

MINUTES OF THE SEPTEMBER 28, 2022 REGULAR COUNCIL MEETING

The following are the Minutes of the September 28, 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, Erik DeLine, Ekamon Venin and Councilwoman Maria Kent. Councilman Bobby Cruz was excused from the Meeting.

Also present were Borough Attorney, Mark Semeraro, Borough Administrator, Paula Cozzarelli and Borough Clerk, Elizabeth Brandsness.

MAYOR PRESENTATION AND UPDATES: None

MEETING OPEN FOR PUBLIC COMMENTS:

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

STEPHANIE GEIB, Hunter Place

Ms. Geib voiced concerns with the broken stockade fencing located between the residents of Hunter Place and the Lidl Shopping Center. Ms. Geib also stated her concerns with the continuous noise from the ongoing construction in the shopping center. Ms. Geib commented on the removal of trees in the area and requested a noise barrier/fencing be placed between the homeowners and the shopping center.

Mayor Serra replied and stated he spoke to the Construction Official in the Building Department and the project plans include the planting of arborvitae shrubs along the fence line. Mayor Serra stated he would verify whether the aging stockade fence would be replaced with new fencing.

Discussion continued and Mayor Serra requested Shade Tree Commissioner Randy Hinton provide some insight as to the removal and replacement of trees. Mr. Hinton confirmed an ash tree in the area would need to be removed due to emerald ash borer. Mr. Hinton stated the plan includes the planting of arborvitae and other buffer trees. Mayor Serra stated the project should be completed within the next month.

Councilman DeLine requested the Building Department Construction Official review the approved current and the original site plan conditions for the shopping center and the stipulations for fencing.

ANISHA SOSA, Howard Street

Ms. Sosa stated there is an infestation of spotted lanternflies in the trees located on her property. Ms. Sosa questioned whether there was funding or programs that assist with addressing the lanternflies. Mayor Serra responded and stated he was unaware of funding or programs to address the abundance of lanternflies. Mayor Serra stated New Jersey has a website to report infestation of lanternflies and advised Ms. Sosa to make a report on the website.

Ms. Sosa stated the roadway near her home has a bend and poses a safety issue for vehicles entering or exiting their driveway when vehicles park in the roadway. Mayor Serra requested Councilman Baig and Ms. Cozzarelli contact Lt. Klepacky to follow up.

AL EVANGELISTA, Ringwood Court

Mr. Evangelista commented on the Pompton Town Plaza and stated there were specific approved site plan conditions for this property that included a 10-12 foot fence in an effort to provide privacy for the property owners that back up to the shopping center. Mr. Evangelista stated the current owners have changed the lighting and may not be aware of the original approved site plans. Mr. Evangelista questioned whether the new property owner would need to go before the Zoning or Planning Board for approval before making any changes that do not conform to the original site plan.

Councilman DeLine replied yes and stated it is his understanding if there is a change from the original site plan the owner should go before the appropriate boards.

Mayor Serra stated he would have all plans pulled for review and bring Mr. Evangelista’s concerns to the attention of the boards.

COURTNEY HENNESSY, Dawes Highway

Ms. Hennessy questioned whether Dawes Highway is a County Road. Councilman DeLine responded and stated Dawes Highway is a County Road from Hamburg Turnpike to Riveredge Drive. Ms. Hennessy commented on the roadway and questioned why the double yellow lines were not restored to the roadway after paving was completed. Mayor Serra stated he would bring her concerns to the Police Department for further follow up.

RANDY HINTON, Shade Tree Commissioner

Mr. Hinton commented on the infestation of the spotted lanternflies and commented on the spraying of the insect and the fact that the lanternfly eggs are not easily destroyed. Mr. Hinton provided some input as to properties in the Borough that have experienced the infestation of the lanternflies. Mr. Hinton stated he has surveyed many of the Borough parks and reported he has seen lanternflies on trees in some of the parks. Mr. Hinton noted trees in the Pompton Town Shopping Center are infested with the lanternflies and management should be made aware. Mr. Hinton suggested promoting the “Stomp the fly” campaign to alert residents to be aware of the spotted lanternflies and suggested residents visit the website www.badbug.nj.gov and the USDA website for additional information.

