

# **A G E N D A**

Tuesday, January 17, 2012

Regular Meeting  
Mayor & Board of Aldermen

Town of Boonton  
100 Washington Street  
Boonton, NJ 07005

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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 FLAG**

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

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## **ROLL CALL**

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

Mr. Michael Eoga	1 <sup>st</sup> Ward Alderman
Mr. Daniel Carey	1 <sup>st</sup> Ward Alderman
Mr. Paul Nevadomski	2 <sup>nd</sup> Ward Alderman
Dr. Clifford Keezer	2 <sup>nd</sup> Ward Alderman
Mr. Robert Looker	3 <sup>rd</sup> Ward Alderman
Mr. Terry Dunn - BOARD PRESIDENT	3 <sup>rd</sup> Ward Alderman
Mrs. Patricia Bujtas	4 <sup>th</sup> Ward Alderman
Mr. Anthony Scozzafava	4 <sup>th</sup> Ward Alderman
Mr. Cyril Wekilsky	Mayor
Mr. Fred Semrau/Ms. Jane Coviello	Town Attorney
Mr. Terry McCue	Administrator
Mrs. Cynthia Oravits	Town Clerk

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## **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 14, 2011 and the agenda was posted December 14, 2011.
  2. Notice of the meeting was published in the Citizen of Morris County and the Daily Record Newspapers on December 14, 2011 and a copy of the agenda was sent to each of the Town's official newspapers on January 14, 2012.
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## **PRESENTATION**

Robert Curti, P.E. and Peter Kocisck, P.E. of Hatch Mott, representing the RVRSA will make a presentation regarding the installation of a gravity spur sewer line parallel to Morris Avenue, on lands which are designated as open space by Green Acres.

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## **CORRESPONDENCE**

1. Email from Scott Trimmer, RVRSA, requesting the electrical fees be waived associated with the bypass pumping project on Morris Avenue.
  2. Letter received from William J. Sheridan regarding public notification of a CDBG Grant for the New Jersey Fireman's Home in order to fund heating and cooling improvements.
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**CONSENT AGENDA**

Resolutions 12-41 through 12-48 have been placed on the Consent Agenda

**RESOLUTION 12-41**

**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:

January 1, 2012 - Sine Die  
January 1, 2012 - Reorganization & Regular Meeting

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**RESOLUTION 12-42**

**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.

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**RESOLUTION 12-43**

**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
Water # 3875-0	734 William Street	Clerical Error	\$ 76.84
Water # 3453-0	93 Old Denville Road	Bad Reading	\$ 554.91
Water # 774-0	811 Cedar Street	Meter Problem	\$ 18.21

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**RESOLUTION 12-44**

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE 11-00001**

**WHEREAS**, the Tax Collector of the Town of Boonton, New Jersey, has been paid \$ 224,999.75, the necessary amount to redeem the following Tax Sale Certificate held by R.J. Maroon Realty, LLC for property assessed to Pilgrim at Church Street, LLC, as follows:

Certificate	Block/Lot	Address	Amount
11-00001	12/1	204 Church Street	\$ 224,999.75

**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 \$ 224,999.75 from the Trust account and forward said check to the lienholder, R.J. Maroon Realty, LLC, PO Box 668, Pompton Plains, NJ 07444.

**BE IT FURTHER RESOLVED** that the Tax Collector be and is hereby authorized to cancel lien 11-00001 from the municipal record.

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**RESOLUTION 12-45**

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE 11-00001**

**WHEREAS**, the Tax Collector of the Town of Boonton, New Jersey, has been paid \$ 224,999.75, the necessary amount to redeem the following Tax Sale Certificate held by Royal Tax Lien Services, LLC for property assessed to Novak, Sibyl and Benjamin, as follows:

Certificate	Block/Lot	Address	Amount
09-00003	43/5-01	210 Ross Drive	\$ 36,788.63

**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 \$ 36,788.63 from the Trust account and forward said check to the lienholder, Royal Tax Lien Services, LLC, 115 West Avenue, Jenkintown, PA 19046.

**BE IT FURTHER RESOLVED** that the Tax Collector be and is hereby authorized to cancel lien 09-00003 from the municipal record.

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**RESOLUTION 12-46**

**RESOLUTION AWARDING A CONTRACT FOR CONTRACT "A" FOR THE CONSTRUCTION OF THE GREEN STREET 1MG WATER STORAGE TANK REPLACEMENT**

**WHEREAS**, the Town of Boonton did solicit and receive competitive bids for Green Street 1MG Water Storage Tank Replacement, Contract A: Pump Station & Interconnection Improvements as follows:

<b>Company</b>	<b>Bid</b>
CFM Construction Inc.	\$ 216,400.00
Rapid Pump & Meter Service Co., Inc.	\$ 254,640.00
Ray Palmer Associates, Inc.	\$ 329,800.00
Ferraro Construction Corp.	\$ 439,066.00

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey that, in accordance with the Town Engineer's recommendation dated December 12, 2011, a contract in the amount of \$ 216,400.00 for Contract "A" of the Green Street 1MG Water Storage Tank Replacement be and is hereby awarded to CFM Construction, Inc., 5 Bay Street, Stirling, NJ in accordance with their bid; subject to the Chief Finance Officer's certification of the availability of adequate funds therefor.

