

AGENDA

Monday, May 17, 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 FLAG

The Mayor and Board of Aldermen will then salute the flag.

ROLL CALL

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

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

ADEQUATE NOTICE

Mayor's statement re: Adequate Notice of Meeting

Pursuant to the requirements of RS 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 the agenda was posted May 14, 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 May 14, 2010.

MAYOR'S APPOINTMENT

I, Cyril Weklsky, hereby appoint Doreen Amari Ohlott, 225 Oak Street, to be a member of Boonton Parks & Recreation Committee, to fill an unexpired term ending December 31, 2011.

CORRESPONDENCE

1. Letter received from Kathy Murarik, 4-H Program Associate, Rutgers -requesting permission to post signs advertising the 4-H Fair 2010 being held from July 23 - 25, 2010.
2. Letter received from Kiwanis President Linda Savercool-requesting permission to use a municipal parking lot for various fundraising events.

MEETING OPEN TO THE PUBLIC - CONSENT AGENDA

Mayor Weklsky will open this portion of the meeting to the Public for comments regarding the Consent Agenda.

CONSENT AGENDA

Resolutions 10-115 through 10-119 have been placed on the Consent Agenda

RESOLUTION 10-115

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:

May 3, 2010

RESOLUTION 10-116

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 10-117

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 & Block/Lot	Address	Reason	Amount
Water/100-0	414 Main Street	Inactive	\$ 112.00
Sewer/100-0	414 Main Street	Inactive	\$ 405.00

RESOLUTION 10-118

RESOLUTION TO CANCEL RESOLUTION 10-113

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that Resolution 10-113, entitled Resolution Authorizing Emergency Award of Contract Without Public Bidding Pursuant To N.J.S.A. 40A:11-6 which was adopted on May 3, 2010, be and is hereby canceled.

RESOLUTION 10-119

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE PERSONNEL POLICY MANUAL

WHEREAS, it is the policy of the Town of Boonton to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Board of Aldermen have determined that there is a need to revise and supplement the Town of Boonton Personnel Policies and Procedures Manual to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, in the County of Morris and State of New Jersey, that the Personnel Policies and Procedures Manual is hereby revised and adopted, as follows:

Chapter II, Section 30	Americans with Disabilities Policy
Chapter II, Section 28	AIDS and Other Catastrophic Illnesses Policy
Chapter II, Section 29	Conscientious Employee Protection Policy
Chapter II, Section 33	Open Public Meetings Act Procedure Concerning Personnel Matters
Chapter II, Section 34	Processing and Orientation of New Employees Procedures
Chapter II, Section 35	Anti-Discrimination Policy
Chapter II, Section 36	Driver's License Policy
Chapter II, Section 38	Requests for Employment Verification and Reference Procedure
Chapter II, Section 39	Continuing Education Procedure
Chapter II, Section 41	Employee Handbook Procedure
Chapter III, Section 37	Employee Complaint Investigation Procedure
Chapter IV, Section 14	Family and Medical Leave
Chapter VI, Section 11	Drinking and Use of Drugs
Chapter VI, Section 12	General Anti-Harassment Policy
Chapter VI, Section 13	Employee Complaint Policy
Chapter VI, Section 14	Anti-Sexual Harassment Policy
Chapter VI, Section 15	E-Mail, Voice Mail and Internet Usage Policy
Chapter VII, Section 4	Personnel File Procedure
Chapter IX	Employee Disciplinary Action and Discriminatory Complaint
Chapter XII, Section 1	Employment Procedure
Chapter XII, Section 2	Initial Employment Period Procedure
Chapter XII, Section 3	Performance Evaluation procedure

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Town officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or federal or state law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by the Town of Boonton employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Board of Aldermen.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Town of Boonton shall operate under the legal doctrine known as "employment at will."

CONSENT AGENDA VOTE

Resolutions 10-115 through 10-119

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 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 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	Terry Dunn	Patricia Bujtas	Daniel Carey
Police	Paul Nevadomski	Clifford Keezer	Terry Dunn
Public Works	Cyril Weklsky	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 Foga
Housing Authority	Terry Dunn
Local Assistance	Cyril Weklsky
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

UNFINISHED BUSINESS

ORDINANCE 05-10
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) – CALENDAR YEAR 2010

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

2010 MUNICIPAL BUDGET PUBLIC HEARING

Mayor Weklsky will open this portion of the meeting for Public Hearing regarding the 2010 Municipal Budget

RESOLUTION 10-120
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON AUTHORIZING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and **WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Town of Boonton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Town meets the necessary conditions to participate in the program for the 2010 budget year, so now therefore

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" Law.)

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriation are properly set forth;
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
 5. The budget has been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
 6. That all other applicable statutory requirements have been fulfilled.
- BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

RESOLUTION 10-121

RESOLUTION TO ADOPT THE 2010 MUNICIPAL BUDGET

WHEREAS, the 2010 budget has been introduced and the public hearing for same has heretofore been conducted as advertised;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Aldermen of the Town of Boonton, New Jersey, that the budget for the Town of Boonton for the year 2010 be and is hereby adopted as attached and made a part hereof.

Motion:	Yes	No	Absent	Abstain
Second:				
Mrs. Bujtas				
Mr. Carey				
Mr. Dunn				
Mr. Eoga				
Dr. Keezer				
Mr. Looker				
Mr. Nevadomski				
Mr. Scozzafava				
Mayor Weklsky				

MEETING OPEN TO THE PUBLIC

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

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

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

There being no further business, the meeting shall adjourn.

(Time _____)

_____ Date Approved: _____