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

MINUTES:

Motion moved by Councilman DeLine, second by Councilman Venin to approve the Regular Meeting Minutes of September 14, 2022. All voted in favor of the motion.

BILL LISTS:

RESOLUTION 22-224

RESOLUTION AUTHORIZING PAYMENT OF BILLS IN THE AMOUNT OF \$5,861,518.19

Motion moved by Councilman Baig, second by Councilwoman Kent to approve the following Bill Lists All voted in favor of the motion.

Current Fund	\$ 5,744,493.50
Capital Fund	\$ 52,820.35
Recreation Trust	\$ 46,748.62
Unemployment	\$ 193.44
Dog Trust Account	\$ 817.00
Other Trust Account	\$ 7,725.46
Clerk’s Account	\$ 300.00
Open Space Trust	\$ 8,419.82

PETITIONS: None

CONSENT AGENDA:

(Council Members Required Resolution 22-226 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 22-226 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 22-222 Annual Audit Report For Year 2021
2. Resolution 22-223 To Approve Year 2021 Corrective Action Plan
3. Resolution 22-224 Authorizing Payment Of Bills In The Amount Of \$5,861,518.19
4. Resolution 22-225 Approving Appointment Of Part-Time Crossing Guards (*Emily Butera/Pranvera Konushevci/Doreen Apgar*)
5. Resolution 22-226 Authorizing The Use Of Municipal Open Space Trust Funds For Improvements To The Carlough Field Facility
6. Resolution 22-227 Authorizing The Award Of A Non-Fair And Open Contract For De-Snagging, Debris Processing And Removal Upon Request For The Wanaque And Pequannock Rivers
7. Resolution 22-228 Authorizing Settlement Agreement With Michael And Maureen Hamway

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

RESOLUTION 22-222

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

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with Elizabeth Brandsness, Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

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

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall certify to the Local Finance Board of the State of New Jersey by Resolution that all members of the Governing Body have at a minimum reviewed the sections of the annual audit entitled:

“General Comments and Recommendations”, and

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

“General Comments and Recommendations”, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, pursuant to N.J.A.C. 5:30-6.5, and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Pompton Lakes hereby state that they have complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution along with the required affidavit to the Local Finance Board as evidence of their satisfactory compliance.

RESOLUTION 22-223

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year; and

WHEREAS, the Borough’s independent auditing firm has completed by their audit of the Financial Statements and Supplementary Data of the Borough of Pompton Lakes for the year ended December 31, 2021; and

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

WHEREAS, the Borough Council of the Borough of Pompton Lakes has accepted the Year 2021 audit as prepared and presented to the Borough by its independent auditing firm, and

WHEREAS, Debbie Buchanan, Chief Financial Officer for the Borough of Pompton Lakes has prepared a corrective action plan addressing the findings and recommendations of the Year 2021 Audit, and has presented copies of same to the Mayor and Council of the Borough of Pompton Lakes.

1. *There are several outstanding grants receivable that should be reviewed for proper disposition.

Outstanding grants will be reviewed for cancellation or collection

2. There were several employees that earned over \$5,000 that were not enrolled in the State’s Defined Contribution Retirement Plan.

Payroll Department will ensure that any employee earning over \$5,000 be enrolled in the State’s Defined Contribution Retirement Plan as required

3. There were penalty and interest charges due to late or incorrect filings of quarterly unemployment returns.

Payroll Department will ensure that all quarterly unemployment returns be filed in the time period required to avoid penalties

4. There was no formal resolution authorizing rate of pay for part time recreation employees.

The Borough will adopt a resolution or ordinance authorizing the rate of pay for part time recreation employees

5. There were several employees included in our sample of payroll that we were unable to agree amounts paid to salary ordinance or contract amounts.

