

AGENDA

Monday, March 15, 2010

REGULAR MEETING
MAYOR & BOARD OF ALDERMEN

TOWN OF BOONTON
100 WASHINGTON STREET
BOONTON, NJ 07005

CALL MEETING TO ORDER

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

SALUTE TO THE FLAG

The Mayor and Board of Aldermen will salute the flag.

ROLL CALL

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

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

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 March 12, 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 to each of the Town's official newspapers on March 12, 2010.

PROCLAMATION

WHEREAS, Boonton native Lisa Banta was born to Barbara and David Banta on May 29, 1979. Although visually impaired, Lisa was always encouraged by her loving and supportive parents to be involved in extracurricular activities. It is their encouragement that Lisa credits with her success in life; and

WHEREAS, Lisa became involved in sports as a way to overcome her disability. Through dedication, hard work and great spirit, she built a long and very successful athletic career particularly in Women's Goalball and Track and Field. Her major achievements include medals in javelin, shot put and discus at the 1999 IBSA Pan American Games where she set an American record in discus and a gold medal in goalball at the 2008 Beijing Paralympic Games; and

WHEREAS, Lisa now works full time for the Southern Arizona Association for the Visually Impaired as Director of Health and Wellness Programs. She is a talented, dedicated professional, a role model to the visually impaired and a great inspiration to us all;

NOW, THEREFORE, I, Cyril Wekisky, Mayor of the Town of Boonton on behalf of the Governing Body and the Citizens of the Town of Boonton do hereby congratulate Lisa Banta on her athletic career and express our pride in the distinguished accomplishments of this Boonton native.

Mayor Cyril Wekisky

March 1, 2010

CORRESPONDENCE

1. Letter received from RVRSA (Rockaway Valley Regional Sewerage Authority, dated March 1, 2010 regarding their Annual Municipal Participant Charges
2. Email from Michael Dunne, 603 Monroe Street, dated March 2, 2010 regarding the Mayor and Board of Aldermen's meeting agenda.
3. Email from Michael Dunne, 603 Monroe Street, dated March 2, 2010 regarding the municipal budget
4. Letter received from Jan Kapinos, BACA Committee Treasurer, Boonton Area Cultural Arts requesting the following:
 - a. Use of Grace Lord Park for 2010 summer concerts
 - b. Donation of \$250.00
 - c. Permission to hang 3' x 6' vinyl signs from June 1 – August 20 on the chain link fence near Grace Lord Park advertising the concerts
5. Letter received from Chief Richard Sullivan, Boonton Fire Department on March 5, 2010 requesting permission to use one DPW mason dump truck on the weekend of March 27-28, 2010 for garbage removal during the preparation and event of the 2010 Chief's dinner honoring George Westenberger III.
6. Letter received from Chairman Kevin Osborne, Boonton Fire Department Labor Day Celebration Committee requesting permission regarding the 2010 Labor Day Celebration:
 - a. Permission for the use of Main Street for the parade on September 4, 2010 (rain date Monday, September 6, 2010)
 - b. Police personnel to direct traffic before, during and after the parade and one police vehicle to lead the parade.
 - c. Permission to serve alcoholic beverages on the Boonton High School Athletic Field during the celebration
 - d. The services of the employees as well as vehicles assigned to the DPW for the preparation and servicing at the Athletic Field before, during and after the celebration.

Also included in the letter was an invitation to the Mayor and Board of Aldermen to review the parade and join in celebrating 119 years of continuous service to the community.

7. Email received from Sara Driesse, Boonton Area MOMS Club, requesting permission to post fundraising signs for the LUNGevity Foundation by offering a Pancake Breakfast at the Montville Senior House on May 1, 2010.
8. Letter received on March 12, 2010 from Karen Korinda, Executive Director of Boonton Main Street, Inc. requesting permission for the following:
 - A. Use of the Upper Plane Street Parking Lot, Canal side Park and Grace Lord Park for the First Annual Music Festival on Saturday, May 22, 2010 from noon until 6:00 p.m.
 1. To have a professional installed tent
 2. Waiver of Town imposed vendor fees
 3. Street Department to provide at least two barricades and trash barrels
 4. Use of electricity
 5. Place banners on the fence at the intersection of Main, West Main, North Main and Highland Aves., and two sandwich board signs across from Town Hall and along Myrtle Avenue.

9. Letter received on March 12, 2010 from Karen Korinda, Executive Director of Boonton Main Street, Inc. requesting permission for the Boonton Farmers Market which will run each Saturday from June 12 through October 30, 2010 from 8:30 a.m. – 2:00 p.m., including:
- A. Use of the Upper Plane Street Parking Lot
 - 1. Boonton Main Street presence (A Frame signs, tables, tent canopy, chairs, etc.
 - 2. Street Department to provide at least two barricades and trash barrels for the duration of the market
 - 3. Placement of three banners: The parking lot fence, the fence at the intersection of Main, West Main, North Main and Highland Aves., and two sandwich board signs across from the Town Hall and along Myrtle Avenue
 - 4. Use of electrical receptacles installed last year.

