

AGENDA

Monday, May 3, 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 Wekilsky	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 April 30, 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 April 30, 2010.
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PROCLAMATION

Mayor Wekilsky will present a Proclamation for George Bono

WHEREAS, Boonton native George Bono enlisted in the U.S. Army and began Basic Training in August of 1994. After assignments at Fort Hood, Texas and Fort Knox, Kentucky, George was stationed in Mannheim, Germany for a number of years. He is currently a Staff Sergeant at Fort Carson, Colorado; and

WHEREAS, George served in Kosovo as part of a peacekeeping force during the ethnic conflicts in the Balkans. Later, he served three tours of duty in Iraq. With a Military Occupation Specialty of Motor Transport Operator, George was made Convoy Commander with the MRAP Gun Truck during his last deployment to Afghanistan; and

WHEREAS, George has been awarded six Army Commendation Medals, six Army Achievement Medals, four Good Conduct Medals, the Global War on Terror Expeditionary Medal, the Iraqi Combat Medal with Campaign Star, the Afghanistan Combat Medal with Campaign Star and the Combat Action Badge. Most recently, George was presented the Bronze Star;

NOW, THEREFORE, I, Mayor Cyril Wekilsky, on behalf of the Board of Alderman and the People of Boonton, do hereby express our deep gratitude to George Bono

for his tremendous sacrifices in the service of our country. We congratulate him on his much deserved honors and we express to him and his children Sarah and Anthony our best wishes for the future.

CORRESPONDENCE

1. Letter received from Dean Mackey, Treasurer, The Boonton Cemetery Association regarding water service to the Boonton Cemetary located on Boonton Avenue.

MEETING OPEN TO THE PUBLIC

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

CONSENT AGENDA

Resolutions 10-103 through 10-112 have been placed on the Consent Agenda

RESOLUTION 10-103

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:

April 19, 2010

RESOLUTION 10-104

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 10-105

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON AWARDING A CONTRACT FOR THE PURCHASE OF WATER TREATMENT CHEMICAL PROCUREMENT - GAS CHLORINE

WHEREAS, the Town of Boonton solicited and received sealed bids on March 30, 2010 for the purchase of water treatment chemicals: Gas Chlorine:

Coyne Chemical	\$	1,494.00
Main Pool and Chemical Co., Inc.	\$	1,788.00
JCI Jones Chemicals, Inc.	\$	720.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that pursuant to the recommendation of the the Town Engineer and DPW Superintendent, a contract to purchase of the above referenced water treatment chemicals be and is hereby awarded JCI Jones Chemicals, Inc., 103 River Street, Warwick, NY 10990, contingent upon the Chief Financial Officer's certification of the availability of adequate funds therefor.

I, Terry McCue, Administrator/Chief Financial Officer, hereby certifies that funds are available in the Water Utility Fund Account, # 0-05-55-502-231

Terry McCue, Administrator/CFO

RESOLUTION 10-106

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON
AWARDING A CONTRACT FOR THE PURCHASE OF WATER TREATMENT CHEMICAL
PROCUREMENT - CATIONIC SOLUTION GRADE POLYMER, CALCIUM HYPOCHLORITE
TABLETS AND LIQUID CORROSION INHIBITOR**

WHEREAS, the Town of Boonton solicited and received a sealed bid on March 30, 2010 for the purchase of water treatment chemicals on March 30, 2010 from George S. Coyne Chemical Co., Inc. as follows:

Cationic Solution Grade Polymer	\$ 4,800.00
Calcium Hypochlorite Tablets	\$ 16,992.00
Liquid Corrosion Inhibitor	\$ 14,093.51

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that pursuant to the recommendation of the the Town Engineer and DPW Superintendent, a contract to purchase of the above referenced water treatment chemicals be and is hereby awarded George S. Coyne Chemical Co., Inc., 3015 State Road, Croydon, PA 19021-6997, contingent upon the Chief Financial Officer's certification of the availability of adequate funds therefor.