Payroll Department will review and ensure that employees are paid in agreement with approved salary ordinances

6. The fixed asset records were not updated for additions and deletions.

The Borough will update the fixed assets listing to include any additions or deletions

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes in the County of Passaic, that the corrective action plan is approved for submission to the Division of Local Government Services of the State of New Jersey, Department of Community Affairs no later than sixty (60) days from the receipt of the audit report.

RESOLUTION 22-224

BE IT RESOLVED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey that the summary of bills in the total amount of \$5,861,518.19 having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

BE IT FURTHER RESOLVED, that in the event of the CFO's absence, the Governing Body authorizes the Business Administrator and Treasurer to carry out the duties and responsibilities of the CFO.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Pompton Lakes to fund the payment of the following bills attached hereto and made a part of this resolution.

RESOLUTION 22-225

WHEREAS, the Chief of Police has advised Mayor and Council the Police Department is in need of part time crossing guard positions due to vacancies; and

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

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

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

1. The following are appointed to the position of part-time crossing guard

Emily Butera
Pranvera Konushevc
Doreen Apgar

Compensation in accordance with the collective bargaining agreement between the Borough of Pompton Lakes and Communications Workers of America AFL-CIO.

RESOLUTION 22-227

WHEREAS, the Borough of Pompton Lakes has a need to acquire de-snagging debris processing and removal upon request as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, DMK Services, LLC has submitted a proposal indicating they will provide the de-snagging, debris processing and removal upon request at an amount not to exceed \$30,000; and

WHEREAS, DMK Services, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that DMK Services, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Pompton Lakes in the previous one year, and that the contract will prohibit the DMK Services LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Treasurer has certified funds are available in account #C-04-655-858-902.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Pompton Lakes authorizes the Mayor or Borough Administrator to enter into a contract with DMK Services, LLC as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION 22-228

WHEREAS, the Borough of Pompton Lakes (the “Borough”) and Michael and Maureen Hamway (“Hamway”) have negotiated a Settlement Agreement and Release (the “Agreement”) regarding the matter of Michael and Maureen Hamway v. Borough of Pompton Lakes Zoning Board of Adjustment, bearing Docket No.: PAS-L-3989-19, regarding the denial of the Hamway’s application for a use variance for the overnight storage of two (2) commercial size vehicles in excess of 10,000 pounds GVW on the Hamway’s residential premises; and

WHEREAS, the Borough has filed numerous Complaints against Hamway in the Borough of Pompton Lakes Municipal Court for violations of the Borough’s zoning ordinance that prohibits the overnight storage of commercial vehicles in excess of 10,000 pounds GVW, which are still pending; and

WHEREAS, in order to avoid further expense and uncertainty of the further prosecution and defense of this action related to reasonable attorney’s fees, Complainant and the Borough have reached an agreement and the desire to amicably settle and resolve their dispute as stated hereinabove; and

WHEREAS, the Hamway’s have already abated the zoning infraction in question and removed the subject vehicles from the property onto a permanent offsite location; and

WHEREAS, based upon all the facts and circumstances and the applicable law surrounding this matter, Borough Counsel deems it is in the best interests of the Borough to enter into such a settlement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that:

- 1) The Mayor and the Borough Council of the Borough of Pompton Lakes hereby authorize the settlement of the litigation pursuant to the terms of the Settlement Agreement and Release, in the form as annexed hereto as **Exhibit A**; and
- 2) The Mayor is hereby authorized and directed to execute the Settlement Agreement and Release, in the form as annexed hereto as **Exhibit A**; and
- 3) The Mayor and Borough Administrator are hereby authorized to take any and all actions necessary to complete and realize the intent and purpose of this Resolution, including but not limited to, the execution of this Settlement Agreement and Release; and

- 4) A copy of this Resolution and the executed Settlement Agreement and Release shall be filed in the Office of the Borough of Pompton Lake's Municipal Clerk.

