

REGULAR MEETING  
MAYOR & BOARD OF ALDERMEN

TOWN OF BOONTON  
100 WASHINGTON STREET  
BOONTON, NJ 07005

**AGENDA**  
**Tuesday, January 19, 2010**

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**CALL MEETING TO ORDER**

The meeting will be called to order at 7:30 p.m.

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**SALUTE TO THE FLAG**

The Mayor and Board of Aldermen will salute the flag.

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**ROLL CALL**

On a call of the roll, the following officials should be present:

Mr. Daniel Carey	1 <sup>st</sup> Ward Alderman
Mr. Michael Eoga	1 <sup>st</sup> Ward Alderman
Dr. Clifford Keezer	2 <sup>nd</sup> Ward Alderman
Mr. Paul Nevadomski	2 <sup>nd</sup> Ward Alderman – Board President
Mr. Terry Dunn	3 <sup>rd</sup> Ward Alderman
Mr. Robert Looker	3 <sup>rd</sup> Ward Alderman
Mrs. Patricia Bujtas	4 <sup>th</sup> Ward Alderman
Mr. Anthony Scozzafava	4 <sup>th</sup> Ward Alderman
Mayor Cyril Weklisky	Mayor
Mr. John H. Dorsey	Town Attorney
Mr. Terry McCue	Administrator
Mrs. Cynthia Oravits	Town Clerk

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**ADEQUATE NOTICE**

Mayor's Statement

Pursuant to the requirements of R.S. 10:4-10, I announce and direct the Clerk to enter into the minutes of this meeting an accurate statement to the effect that:

1. Notice of the meeting was posted at Town Hall on December 16, 2009 and this agenda was posted on January 15, 2010.
2. Notice of the meeting was published in the Citizen of Morris County and the Daily Record Newspapers on December 16, 2009 and a copy of the agenda was sent (via US Mail or E-Mail) to each of the Town's official newspapers on January 15, 2010.

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**PRESENTATION**

**Boonton Housing Authority**

Mr. Mark Bizzarro will make a presentation to the Mayor and Board of Aldermen

**Ada Budrick Early Learning Academy**

Carl Newman, on behalf of the Ada Budrick Early Learning Academy, will make a presentation to the Mayor and Board of Aldermen for needed support - a short overview with a Powerpoint Presentation on how the Center affords unique opportunities to the community for early childhood education.

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**DISCUSSION**

Application from A&E Clothing Corp. requesting permission to place two (2) clothing bins in the parking lot of Country Farms, 224 Washington Street, Boonton, NJ.

**CORRESPONDENCE**

1. Email request received from Keith Katzgrau, Troop 1, Boonton requesting the following:
  - Permission to hold a Candle Lighting Ceremony in Grace Lord Park on February 8, 2010
  - Permission to assemble a prefab wind break and to have a small self contained campfire
  - Invitation to the Mayor and Board of Aldermen to join in and participate in the ceremony
  
2. Email request received from Our Lady of Mount Carmel School requesting permission to place ground stake signs advertising enrollment for 2010-2011.

**CONSENT AGENDA**

Resolutions 10-41 through 10-53 have been placed on the Consent Agenda

**RESOLUTION 10-41**

**RESOLUTION TO ADOPT MINUTES OF THE MAYOR AND BOARD OF ALDERMEN MEETINGS**

**BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that the minutes from the following meetings are hereby approved as typed and filed in the Town Clerk's Office:

December 21, 2009 – Regular and Closed Session  
January 1, 2010 – Sine Die  
January 1, 2010 – Regular & Reorganization

**RESOLUTION 10-42**

**RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

**WHEREAS**, vouchers for payment have been submitted to the Mayor and Board of Aldermen by the various municipal departments;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that all vouchers approved by the respective Committees be and are hereby ordered paid.