I, Terry McCue, Administrator/Chief Financial Officer, hereby certifies that funds are available in the Water Utility Fund Account, # 0-05-55-502-231

Terry McCue, Administrator/CFO

RESOLUTION 10-107

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON
AWARDING A CONTRACT FOR THE PURCHASE OF WATER TREATMENT CHEMICAL
PROCUREMENT - Sodium Hypochlorite**

WHEREAS, the Town of Boonton solicited and received sealed bids on March 30, 2010 for the purchase of water treatment chemicals: Sodium Hypochlorite

George S. Coyne Chemical Inc.	\$ 1,092.00
Main Pool and Chemical Co., Inc.	\$ 678.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that pursuant to the recommendation of the the Town Engineer and DPW Superintendent, a contract to purchase of the above referenced water treatment chemicals be and is hereby awarded Main Pool and Chemical Company, Inc., 110 Commerce Road, Dupont, PA 18641, contingent upon the Chief Financial Officer's certification of the availability of adequate funds therefor.

I, Terry McCue, Administrator/Chief Financial Officer, hereby certifies that funds are available in the Water Utility Fund Account, # 0-05-55-502-231

Terry McCue, Administrator/CFO

RESOLUTION 10-108

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON
ENDORING AN APPLICATION FOR A SPECIAL PERMIT FOR SOCIAL AFFAIRS FOR THE ELKS
CLUB**

WHEREAS, Dancing For Shane, A NJ Non-Profit Organization, is making application to the State of New Jersey ABC for a special permit, to serve alcoholic beverages at The Elks Club, 125 Cornelia Street, Boonton, NJ 07005 on June 12, 2010 from 6:00 p.m. to 10:00 p.m. to raise funds for Shane Haltmeier and his family for expenses related to cancer treatment

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, believe that this is a worthwhile cause; 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 Dancing for Shane for a one-day permit from 6:00 p.m. through 10:00 p.m., June 12, 2010 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 10-109

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, AUTHORIZING THE RELEASE OF CASH PERFORMANCE BOND

WHEREAS, Thomas D. Menard has entered into an agreement with the Town of Boonton for the construction project located at Block 113, Lots 9.15 - 18 Hapgood Court - and in connection therewith submitted a cash performance bond in the amount of \$ 4,014.00 for a driveway; and

WHEREAS, Mr. Menard's request for the release of this bond has been reviewed by the Town Engineer, who has, by way of his letter dated April 19, 2010 recommended that the bond be released in the amount of \$4,014.00 with the condition that the Developer/Contractor will be permitted to enter the property to finalize grading of the swale on the south side of the driveway (adjacent to Lot 9.14) that is yet to be constructed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the Chief Finance Officer is hereby directed to return the cash performance bond to Thomas D. Menard in the amount of \$ 4,014.00.

RESOLUTION 10-110

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON OPPOSING SENATE BILL S-458, TRANSFERRING MUNICIPAL TAX ASSESSOR AND TAX COLLECTOR TO THE COUNTY

WHEREAS, Senator Robert Smith (D-17) of Middlesex County and Senator Joseph Kyrillos (R-13) of Monmouth County have introduced legislation, Senate Bill No. S458, that calls for the consolidation of the Office of Municipal Tax Collector, as well as the Office of Municipal Tax Assessor; and

WHEREAS, the legislation calls for the decision to be made on a county to county referendum and calls for the Commissioner of Community Affairs and the Director of the Division of Taxation to develop a comprehensive Master Plan to phase out these municipal offices and transfer them to the county within two years; and

WHEREAS, S458 directs that the plan shall effectuate long range cost savings through the consolidation of these functions with no empirical data or factual studies showing a transfer of these functions to a county authority will in any way reduce property taxes or improve the delivery of service of these functions; and

WHEREAS, legislation was passed and signed into law last year authorizing a pilot program in Gloucester County to study, over several years, the cost/benefits of county wide tax assessment; and

WHEREAS, the Local Unit Alignment, Reorganization and Consolidation Commission (LUARCC) was approved by the legislature and established on March 15, 2007 as part of P.L. 2007, 54 of part of the 2007 Property Tax Relief Act for the purpose of recommending legislative changes which would encourage the more efficient operation of local government; and