SEPARATE ACTION RESOLUTIONS:

RESOLUTION 22-226

WHEREAS, it is the intention of the Borough Council to make improvements to the Carlough Field facility to enhance active sport and passive recreational enjoyment for the residents of Pompton Lakes; and

WHEREAS, the Open Space Advisory Committee has recommended that an amount not to exceed \$50,000 be allocated from the Municipal Open Space Trust Fund for structural and aesthetic improvements to the Carlough Field facility; and

WHEREAS, the Borough Council is desirous to have Facility improvements completed by December 31, 2023, and that unspent allocated monies be reallocated to the Open Space Trust Fund account; and

WHEREAS, funds generated by the Open Space Tax may be used to fund improvements to parks, playgrounds and active sport and passive recreation areas; and

WHEREAS, the Treasurer has attested to the availability of the funds in the Municipal Open Space Trust Fund in an amount not to exceed \$50,000; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, that an amount not to exceed \$50,000 is hereby authorized to be allocated from the Municipal Open Space Trust Fund for Improvements to the Carlough Field facility.

BE IT FURTHER RESOLVED, that Facility improvements are to be completed by December 31, 2023, and unspent allocated monies be reallocated to the Open Space Trust Fund account.

Discussion:

Councilwoman Polidori stated the PLRYO (Pompton Lakes Riverdale Youth Organization) came before the Open Space Committee and requested Open Space Funds be provided for the improvement of the Press Box located at Carlough Field. Councilwoman Polidori stated Mr. Poli, Borough Building Official, and the Borough Engineer inspected the structure and agreed the new design should remain the same as the footprint for the current structure. The improvements would be in compliance with the building code making it a safe and secure structure. Councilwoman Polidori stated the Open Space Committee discussed the cost of the project and recommends the Borough dedicate an amount not to exceed \$50,000 of Open Space funds to be used towards the project with any additional cost to be funded through the PLYRO.

Ms. Cozzarelli stated once she receives approval by Council she would work closely with Mr. Luciani from the Pompton Lakes Riverdale Youth Organization (PLRYO) with regard to purchasing and final construction. Ms. Cozzarelli stated because the structure is on public land it falls under the Public Contracts Law. Ms. Cozzarelli stated she would insure the project stays within compliance, safety is preserved, proper permits are taken and inspections are performed.

Mayor Serra stated the Borough Engineer would be drawing up the plans.

Councilman DeLine stated this improvement would benefit our residents, students and children who participate in sports. Councilman DeLine stated under the amended Open Space Ordinance this is a permitted use of funds. Mayor Serra added this would also address the safety issue of the structure.

Motion moved by Councilwoman Polidori, second by Councilwoman Kent to approve Resolution 22-226.

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

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 22-17

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 Councilman Baig, second by Councilman Venin to open the Meeting for public comments on Ordinance No. 22-17. All voted in favor of the motion.

DENNIS KIHMBERG, 158 Mountainside Drive

Mr. Kihlberg questioned the area impacted by the prohibition. Mayor Serra responded and stated a left turn from the apartment complex driveway north of Lenox Avenue onto Wanaque Avenue would be prohibited.

AL EVANGELISTA, Ringwood Court

Mr. Evangelista questioned whether the left turn prohibition was temporary or permanent. Mayor Serra responded the no left turn prohibition onto Wanaque Avenue would be in place permanently.

Motion moved by Councilman Baig, second by Councilwoman Polidori to close the Meeting for public comments on Ordinance No. 22-17. All voted in favor of the motion.

Motion moved by Councilman Venin, second by Councilman Baig to approve Ordinance No. 22-17 for Final Adoption.