**RESOLUTION 10-43**

**RESOLUTION TO CANCEL WATER/SEWER CHARGES**

**BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that the following Water/Sewer charges be and are hereby canceled:

Account	Address	Reason	Amount
3601-0	4 Wiltshire Drive	Bad Reading	\$ 34.00
3829-14	115 Hawkins Place	Bad Reading	\$ 65.28

**RESOLUTION 10-44**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY AUTHORIZING A CHANGE ORDER FOR THE TAYLORTOWN WATER TREATMENT PLANT-CARBON MEDIA REPLACEMENT PROJECT, REFLECTING A NET REDUCTION IN THE CONTRACT PRICE BY \$ 1,700.00**

**WHEREAS**, the original contract for the above referenced project anticipated amending the underlying filter sand during carbon removal, however, sufficient sand was determined to exist.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that based upon the recommendation of the Town Engineer dated December 30, 2009, Change Order #1 for the Taylortown Water Treatment Plant-Carbon Media Replacement project, reducing the contract price by \$ 1,700.00, and payment be and is hereby accepted.

**RESOLUTION 10-45**  
**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON**  
**AUTHORIZING SHARED SERVICES**

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-11 grant cycle, priority funding will be given to county projects to perform shared services with their municipalities; and

WHEREAS, the Town of Boonton desires to collaborate with the County of Morris in the performance of Records Imaging; and

WHEREAS, the Town of Boonton is acknowledging that their eligible funding of \$40,000 will be leveraged with the County of Morris; and

WHEREAS, the Town of Boonton is acknowledging that the County of Morris would be both the lead agency and the applicant for such a proposal; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen that the Town of Boonton does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

**RESOLUTION 10-46**  
**RESOLUTION AUTHORIZING THE 3RD RAIL, LLC – SWITCH TO OBTAIN ENTERTAINMENT**  
**PERMIT**

WHEREAS, Raymond Sonderfan, The 3rd Rail, LLC – Switch, 202 Myrtle Avenue, has applied to the Town of Boonton for an Entertainment Permit; and

WHEREAS, the premises has been inspected and approved by the Boonton Police, Health, Construction and Fire Departments;

NOW, THEREFORE, BE IT RESOLVED that all papers being in good order and the necessary fee having been paid to the Town of Boonton, the Clerk is hereby authorized to issue an Entertainment Permit for said premises, expiring December 31, 2010.

**RESOLUTION 10-47**  
**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON**  
**ENDORING AN APPLICATION FOR A SPECIAL PERMIT FOR SOCIAL AFFAIRS FOR BOONTON**  
**FIRE DEPARTMENT – BOONTON AVENUE FIREHOUSE COMMITTEE**

WHEREAS, the Boonton Fire Department - Boonton Avenue Firehouse Committee is making application to the State of New Jersey ABC for a special permit, to serve alcoholic beverages at 311 Boonton Avenue, on February 13, 2010 from 7:00 pm through 11:00 pm to raise funds for maintenance of the Firehouse meeting room.

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, believe that this is a worthwhile cause and it is the type of affair that the Boonton Fire Department - Boonton Avenue Firehouse Committee has successfully operated in the past; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, have no objection to the application and endorse same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that they do hereby endorse the application of the Boonton Fire Department for a one day permit from 7:00 pm to 11:00 pm to serve alcoholic beverages in connection with a fund raiser and does hereby authorize the Town Clerk to execute the special permit application to indicate that the Town of Boonton has no objection.

**RESOLUTION 10-48**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON  
ENDORING AN APPLICATION FOR A SPECIAL PERMIT FOR SOCIAL AFFAIRS FOR BOONTON  
FIRE DEPARTMENT - BOONTON AVENUE FIREHOUSE COMMITTEE**

WHEREAS, the Boonton Fire Department - Boonton Avenue Firehouse Committee is making application to the State of New Jersey ABC for a special permit, to serve alcoholic beverages at 311 Boonton Avenue, on March 20, 2010 from 6:00 pm through 10:00 pm to raise funds for maintenance of the Firehouse meeting room.

