

AGENDA

Monday, June 21, 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 June 18, 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 June 18, 2010.

PROCLAMATION

Mayor Wekilsky will present a Proclamation to Christopher J. Dufford being honored by the Elks Lodge with an Honorary Life Membership

CORRESPONDENCE

1. Letter dated June 6, 2010, received from Edward Reynolds, Vice President, Harmony Senior Drum Corp requesting permission to hold a car wash fundraiser in the Town Hall parking Lot on Saturday, August 14, 2010.
2. Letter dated June 9, 1020, received from Mr. Peter Lauer, 195 North Main Street, regarding garbage collection.
3. Letter received from Karen Korinda, Boonton Main Street Inc., requesting permission to hold their antique and classic Car show on August 21 (rain date August 22, 2010). Their request includes:
 - Permission to close Main Street from Liberty Street to Morris Avenue from 3:00 p.m. until 8:30 p.m.

- Waiver from fees charged by the Town Police
- Hang banners in three locations
- Waiver from vendor fees.

MEETING OPEN TO THE PUBLIC FOR CONSENT AGENDA

Mayor Wekilsky will open the meeting to the public for discussion of the Consent Agenda

CONSENT AGENDA

Resolutions 10-131 through 10-138 have been placed on the Consent Agenda

RESOLUTION 10-131

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:

June 7, 2010

RESOLUTION 10-132

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 10-133

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
Sewer - 1185-0	336 Wootton Street	No Sewer Connection	\$ 67.50

RESOLUTION 10-134

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY PROMOTING BRIAN REED OF THE PUBLIC WORKS DEPARTMENT

BE IT RESOLVED by the Mayor and Board of Aldermen that Brian Reed be and is hereby promoted to Permanent Assistant Supervisor, Public Works, effective immediately.

RESOLUTION 10-135

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, CERTIFYING THE 2009 ANNUAL AUDIT

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

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; 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, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; 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, 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 the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the 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 (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 Board of Aldermen of the Town of Boonton, New Jersey hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION 10-136

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR 2010-2011

WHEREAS, the following applications have been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2010/2011, effective July 1, 2010; and

WHEREAS, the Police Department has recommended the renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the following Alcoholic Beverage Control Applications be processed:

Boonton Elks Club Inc.	1401-31-01-4001
Slovak Gymnastic Union	1401-31-01-5001
Boonton VFW Post 242	1401-31-01-8001
Boonton Lounge, LLC	1401-33-00-2002
M.A.R.J.E. (Mel's Sports Bar)	1401-33-003-005
EFJ5, Inc. (Matta Donna)	1401-33-006-006
Boonton Road House, LLC	1401-33-008-006
The 3 rd Rail LLC (Switch)	1401-33-019-008
EKM Liquors, Inc. (Liquor Outlet)	1401-44-001-006
S.A.D. Corporation (Harmony)	1401-44-004-002
Steinhausers Tavern Inc.	1401-33-010-006
WC Boonton, LLC (Wine Country)	1401-44-011-006

RESOLUTION 10-137

RESOLUTION AUTHORIZING THE TOWN OF BOONTON TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C. 72

WHEREAS, due to the County Board of Taxation unable to certify a tax rate due to various issues at the state level and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis, it has become necessary to issue estimated tax bills for the 3rd Quarter of 2010; and

WHEREAS, the Municipal Tax Collector in consultation with the Municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated levies;

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, on the 21st day of June, 2010, as follows:

1. The Town of Boonton Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town for the third installment of 2010 taxes. The Tax Collector shall proceed and take such actions as necessary.
2. The entire estimated levy for 2010 is hereby set at \$27,210,810.62 for an estimated tax rate of \$2.110.

3. In accordance with law the third installment of 2010 shall not be subject to interest until the later of August 10, 2010. Any payment received after August 10, 2010 shall have interest calculated from August 1, 2010.

RESOLUTION 10-138

RESOLUTION TO SUPPORT ASSEMBLY BILL NO. 2555 AMENDING THE MANDATED FUNDING OF MUNICIPAL LIBRARIES

WHEREAS, there has been introduced in the New Jersey State Assembly, Assembly Bill No. 2555, which seeks to amend the law on funding of municipal libraries; and

WHEREAS, the law presently provides that a municipal library shall receive from a municipality an amount equal to one-third of a mill on every dollar of assessable property within the municipality, based upon the equalized valuation of such property; and

WHEREAS, during harsh economic times when the State and local governments are facing a significant loss of revenue and an increase in expenses; and

WHEREAS, Assembly Bill No. 2555 seeks to amend the funding of municipal libraries from the above-referred formula to an amount, which in the judgment of the body that controls the library, is deemed necessary for the proper maintenance of a free public library; and

WHEREAS, the Mayor and Board of Aldermen wish to go on record of supporting such an amendment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, County of Morris, State of New Jersey, that they hereby support Assembly Bill No. 2555 and encourage the State Assembly and Senate to enact such legislation.

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Senate, the New Jersey Assembly, the Governor of the State of New Jersey, and to the State representatives representing the residents of the Town of Boonton.

CONSENT AGENDA VOTE

Resolutions 10-131 through 10-138

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				

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 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 08-10 - Final

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CERTAIN PORTIONS OF THE TOWN CODE REGARDING FEES FOR PUBLIC RECORDS

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

ORDINANCE 09-10 - Final

AN ORDINANCE OF THE TOWN OF BOONTON FIXING THE SALARIES AND WAGES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, FOR THE YEAR 2010

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

RESOLUTION 10-10

BOND ORDINANCE APPROPRIATING \$348,150 AND AUTHORIZING THE ISSUANCE OF \$331,425 BONDS OR NOTES OF THE TOWN, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY

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

RESOLUTION 11-10

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$198,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$113,000 BONDS OR NOTES OF THE TOWN FOR FINANCING SUCH APPROPRIATION

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

RESOLUTION 12-10

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF A NEW SEWER CLEANING AND VACUUM TRUCK FOR USE BY THE SEWER UTILITY OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$288,750 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$275,000 BONDS OR NOTES OF THE TOWN FOR FINANCING SUCH APPROPRIATION

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

MEETING OPEN TO THE PUBLIC

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

NEW BUSINESS

ORDINANCE 13-10 (Introduction/Title Only)

AN ORDINANCE OF THE TOWN OF BOONTON AMENDING THE CODE OF THE TOWN OF BOONTON TO INCLUDE PROVISIONS REGULATING RESIDENTIAL SINGLE FAMILY RENTAL AND MULTI-FAMILY HOUSING PROPERTIES

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				

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.

Moved: _____ Seconded: _____ Voice Vote: in favor [] against []
(Time _____)