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

ORDINANCE 22-18

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 Venin, second by Councilman DeLine to open the Meeting for public comments on Ordinance No. 22-18. All voted in favor of the motion.

RANDY HINTON, Montclair Avenue

Mr. Hinton questioned the no stopping or standing prohibition. Councilman DeLine stated Ordinance 22-17 stated a left hand turn is prohibited on to Wanaque Avenue from the newly constructed parking garage. Ordinance 22-18 there is no stopping or standing along Wanaque Avenue.

Motion moved by Councilman DeLine, second by Councilwoman Polidori to close the Meeting for public comments on Ordinance No. 22-18. All voted in favor of the motion.

Motion moved by Councilman DeLine, second by Councilwoman Polidori to approve Ordinance No. 22-18 for Final Adoption.

**Roll Call: Councilman DeLine, Yes, Councilwoman Kent, Yes, Councilwoman Polidori, Yes, Councilman Venin, Yes, Councilman Baig, Yes, Councilman Cruz, Excused.
MAYOR MICHAEL SERRA:**

Mayor Serra reported on the following.

- attended meeting with the Borough Engineers, Department of Public Works Superintendent, the Borough Administrator and the County Engineers to discuss the replacement of the walk bridges on West Lenox Avenue and across Hershfield Park. Stanchions underneath the bridge will be removed and will help with water flow. Upon completion of the bridges by the County the Borough will assume responsibility for the maintenance for the bridges. School children use the West Lenox Avenue Bridge so therefore an alternate plan will need to be considered.
- the County owns the Dawes Highway Bridge and the bridge is deemed an Historic Bridge. Mayor Serra stated the County has plans to replace the bridge but will need to abide by the historic restrictions to how the bridge can be restructured.
- the DuPont Place Bridge is also slated to be replaced. The Borough has agreed to pay for the engineering fees and the County will construct the bridge. Upon completion of the bridge the County will assume ownership of the bridge.
- attended a meeting with Borough Auditors
- attended meeting with Iron Forge Board members along with residents to discuss the replacement of the elevator in the complex. The elevator is scheduled to be replaced and the residents will not have an operational elevator for the next five weeks. Senior and disabled residents within the facility are in need of assistance and those who wish to help should contact the Board. Mayor Serra stated the Police Department, the Zonta Club, the Boy and Girl Scouts have all offered their assistance.
- announced the Recreation Commission was successful in raising funds on Pompton Day and the funds will subsidize programs
- the Halloween Hunt will be held on October 23, 2022 at Hershfield Park
- the Town Wide Garage Sale will be held on October 1, 2022 and stated residents should be cautious while driving and walking
- Library stairs should be completed prior the Holiday Stroll

COUNCIL PRESIDENT POLIDORI:

Councilwoman Polidori reported on the following.

- the Rotary and VFW are jointly working on a project with the students of Winsor School, as part of their curriculum, to refurbish the side lot on the VFW property with planting seeds and/or bulbs. The Windsor School children will maintain the garden area that displays monuments and dedications to Veterans. Councilwoman Polidori stated she is involved with the project the project will be funded through donations.
- met with Dr. Amoroso, School Superintendent and Dan O'Rourke, Department of Public Works Superintendent, to discuss Phase II for the all-inclusive sculpture located in Lakeside Park. The Art Teachers at Lakeside School will work with students from the Gifted and Talented and Special Needs Program to incorporate the design and painting onto the sculpture. Councilwoman Polidori would like to see the sculpture completed before the winter.
- reported on a site visit at a park in Toms River called *A Field of Dreams*. Councilwoman Polidori stated the park is fully enclosed and provides inclusive play space for children that includes ball fields and a splash park. Councilwoman Polidori stated she would continue to work with the individual who developed the inclusive park concept in an effort to incorporate the innovative designs into parks within Pompton Lakes.
- the Annual Car Show will be held on October 9, 2022
- the Fire Department is sponsoring an Open House for *Fire Prevention Week*
- commented on her attendance at several Borough Department meetings that was questioned during the last Council Meeting. Councilwoman Polidori stated she attends many meetings during the week and wanted to clarify she was unable to attend the last Redevelopment meeting due to a previous engagement however she will read the meeting minutes when they become available.

