted the efforts by Gregory DeBoer for achieving his award
- commented on the Lincoln School Art Show and emphasized the importance of art and music in the schools
- congratulated Paula Cozzarelli on her appointment as Borough Administrator

COUNCILMAN CRUZ:

Councilman Cruz reported on the following.

- commented on the *Teacher of the Year* awards ceremony and stated he appreciates the Board of Education providing recognition to the teachers
- during the Board of Education meeting members discuss video recordings for meetings and stated he would follow up and contact Dr. Amoroso, Superintendent for additional information.
- commented on the Art on the Avenue event and stated residents have the opportunity to showcase their artwork on the fence along Wanaque Avenue
- the Recreation Department will sponsor Teen Night on June 20 and July 18, 2022 from 6:00-9:00pm at the VFW- \$5.00 admission

COUNCILMAN BAIG:

Councilman Baig reported on the following.

- Police Department, Fire Department and the First Aid Squad reports for April

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- congratulated and welcomed Ms. Cozzarelli to the Borough and stated he looks forward to working with her
- commented on the success for the River Clean-up. Councilman DeLine stated the event has evolved to include volunteers from several organizations.
- commented on the Habitat Restoration project for the Sustainable Jersey grant. Invasive species will be removed along the Ramapo River and native species will be planted. Councilman DeLine explained the importance of the project to the area and stated the plantings will aid in flood mitigation.
- commented on the Arbor Day Essay contest and commended the students for the essays they submitted. Councilman DeLine gave special thanks to Ms. Denti, Shade Tree Commissioner for organizing the event. Councilman DeLine also thanked the principals and teachers at the elementary schools for their involvement and the Governing Body for their support.
- announced the former Director of Planning and Development for Passaic County, Michael Lysicatos would be leaving his position at the County and thanked him for his hard work and service to our community

Mayor Serra commented on the final count for geese addling and stated a low number of 58 eggs were addled.

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

Mr. Semeraro had no report.

KEVIN BOYLE, Borough Administrator

Mr. Boyle reported on the following.

- Millennium Strategies - April 2022
- Letter from Iain Patterson - Approval of Eagle Project
- N.J.D.O.T. FY 2023 Municipal Aid - Under Review – Lincoln Avenue Phase 2 – Phase 1 is completed
- Library project is moving along
- light stanchions will be placed in the Pond Hole – then kiosks and final paving. Lights in the Pond Hole will be controlled by the Police Department
- Letter from Chemours - 1st Quarter 2022 Progress Report
- Morris Canal Restoration Project - File

Councilman Venin thanked Mr. Boyle for offering guidance to the Washington Township Engineer regarding work along their streams and rivers.

MEETING OPEN FOR PUBLIC COMMENTS:

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

RANDY HINTON, Montclair Avenue

Mr. Hinton questioned whether Mayor Serra had an updated report regarding the number of Covid cases in Pompton Lakes. Mayor Serra responded and stated he has not been recording any Covid cases recently because residents have been testing with home Covid tests. Mayor Serra stated the official number of Covid cases was 36 with no deaths.

Mr. Hinton welcomed Ms. Cozzarelli, Borough Administrator, to the Borough and stated the Shade Tree Commission is looking forward to working with her.

Mr. Hinton stated his concerns for piles of logs located on the Don Jenkins baseball field and the damage they could cause during a flood event; Mr. Boyle to follow up.

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

PRIVILEGE OF THE FLOOR:

Councilwoman Polidori thanked Ms. Cozzarelli for her kind remarks praising the Borough. Councilwoman Polidori stated the Borough is fortunate to have residents who value their community and emphasized the significance of volunteerism that is demonstrated on a daily basis. Councilwoman Polidori noted our community is rich in tradition and stated she is proud to serve the community.

Councilwoman Kent stated the Department of Public Works is seeking laborers for full time and seasonal help. Mayor Serra stated that the ad is posted on the Borough website and social media.

Councilman Venin stated trails maintenance was cancelled last week due to inclement weather and has been rescheduled for May 15, 2022.

RESOLUTION TO ADJOURN INTO CLOSED SESSION: None

ADJOURNMENT:

Motion moved by Councilwoman Polidori, second by Councilman Venin to Adjourn the Meeting at 8:30 PM. All voted in favor of the motion.

ATTEST:

APPROVED:

**ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK**

**MICHAEL SERRA
MAYOR**

Dated: May 11, 2022