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, believe that this is a worthwhile cause and it is the type of affair that the Boonton Fire Department - Boonton Avenue Firehouse Committee has successfully operated in the past; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, have no objection to the application and endorse same.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that they do hereby endorse the application of the Boonton Fire Department for a one day permit from 6:00 pm to 10:00 pm to serve alcoholic beverages in connection with a fund raiser and does hereby authorize the Town Clerk to execute the special permit application to indicate that the Town of Boonton has no objection.

**RESOLUTION 10-49**

**RESOLUTION TO WAIVE CONSTRUCTION FEES FOR SOKOL USA, LODGE 32**

WHEREAS, Sokol USA, Lodge 32, is a non-profit organization in the Town of Boonton for over 100 years; and

WHEREAS, Sokol USA, Lodge 32, is preparing all the required documentation for a building permit associated with the installation of a new commercial dishwasher at 301 Pine Street, Boonton.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen that all permit fees associated with construction and installation at the Sokol USA, Lodge 32, 301 Pine Street, Boonton, be and are hereby waived.

**RESOLUTION 10-50**

**RESOLUTION TO REFUND OVERPAYMENT OF TAXES**

WHEREAS, the following taxpayer has received a State Tax Court Judgment for refund of 2008 taxes, as indicated below:

Block/Lot	Address	Tax Period	Amount
69/75-16	650 Myrtle Avenue	2008	\$ 11,700.66

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to issue a check(s) to said taxpayer in the amounts indicated above.

**RESOLUTION 10-51**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, AWARDDING A PROFESSIONAL SERVICES CONTRACT TO SUBURBAN CONSULTING ENGINEERS, INC. FOR ENGINEERING SERVICES RELATIVE TO THE TAYLORTOWN DAM NJDEP REGULAR INSPECTION**

WHEREAS, the Town of Boonton is desirous of obtaining professional engineering services relative to the Taylortown Dam NJDEP Regular Inspection-Update of Operations and Maintenance Manual and Emergency Action Plan; and

WHEREAS, the Mayor and Board of Aldermen deem it in the best interests of the residents of the Town of Boonton to retain the services of Suburban Consulting Engineers, Inc., a corporation in the State of New Jersey, having its principal offices at 100 Valley Road, Ste. 202, Mt. Arlington, NJ 07856; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq, permits the hiring of professional services without advertising and public bid and requires that the resolution authorizing same be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Suburban Consulting Engineers of Mt. Arlington, NJ for professional engineering services relative to the Taylortown Dam NJDEP Regular Inspection.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(f) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for engineering services for this project shall not exceed \$5,800 in accordance with the proposal submitted by Suburban Consulting Engineers for said project, dated January 14, 2010.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
5. Notice of this action shall be published in "The Daily Record" within ten (10) days of the passage thereof.

I hereby certify that \$ 5,800.00 is available in the  
Current Fund - Account # 0-01-20-165-228

Terry McCue, Administrator/CFO

**RESOLUTION 10-52**  
**RESOLUTION TO TRANSFER FUNDS**

**WHEREAS**, various 2009 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2009 Budget Appropriation Reserve in the last two months of 2009; and

**WHEREAS**, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of commitments or contracts incurred during the preceding unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton that the transfers in the amount of \$10,000.00 be made between the 2010 Budget Appropriation Reserves as follows:

	FROM	TO
Water Utility - Salaries & Wages	\$ 10,000.00	
Other Expenses - Electricity		\$ 10,000.00

**RESOLUTION 10-53**  
**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE 09-00012**

**WHEREAS**, the Tax Collector of the Town of Boonton, New Jersey, has been paid \$ 1,618.35, the necessary amount to redeem the following Tax Sale Certificate held by Frank Festa, Jr. for property assessed to Edilberto & Rosanna Lung, as follows:

Certificate	Block/Lot	Address	Amount
09-00012	107/27	19 Puddingstone Drive	\$ 1,620.48

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancellation, be and is authorized to draw a check in the amount of \$ 1,620.48 from

the Trust account and forward said check to the lienholder, Frank Festa, Jr., PO Box 97, Scotch Plains, NJ 07076.