COUNCILMAN BAIG:

Councilman Baig reported on the following.

- attended the Pompton Lakes Redevelopment meeting on September 15, 2022 and commented on a Resolution Authorizing the Execution of a Redevelopment Agreement between 525 Wanaque Avenue Associates Urban Renewal LLC and the Pompton Lakes Redevelopment Agency
- the Municipal Utilities Authority (MUA) authorized an increase in salary for two employees.
- The MUA submitted a *Lead Service Line Identification and Replacement Plan* to the New Jersey Department of Environmental Protection (NJDEP).
- The MUA received the fully executed five-year contract from Passaic Valley Sewerage Commission for sludge disposal.
- MUA Operations employees attended an in house online seminar for Sewer Jetting and Vapor safety
- the MUA will conduct its fall hydrant flushing program on October 17, 2022. The flushing will take place between the hours of 12:00am and 6:00am.
- Mayor Serra reminded residents to clean debris out of storm drains near their homes

COUNCILMAN CRUZ:

Councilman Cruz was excused from the Meeting.

Mayor Serra read the motion.

Motion moved by Mayor Serra, second by Councilman Venin to approve the request of Pompton Lakes/Riverdale First Aid Squad to hold a *tag style* fundraiser on October 9, 2022 with a rain date of October 16, 2022 between the hours of 9:00 AM and 5:00 PM. Squad members will be stationed at the intersection of Hamburg Turnpike and Ramapo Avenue seeking funds from motorists. They will be wearing ANSI certified traffic vests for safety. The traffic control plan has been approved by the Pompton Lakes Police Department. A letter has been submitted to the Passaic County Board of County Commissioners. (Police/Fire/First Aid to be notified). All voted in favor of the motion.

COUNCILMAN DELINE:

Councilman DeLine reported on the following.

- the masonry project for the Library entrance steps is moving forward and Rob Walker will provide a proposal for the replacement for the stairway
- upcoming Library events include local author Louann Smith. Ms. Smith will be discussing the vision of her novel "*A Peaceful Start*" during her presentation.
- the Business Improvement District (BID) will be sponsoring the Annual Pumpkin and Scarecrow Contest on October 15, 2022 from 12-4pm
- the Library resumed Saturday hours from 10am-4pm
- attended the Fall Trails Maintenance along with Councilman Venin and volunteers. Mr. Hoffman, Colombia Band Manager, provided his staff to assist with trail maintenance and thanked those who assisted.

COUNCILWOMAN KENT:

Councilwoman Kent reported on the following.

- offered support to residents in Florida who have been impacted by the devastation caused by Hurricane Ian
- attended the Redevelopment meeting
- chaperoned the Middle School dance
- the Flood Advisory Board (FAB) has an opening for a member and those interested should contact her for additional information

- twice a week trash collection will be suspended during leaf season – trash collection will be once a week; leaf collection will begin on October 13 and leaf bags can be purchased at the Recycling Center. Metal must be separate from trash and will be picked up on scheduled days. Please refer to the Town Calendar/Borough website for garbage/recycling/leaf/metal collection information.
- spoke to the consultant organizing the removal of asbestos from the former Roth Cleaners. Mayor Serra thanked Pat Seppi, Environmental Protection Agency, for arranging the mitigation and removal of asbestos.
- commented on the spotted lanternflies and requested the Borough contact the Passaic County Extension Service – Rutgers Agricultural for guidance. Councilwoman Kent stated she is not in favor of cutting down trees to eliminate the lanternfly problem.
- thanked Councilman DeLine and Mr. Evangelista for their recommendations to install a fence between the Lidl Shopping Center and Hunter Place
- commented on the removal of invasive species trees on Lakeside Avenue and stated it was determined it was protected area. Councilwoman Kent requested Chemours be contacted for information on how to control the invasive species so that the view is not compromised. Councilwoman Kent stated this is a wetland area and it is extremely important to decide what can and cannot be planted in the area. Mayor Serra stated he contacted Mr. Epps, Chemours Project Manager, and is waiting for a return call.

