

Mayor & Board of Aldermen
REGULAR MEETING AGENDA
April 20, 2020

Town of Boonton
100 Washington Street
Boonton, NJ 07005

Meeting Begins 7:30 p.m.

All cell phones must be turned off

The Meeting of April 20, 2020 is now being recorded and called to order via "Go To Meetings.com"

FLAG SALUTE and ROLL CALL VOTE:

ALDERMAN	TITLE	PRESENT	ABSENT
Mr. Edward Robillard	1 st Ward Alderman-Board President		
Mr. Cyril Wekilsy	1 st Ward Alderman		
Ms. Marie DeVenezia	2 nd Ward Alderwoman		
Dr. Edina Renfro-Michel	2 nd Ward Alderwoman		
Mr. Joseph Bock	3 rd Ward Alderman		
Mr. Joseph Fenske	3 rd Ward Alderman		
Mr. James Lynch	4 th Ward Alderman		
Mr. Michael Wade	4 th Ward Alderman		
Mayor Richard Corcoran	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Ed Pasternak	Town Attorney		
Mr. Neil Henry	Administrator		
Ms. Cynthia Oravits	Town Clerk		

Adequate Notice

MAYOR'S STATEMENT

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 this meeting was posted at Town Hall on December 26, 2019 and this agenda was posted on April 17, 2020.
2. Notice of this meeting was published in the Citizen of Morris County and the Daily Record Newspapers on December 26, 2019 and a copy of this agenda was forwarded to each of the town's official newspapers on April 17, 2020.

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and more specifically N.J.S.A. 10:4-8(b), which authorizes the use of communications equipment to hold public meetings, and in consideration of Executive Order 107 issued by Governor Phil Murphy and guidance provided by the New Jersey Department of Community Affairs, Division of Local Government Services, the Town of Boonton hereby notifies the public that in order to protect the health, safety and welfare of its citizens, while ensuring the continuity and continued operations of government, the Town will hold its regularly scheduled public meeting by way of a dial-in conference call on Monday, April 20, 2020, beginning at 7:30 p.m. Please note that the Mayor and Board of Aldermen will immediately hold a closed, executive session via a separate telephone conference number to discuss time-sensitive legal matters as authorized by N.J.S.A. 10:4-12. At the beginning of the closed session the Town Administrator will place the dial-in number below on hold. At 7:30 p.m., the Business Administrator will open up the line for the public session.

During the public session, members of the public will be muted until the public comment portion of the meeting is opened, and then unmuted to allow for public comment. Please note that while muted, the public will still be able to hear the governing body conduct business. The public portion will be opened by the Town Administrator following the conclusion of formal business. Once the public portion is concluded, the public will again be muted for the duration of the meeting

Any member of the public who wishes to participate in the meeting may do so by calling the following number:

Public Meeting of the Town of Boonton-Mayor and Board of Aldermen-April 20, 2020

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/653066701>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 653-066-701

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/653066701>

Members of the public who are unable to utilize the access method due to a disability may submit written comments or questions by contacting the Town Clerk at townclerk@boonton.org prior to the meeting, up until April 20, 2020 at 3:00 p.m. The comments or questions, which must include the individual's name and address, will be read into the record during the public portion of the meeting.

MAYOR'S ANNOUNCEMENT

The Town of Boonton urges all residents to sign up for "Nixle" notifications on their phones and electronic devices. This is a free service to ensure that valuable information is forwarded to everybody related to road closures, weather reports, etc. – www.boonton.org.

BOONTON HEALTH DEPARTMENT
PUBLIC HEALTH NURSE MANDI BENDETT WILL REPORT ON COVID-19

MAYOR & BOARD OF ALDERMEN DISCUSSION

1. Sidewalk replacements feasibility

CORRESPONDENCE

Alderman Bock

1. Letter received from Karl Mangino & Christopher Petonak, BPD SRT 5K Race Coordinators, requesting the use of streets for their rescheduled SRT 5K Race on Sunday, October 11, 2020.

04/08/2020

Town of Boonton
Mayor & Board of Aldermen
100 Washington Street
Boonton, NJ 07005

Dear Town of Boonton Mayor & Board of Aldermen:

The Town of Boonton PBA Local 212 is requesting the use of Boonton Streets to conduct our 7th Annual 5K run/walk & Kids One-Mile fun run, Sunday, October 11th, 2020. This is a date change to comply with the Center for Disease Control recommendations concerning COVID-19. We've also submitted forms to the Boonton Board of Education for permission to use their facility, as their facility would be the central location for this event.