WHEREAS some of the conclusions contained in the LUARCC March, 2009 Report "A Quest for Efficiency on Local Government" state: "The main reason for centralizing services is to provide economies of scale or better resources to improve service quality or reduce the costs of delivery." And further states: "That economies of scale do exist, but according to the literature, only for capital-intensive or specialized services that are relatively infrequent at the local level"; and

WHEREAS, LUARCC, in the Executive Summary of the same March, 2009 Report, acknowledges that it will expand its focus to include the efficiency in service delivery and the methods used in the assessment and collection of taxes; and

WHEREAS, the law establishing the Gloucester County pilot program for county wide tax assessment requires LUARCC to evaluate the program at the end of six (6) years; and

WHEREAS, S458 would usurp the function of the LUARCC, which the legislature created in 2007 and directs the Department of Community Affairs and the Department of Treasury to perform a brief ninety (90) day study of a very complex delivery of services and do so without public input; and

WHEREAS, the findings in the March 2009 LUARCC do not support the premise conveyed in S458 and passage of S458 could cause irreparable damage to the delivery of services and the public's confidence in the functions of Tax Assessor and Tax Collector.

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 as follows:

1. The Mayor and Board of Aldermen of the Town of Boonton oppose Senate Bill No. S458.
2. The Municipal Clerk of the Town of Boonton is instructed to forward a copy of this Resolution to: Governor Chris Christie, Senate President Stephen M. Sweeney, Assembly Speaker Sheila Oliver, Senator Thomas H. Kean Jr., Assemblyman Michael Carroll and Anthony Bucco, Morris County Board of Chosen Freeholders, The New Jersey League of Municipalities, the Tax Collectors and Treasurers Association of New Jersey (TCTANJ), the New Jersey Association of County Tax Boards (NCACTB), and the Association of Municipal Assessors of New Jersey (AMANJ) and all municipalities in the County of Morris.

RESOLUTION 10-111

RESOLUTION APPOINTING KEVIN T. WILL 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 Kevin Will, 49 Dogwood Road, Boonton, New Jersey, be and is hereby appointed as a member of the Boonton Volunteer Fire Department, Maxfield Hook & Ladder Co. effective May 5, 2010.

RESOLUTION 10-112

RESOLUTION AUTHORIZING THE TOWN CLERK TO ISSUE TAXI/LIMOUSINE LICENSE

WHEREAS the following applicant for Taxi/Limousine License has met the requirements as stated in Chapter V, Title 5-6 (Taxicabs) of the Revised General Ordinances of the Town of Boonton;

License # 15 - Express Rider Limousine LLC, 328 Boonton Avenue

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen do hereby authorize the Town Clerk to issue Taxi/Limousine License, effective May 3, 2010.

CONSENT AGENDA VOTE

Resolutions 10-103 through 10-112

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

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 Keezer
Fire	Robert Looker	Clifford Keezer	Daniel Carey
License & Ordinance	Daniel Carey	Anthony Scozzafava	Terry Dunn
Lights, Buildings & Grounds	Clifford Keezer	Patricia Bujtas	Paul Nevadomski
Parking	Anthony Scozzafava	Patricia Bujtas	Daniel Carey
Police	Paul Nevadomski	Clifford Keezer	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	Cyril Wekilsky
Municipal Alliance	Anthony Scozzafava
Parks & Recreation	Clifford Keezer
Solid Waste & Recycling	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 Wekilsky will open the meeting to the public for discussion.

NEW BUSINESS

ORDINANCE 06-10 (Introduction/Title Only)

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY REGARDING REFUSE CONTAINERS/DUMPSTERS

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

ORDINANCE 07-10 (Introduction/Title Only)

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGARDING PRIVATE STORM DRAIN INLET RETROFITTING

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

CLOSED SESSION

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: _____ Seconded: _____ Voice Vote: in favor [] against []

ADJOURN

There being no further business, the meeting shall adjourn.

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

(Time _____)