COUNCILMAN VENIN:

Councilman Venin reported on the following.

- congratulated the High School Marching Band on their 2nd Place win
- the Historic Commission met to discuss the completion of the Library steps. Limestone was selected as the stone for the stairway.
- anyone interested in joining the Historic Commission should reach out to him and he will provide information on becoming a member
- thanked Gene Hoffman from Columbia Bank for providing a group of volunteers that participated in Trails Maintenance Day this past Sunday. The next trails maintenance day is scheduled for September 27th and meets in the back parking area of Willow Field at 10:00am.

Mayor Serra announced he just received word from the Pompton Town Square landlord who confirmed arborvitae shrubs will be part of the plantings and the fencing would be addressed.

PROFESSIONAL REPORTS:

MARK SEMERARO, Borough Attorney

Mr. Semeraro reported on the following.

Reported on the status of an Ordinance with respect to the Boat Dock and Parks. Mr. Semeraro stated the Ordinance is at the finalization stage and will be sent to the Borough Administrator within next day or so.

PAULA COZZARELLI, Borough Administrator

Ms. Cozzarelli reported on the following.

- commented on Audit Review meeting with the Borough Auditor and suggested possible projects using American Relief Fund money; discussions to be held as a group or committee
- commented on the Borough Road Program and informed the Governing Body funds are now available
- informed the Governing Body the Borough has a healthy fund balance and that she will maintain the fund
- commented on Capital Projects and stated she would like to begin projects going into the next budget year

- commented on the DuPont Bridge project and recommended putting out an RFP for Engineering
- attended a meeting with the geotechnical engineer, Department of Public Works Superintendent and Developer's contractor to discuss a plan to investigate the sink hole located in the Municipal Building Parking Lot. The contractor will need certification from an LSRP (Licensed Site Remediation Professional) in order to determine the course of action. The School Superintendent has been notified of excavation that is scheduled to begin by October 10, 2022
- we are awaiting financials on the Civic Center repair/building replacement, Governing Body will have input on the improvements
- CBS has visited the Borough Municipal Building as a possible location to film FBI Most Wanted

Discussions continued on the sinkhole in regards to the soil, testing, excavation etc. The Borough Attorney cautioned the Governing Body to be cautious with their discussions.

MEETING OPEN FOR PUBLIC COMMENTS:

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

AL EVANGELISTA, Ringwood Court

Mr. Evangelista provided some background on the prior Municipal Building and stated the building was located on the same property as the current Municipal Building.

Mr. Evangelista commented on the Dawes Highway Bridge and recommended Council verify whether there is any documentation to determine whether the bridge is historic. Mr. Evangelista stated by engineering standards the bridge is dangerous. Mayor Serra stated as per the County Engineer the design of the bridge determines it to be historical. Mayor Serra stated the proposed plans include a wider bridge with sidewalks.

LISA KIHMBERG, MOUNTAINSIDE DRIVE

Lisa Kihlberg stated she is a member of the Library Board and a Women's Club Member. Ms. Kihlberg stated the Women's Club dedicated a Bench in memory of Dr. Margaret Freathy. The Friends of the Library would like to coordinate a dedication ceremony for the bench on the upcoming 110th Anniversary of the Library. Mayor Serra suggested Ms. Kihlberg coordinate the event with the Municipal Clerk.

JEFF KINON, Ringwood Avenue

Jeff Kinon commented on the Civic Center repair or possible replacement and suggested buying the property adjacent to the Municipal Building. Mayor Serra responded and stated the property has been purchased by the developer who is awaiting permit approval.