**BE IT FURTHER RESOLVED** that the Tax Collector be and is hereby authorized to cancel lien 09-00012 from the municipal record.

**CONSENT AGENDA VOTE**

**Resolutions 10-41 through 10-53**

Moved:	Seconded:		Absent	Abstain
	Yes	No		
Board Member				
Mrs. Bujtas				
Mr. Carey				
Mr. Dunn				
Mr. Eoga				
Dr. Keizer				
Mr. Looker				
Mr. Nevadomski				
Mr. Scozzafava				
Mayor Weklsky				

**MEETING OPEN TO THE PUBLIC**

Mayor Weklsky will open the meeting to the public for discussion.

**MAYOR & BOARD OF ALDERMEN COMMITTEE REPORTS**

Committee	Committee Head	Alderman	Alderman
Economic Dev./Marketing	Patricia Bujtas	Michael Eoga	Anthony Scozzafava
Finance & Personnel	Michael Eoga	Paul Nevadomski	Clifford Keizer
Fire	Robert Looker	Clifford Keizer	Daniel Carey
License & Ordinance	Daniel Carey	Anthony Scozzafava	Terry Dunn
Lights, Buildings & Grounds	Clifford Keizer	Patricia Bujtas	Paul Nevadomski
Parking	Anthony Scozzafava	Patricia Bujtas	Daniel Carey
Police	Paul Nevadomski	Clifford Keizer	Terry Dunn
Public Works	Terry Dunn	Robert Looker	Michael Eoga

LIAISON TO:	ALDERMAN
Board of Education	Daniel Carey
Board of Health	Robert Looker
Historic Preservation Commission	Patricia Bujtas
Boonton Holmes Library	Michael Eoga
Housing Authority	Terry Dunn
Local Assistance	Cyrl Weklsky
Municipal Alliance	Anthony Scozzafava
Parks & Recreation	Clifford Keizer
Solid Waste & Recycling	Paul Nevadomski

**MAYOR & BOARD OF ALDERMEN GENERAL DISCUSSION ITEMS**

General Discussion, Announcements and Miscellaneous Items  
from the Mayor and Board of Aldermen

**UNFINISHED BUSINESS**

**ORDINANCE 27-09** - (Public Hearing has been extended from December 21, 2009)  
**AN ORDINANCE OF THE TOWN OF BOONTON AMENDING CHAPTER 300 ENTITLED "ZONING AND LAND USE" OF THE CODE OF THE TOWN OF BOONTON REGULATING TEMPORARY STORAGE STRUCTURES**

Moved:	Seconded:	Yes	No	Absent	Abstain
PUBLIC HEARING					
Mrs. Butas					
Mr. Carey					
Mr. Dunn					
Mr. Eoga					
Dr. Keezer					
Mr. Looker					
Mr. Nevadomski					
Mr. Scozzafava					
Mayor Weklisky					

**MEETING OPEN TO THE PUBLIC**

Mayor Weklisky will open the meeting to the public for discussion.

**RESOLUTION 09-  
 RESOLUTION TO RECESS INTO CLOSED SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
2. The general nature of the subject matter to be discussed is as follows:  
 \_\_\_\_\_
3. It is anticipated at this time that the above stated subject matter will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

Moved: \_\_\_\_\_ Secended: \_\_\_\_\_ Voice Vote: in favor [ ] against [ ]

**ADJOURN**

Moved: \_\_\_\_\_ Secended: \_\_\_\_\_ Voice Vote: in favor [ ] against [ ]

There being no further business, the meeting shall adjourn.

(Time \_\_\_\_\_)