The course that would be followed: (see attached map) Temporary Road Closure with Detour set up

Start up: 100 block of Maple Avenue (BHS Tennis Courts) southbound
200 block of Lathrop Avenue (westbound) Closure of Lathrop at Washington Street & Vreeland Avenue
100-500 blocks (southbound) Madison Street
200-300 blocks (eastbound) Dawson Avenue
500-600 blocks (southbound) Old Boonton Road
200-600 blocks (northbound) Reservoir Drive
600-400 blocks (westbound) Monroe Street
100 block of Old Boonton Road (northbound)
400-500 blocks of Lathrop Avenue (eastbound)
100 block of Overlook dead-end U-turn (southbound/northbound)
400-500 block of Lathrop Avenue U-turn @ Vreeland Ave (eastbound/westbound)
500-400 block of Lathrop Avenue (westbound)
100 block of Kanouse Street (northbound)
Finish Line: Park Avenue Ext (Finish Line) block party

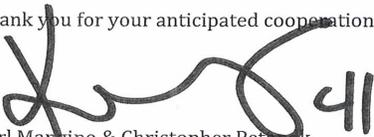
The roadways for the aforementioned affected areas will be closed at 08:30am with the race to start at 09:00am and the last participants will be off the course no later than approximately 10:30am. The roadways will systematically be opened when safe to do so. Maple Avenue and Park Avenue Ext will remain closed for the block party till 12:00pm. The Boonton Police Department will staff the event and ensure safety of the runners and volunteers. (Race Insurance can be produced on request). Also No Parking areas are to be posted 48 hours in advance for Maple Avenue, Park Ave Ext, Kanouse Street and a portion of the 100 block of Roessler Street during the times of 06:00am-12:00pm on race day.

In addition to the temporary race route road closures, we would also request permission for the use of Park Avenue Ext, between Roessler Street and Kanouse Street for our annual block party during the event. We ask that we would be permitted to close this section of the roadway on April 25, 2020 during late night hours in order to set up the area for the block party. Further requested would be our application to ABC for a social affairs alcoholic beverage permit for this event during the hours of 09:00am-12:00pm within the block party area, an area authorized by ABC.

Further requested would be for our race organizers to coordinate with the Department of Public Works as in the past for their resources and equipment in preparing the course for closure/signage, roadway repairs/clearing and access to the recycling center on race day.

As this race is a fundraising event, our PBA is requesting permission to have race advertising signage place upon public property to promote the event.

Thank you for your anticipated cooperation!


Karl Mangino & Christopher Petonak
Boonton SRT 5K race Coordinators

CONSENT AGENDA
Alderman Wekilsky

RESOLUTION 20-120

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN APPROVING MEETING MINUTES

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, County of Morris and State of New Jersey, that the Minutes from the following meetings are hereby approved as typed and filed in the Town Clerk's office:

April 6, 2020 – Regular and Closed Session

RESOLUTION 20-121

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, County of Morris and State of New Jersey, all vouchers approved by the respective committees be and are hereby ordered paid.

RESOLUTION 20-122

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #16-00001

WHEREAS, the Tax Collector has been paid \$43,707.85, the necessary amount to redeem the following Tax Sale Certificate held by FWDSL Associates for property assessed to J&M Jewelers

Certificate	Block/Lot	Address	Tax Title Lien	Premium	Total Redemption
16-00001	6-3.09	111 Cornelia Street	\$43,707.85	\$36,000.00	\$79,707.85

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancellation, be authorized to draw a check for \$79,707.85 from the Trust Account and forward said check to the lienholder FWDSL & Associates LP, 17 W. Cliff Street, Somerville, NJ 08876

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #16-00001 from the municipal record.

RESOLUTION 20-123

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN SUPPORTING BOONTON MAIN STREET, INC. IN A GRANT APPLICATION

BE IT RESOLVED by the Mayor and Board of Aldermen that the Town of Boonton hereby supports a grant application being submitted by Boonton Main Street to create a "Virtual Main Street" so that people of the town and surrounding communities can continue to visit and patronize Main Street businesses during times of social isolation.

Some background:

Grills Fund Program Details

The Grills Fund for Main Street Revitalization celebrates the innovative thinking that has always been vital to the revitalization of America's Main Streets by honoring and supporting programs that

demonstrate new approaches and creative techniques to managing their downtown/district through the impacts caused by the pandemic. The recipients will not only actively position their communities and programs for success, but will offer model programs, activities, and solutions for Main Streets across the country.

The Grills Fund for Main Street Revitalization will provide five (5) \$10,000 grants to support Main Street organizations' innovative, experimental, creative and/or entrepreneurial approaches to addressing revitalization efforts impacted by COVID-19.