DAVID FAIRANICK, Federal Hill Road

Mr. Fairanick inquired as to the status of the Pond Hole, parking and pay stations. Mayor Serra informed Mr. Faranick the Pond Hole project is about 80% complete. Paula Cozzarelli stated the pay stations are still being worked out with the vendor.

RANDY HINTON, Montclair Avenue

Mr. Hinton stated the County has been doing work on the Red Trail. Mr. Hinton commented on the Press Box located in Carlough Field and inquired how frequently the Press Box is used. Mayor Serra replied and stated the Box is used for every game played on the field.

Mr. Hinton inquired as to the footbridges replaced by the County and commented on the maintenance needed especially during the winter months and suggested covered bridges. Mr. Hinton inquired if the Lambert Street Bridge would be replaced. Mayor Serra replied and stated there have been discussions on the bridge and further follow up is needed as the Bridge is located on private property.

Mr. Hinton commented on 430 Montclair Avenue building and noted he did attend a Redevelopment meeting and was told the property is not in the Redevelopment Zone. Mayor Serra stated no application has been filed so therefore it is not a project.

Mr. Hinton questioned why the boards are not meeting for public comment even if there is no Agenda. The Borough Attorney informed Mr. Hinton the Boards are responsible to adjudicate so therefore a meeting is not necessary solely for the purpose for public input or comments. Mr. Semeraro stated *if there is no application put before the boards they do not have a reason to meet.*

PAUL BOWLBY, Romain Avenue

Mr. Bowlby stated he finds the name Acid Brook offensive and requested the bridge that is referred to by Acid Brook have a name change. Mayor Serra responded and stated the Borough did look into changing the name but it is a difficult task once the name is on official documents. Mayor Serra stated he may reconsider and look into the matter.

JUDY BRODERICK, Albert Street

Commented on the County Road Project and stated the signage placed in the area is not helpful. Mayor Serra responded and stated he contacted the County Engineer and the project does not include sidewalks.

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

PRIVILEGE OF THE FLOOR:

COUNCILMAN BAIG:

Councilman Baig expressed his condolences to Mark Warren's Family. Councilman Baig stated Mark was an active member of the community and will be sorely missed.

COUNCILWOMAN KENT:

Councilwomen Kent commented on the significance of double yellow lines on Dawes Highway and stated the lines can affect your property value. Mayor Serra stated he would have the Police follow up.

COUNCILMAN DELINE:

Councilman DeLine commented on the Pond Hole Parking and stated he has done some further research since the last meeting. Councilman DeLine stated after reviewing the statistics he would like to propose, for at least this year, lowering the price of the Student Parking Passes for students to \$150.00. Councilman DeLine stated some flexibility with the pricing is warranted in order to recoup the cost of the Capital Improvement. Councilman DeLine stated demand for the Student Parking Passes might be lower due to the cost of the passes.

Mayor Serra stated Councilman Cruz is currently exploring options areas for students to park and fees.

After discussion Mayor and Council agreed to place the matter on hold for at least a month in order for Councilman Cruz to provide an update.

RESOLUTION TO ADJOURN INTO CLOSED SESSION: None

Be it hereby resolved, pursuant to N.J.S.A. 10:4-12, that the Mayor and Council of the Borough of Pompton Lakes hold Closed Session for the purpose of conducting discussions on negotiations and any other Closed Session topics as allowed under the Open Public Meetings Act. It is expected that the discussions undertaken in Closed Session on this date can be made public at the time official action is taken by the Mayor and Council to release same.

ADJOURNMENT:

Motion moved by Councilman, second by Councilman to Adjourn the Meeting at 9:37 PM. All voted in favor of the motion.

ATTEST:

APPROVED:

**ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK**

**MICHAEL SERRA
MAYOR**

Dated: September 28, 2022