MEETING OPEN TO THE PUBLIC

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

CONSENT AGENDA

Resolutions 10-77 through 10-82 have been placed on the Consent Agenda

RESOLUTION 10-77
RESOLUTION REGARDING POLICE OFFICER SCOTT D. GAMSBY FOR HIS RETURN FROM IRAQ SERVING IN THE UNITED STATES MARINE CORPS RESERVE

WHEREAS, Police Officer Scott D. Gamsby is a member of the United States Marine Corps Reserve; and

WHEREAS, Officer Gamsby was activated on May 15, 2009 to serve overseas in operations in Iraq; and

WHEREAS, Lance Corporal Gamsby served as a member of the Incident Response Platoon assigned to the Marine Wing Support Squadron 472 of Marine Air Group 26 as a machine gunner. While based at Al Asad and Al Tagaddum airbases near Ramadi, Lance Corporate Gamsby was responsible for the safety and security of fellow Marines and Sailors on combat, rescue and recovery and forward area arming and refueling missions; and

WHEREAS, Lance Corporal Gamsby's active duties took place in combat missions totaling over 3,000 miles throughout the Al Anbar Province of Iraq. His unit helped assist Allied Iraqi and coalition forces in keeping the peace in that once hostile province; and

WHEREAS, Lance Corporal Gamsby returned to the United States with his unit upon completion of their mission in Iraq.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, County of Morris and State of New Jersey, that we salute Lance Corporal and Police Officer Gamsby's sacrifice for our country and bless his safe return to the Town of Boonton and to the Police Department.

RESOLUTION 10-78

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:

March 1, 2010

RESOLUTION 10-79

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 10-80
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
094-0	412 William Street	Bad Reading	\$ 197.56

RESOLUTION 10-81
RESOLUTION ENDORSING THE SUBMISSION OF A RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR YEAR 2009

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2009 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Board of Aldermen to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and Recycling Regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

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 submission of a recycling tonnage grant application to the New Jersey Department of Environmental Protection and directs Janet LaChance to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

RESOLUTION 10-82
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 A REQUIRED INSPECTION OF THE OLD MORRIS CANAL DAM

WHEREAS, the Town of Boonton is desirous of obtaining professional engineering services relative to an inspection and report of the Old Maris Canal Dam required by the NJDEP; 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 Old Morris Canal 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)(i) 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 unspecified 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 \$ 2,500.00, in accordance with the proposal submitted by Suburban Consulting Engineers for said project, dated March 8, 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 Citizen" within ten (10) days of the passage thereof.

I hereby certify that \$ 2,500.00 is available in the Current Fund, Account # 0-01-26-310-226

Terry McCue, Administrator/CFO

**RESOLUTION 10-83
RESOLUTION APPOINTING CHRISTOPHER J. CHIAPPA AS A MEMBER OF THE BOONTON
VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton that Christopher J. Chiappa, 122 Plane Street, Apt. 6-F, Boonton, New Jersey, be and is hereby appointed as a member of the Boonton Volunteer Fire Department, Salvage and Rescue Co., effective March 15, 2010.

CONSENT AGENDA VOTE

Resolutions 10-77 through 10-83

Moved:	Board Member	Yes	No	Seconded:	Absent	Abstain
	Mrs. Bujas					
	Mr. Carey					
	Mr. Dunn					
	Mr. Eoga					
	Dr. Keezer					
	Mr. Looker					
	Mr. Nevadomski					
	Mr. Scozzafava					
	Mayor Weklisky					

MAYOR & BOARD OF ALDERMEN COMMITTEE REPORTS

Committee	Committee Head	Alderman	Alderman
Economic Dev./Marketing	Patricia Bujas	Michael Eoga	Anthony Scozzafava
Finance & Personnel	Michael Eoga	Paul Nevadomski	Clifford Keezer
Fire	Robert Looker	Clifford Keezer	Daniel Carey
License & Ordinance	Daniel Carey	Anthony Scozzafava	Terry Dunn
Lights, Buildings & Grounds	Clifford Keezer	Patricia Bujas	Paul Nevadomski
Parking	Anthony Scozzafava	Patricia Bujas	Daniel Carey
Police	Paul Nevadomski	Clifford Keezer	Terry Dunn
Public Works	Terry Dunn	Robert Looker	Michael Eoga
LIAISON TO:			
	Board of Education	ALDERMAN	
	Board of Health	Daniel Carey	
	Historic Preservation Commission	Robert Looker	
	Boonton Holmes Library	Patricia Bujas	
	Housing Authority	Michael Eoga	
	Local Assistance	Terry Dunn	
	Municipal Alliance	Cyril Weklisky	
	Parks & Recreation	Anthony Scozzafava	
	Solid Waste & Recycling	Clifford Keezer	
		Paul Nevadomski	

MAYOR & BOARD OF ALDERMEN - GENERAL DISCUSSION ITEMS

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

MEETING OPEN TO THE PUBLIC

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

NEW BUSINESS

ORDINANCE 03-10 - Introduction/By Title Only

AN ORDINANCE OF THE TOWN OF BOONTON OF MORRIS, STATE OF NEW JERSEY, AMENDING A PORTION OF CHAPTER 80, ANIMALS, SECTION 80-3, LICENSING, OF THE REVISED GENERAL ORDINANCES

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

ORDINANCE 04-10- Introduction/By Title Only

AN ORDINANCE OF THE TOWN OF BOONTON AMENDING CHAPTER 229 OF THE CODE OF THE TOWN OF BOONTON ESTABLISHING WATER AND SEWER RATES FOR ALL CUSTOMERS

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

CLOSED SESSION

**RESOLUTION 10-
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: _____ Seconded: _____ Voice Vote: in favor against

ADJOURN

There being no further business, the meeting shall adjourn.

(Time _____)

Moved: _____ Seconded: _____ Voice Vote: in favor against