I, hereby certify that \$ 216,400.00 is available in the Water Capital Fund  
Account No. H-06-55-573-001

\_\_\_\_\_  
Terry McCue

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**RESOLUTION 12-47**

**RESOLUTION APPROVING THE USE OF RECREATIONAL FACILITIES**

**WHEREAS**, the Boonton Historical Society, Inc. , has submitted an application to the Town Clerk for the use of the Miller Kingsland House for their 2012 Trustee meetings.

**BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that all papers being in good order, the Clerk is hereby authorized to approve the use of the Miller Kingsland House, located on Vreeland Avenue, for the Boonton Historical Society Trustee Meetings throughout 2012.

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**RESOLUTION 12-48**

**RESOLUTION AUTHORIZING THE MORRIS COUNTY CENTER FOR THE ARTS AT THE DARRESS THEATRE TO OBTAIN ENTERTAINMENT PERMIT**

**WHEREAS**, Mr. Thomas Timbrook has applied to the Town of Boonton for an Entertainment Permit; and

**WHEREAS**, the premises known as The Morris County Center for the Arts at the Darress Theatre, located at 615 Main Street, Boonton, New Jersey, County of Morris 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, 2012.

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**MEETING OPEN TO THE PUBLIC FOR CONSENT AGENDA**

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

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**CONSENT AGENDA VOTE**

**Resolutions 12-41 through 12-48**

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
	<b>LIAISON TO:</b>	<b>ALDERMAN</b>	
	Board of Education	Daniel Carey	
	Board of Health	Robert Looker	
	Historic Preservation Commission	Patricia Bujtas	
	Boonton Holmes Library	Michael Eoga	
	Housing Authority	Terry Dunn	
	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

**NEW BUSINESS**

**RESOLUTION 12-49**

**RESOLUTION SUPPORTING STATE HOUSE COMMISSION PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR DIVERSION OF APPROXIMATELY 5,000 SQUARE FEET (0.11 ACRES) OF GRACE LORD PARK FOR THE EMERGENCY MORRIS AVENUE SANITARY SEWER INSTALLATION**

**WHEREAS**, Block 34, Lot 15 is part of the Town of Boonton Grace Lord Park which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection’s Green Acres Program; and

**WHEREAS**, in conjunction with the proposed Emergency Morris Avenue Sanitary Sewer Installation, it is necessary to remove the Green Acres restrictions from a 0.11-acre portion of Grace Lord Park; and

**WHEREAS**, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to *N.J.A.C. 7:36-26*; and

**WHEREAS**, the Town of Boonton wishes to apply for approval for the Emergency Morris Avenue Sanitary Sewer Installation as a minor disposal or diversion of parkland under *N.J.A.C. 7:36-26*; and

**WHEREAS**, the first step in the application process for approval of a minor disposal or diversion of parkland is the filing of a pre-application under *N.J.A.C. 7:36-26.4*; and

**WHEREAS**, in accordance with *N.J.A.C. 7:36-26.4(d)10*, it is necessary for the Town of Boonton to submit as part of the pre-application a Resolution endorsing the application to divert or dispose or parkland;

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

1. The Town of Boonton endorses the filing of a pre-application for the Grace Lord Park diversion of 0.11 acres pursuant to *N.J.A.C. 7:36-26*;
2. The Town of Boonton hereby finds that the Grace Lord Park diversion of 0.11 acres would meet the minimum substantive criteria at *N.J.A.C. 7:36-26.1(d)* by restoring sanitary sewer service to Boonton residents upstream of a section of sanitary sewer crossing the Rockaway River that was broken during Hurricane Irene, spilling waste into the Boonton Reservoir (which is used as a source of drinking water), and;
3. The Town of Boonton acknowledges that in order to obtain the approval of the Grace Lord Park diversion of 0.11 acres, all substantive and procedural requirements of *N.J.A.C. 7:36-26* must be met, including compensation requirements at *N.J.A.C. 7:36-26.5*; and
4. The Town of Boonton acknowledges that in the event the Green Acres Program classifies the Grace Lord Park diversion of 0.11 acres as a major disposal or diversion of parkland, additional application information will be required under *N.J.A.C. 7:36-26* before the application can proceed.

MOVED:				
SECONDED:				
	YES	NO	ABSENT	ABSTAIN
Mrs. Bujtas				
Mr. Carey				
Mr. Dunn				
Mr. Eoga				
Dr. Keezer				
Mr. Looker				
Mr. Nevadomski				
Mr. Scozzafava				
Mayor Wekilsky				

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**MEETING OPEN TO THE PUBLIC**

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

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**RESOLUTION 12-**  
**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 [ ]

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**ADJOURN**

There being no further business, the meeting shall adjourn.

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

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