Criteria

- **Innovation:** Proposed idea represents innovative, experimental, creative and/or entrepreneurial approaches to addressing Main Street revitalization efforts impacted by COVID-19.
- **Feasibility:** Proposed idea is feasible given grant amount.
- **Replicability:** Proposed idea is something that could be modeled and/or scaled for other Main Street programs to adopt and implement.
- **Project must be able to be completed by December 31, 2020.**

Eligibility

- Applicant must be a 501(c)(3) or 501(c)(6) organization or a government entity.
- Applicant must be an Accredited Main Street America community.

Timeline

- Application period: April 8 - April 24, 2020
- Project award: May 18, 2020
- Project implementation period: May 2020 – December 2020

CONSENT AGENDA

Alderman Wekilsky

Roll Call vote for Resolutions 20-120 through 20-123

MOVED:		SECOND:			
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Ms. Renfro-Michel					
Mr. Robillard					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

MAYOR & BOARD OF ALDERMEN LIAISON REPORTS

COMMISSIONS, BOARDS, ETC.	LIAISON	MEETING DATE	REPORT Yes - No
Board of Education	Mr. Bock	4/13/2020	Yes
Board of Health	Mr. Bock	No Meeting	No
Boonton Holmes Library	Mr. Fenske	4/14/2020	
Boonton Main Street	Ms. DeVenezia	4/14/2020	Yes
Fire Commissioner	Mr. Wekilsky		No
Historic Preservation Commission	Mr. Wade	4/1/2020	Meeting Canceled
Housing Authority	Mayor Corcoran	4/22/2020	
Kiwanis Board	Mr. Wade		No
Morris County Bd. of Chosen Freeholders	Mayor Corcoran	N/A	Yes
Planning Board	Mayor Corcoran & Ms. DeVenezia	3/11/2020	Yes
Trails	Dr. Renfro-Michel		

UNFINISHED BUSINESS

ORDINANCE 02-20 (Public Hearing)

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND ARTICLE II, SECTION 225-10, GARAGE SALES

WHEREAS, the Town finds that residents will be more likely to sell unused or unneeded items, as opposed to throwing them away and/or including such items in their garbage; and

WHEREAS, the Town wishes to continue in its efforts to mitigate the costs of garbage collection and disposal.

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

SECTION 1. Article II, Section 225-10, "Garage Sales" is hereby amended to read as follows:

§ 225-10 License required; fee; restrictions.

A. It shall be unlawful for any person to conduct a garage sale in the Town of Boonton without first completing an application and obtaining from the Town Clerk a garage sale license. The fee for such license shall be \$10.

[Amended 7-20-2009 by Ord. No. 16-2009]

B. Each license must be prominently displayed on the garage sale premises throughout the entire period of the sale.

C. No license shall be issued for more than four consecutive calendar days.

D. Only three such licenses shall be issued to any one person and/or for any one location within a twelve-month period. However, if a licensee can clearly demonstrate that adverse weather or other unforeseen conditions have affected the sale, creating undue hardship, the Town Clerk may grant permission for additional licenses. The licensee shall file a request for the additional sale and the reasons for the request with the Town Clerk no later than three days after the date upon which the first sale was to have been held.

E. Nonprofit organizations are exempt from the maximum of three sales per year.

SECTION 2. All ordinances of the Town of Boonton that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. If any section, subsection, section, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

MOVED:		SECOND:				
<i>Mayor Corcoran will open Ordinance 02-20 to the Public for comment.</i>						
<i>Mayor Corcoran will open this meeting to the Board of Aldermen for Comment</i>						
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT	
Mr. Bock						
Ms. DeVenezia						
Mr. Fenske						
Mr. Lynch						
Ms. Renfro-Michel						
Mr. Robillard						
Mr. Wade						
Mr. Wekilsky						
Mayor Corcoran						

ORDINANCE 03-20 (Public Hearing)

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 201, PARKING

WHEREAS, the Town finds that the costs of administering parking within the Town have risen; and

WHEREAS, the costs of an annual permit have not increased for approximately eight (8) years, and the Town desires to offset those increased costs of administration.

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

SECTION 1. PART II, General Legislation, Chapter 201, Parking, Section 201-48 is hereby amended to read as follows:

§ 201-48 Fees.

A. The daily fee for use of a regulated parking space in the municipal lots shall be a deposit of \$1 in U.S. currency into the appropriate number slot of the coin box.

B. The fee to purchase an annual parking permit shall be \$195 through January 31, and thereafter shall be prorated on a monthly basis. [Amended 8-18-2008 by Ord. No. 11-2008^[1]] [1] *Editor's Note: This ordinance stated that it would take effect 1-1-2009.*

- C. Meter rate for use of a short-term regulated parking space shall be \$0.25 for each 30 minutes to a maximum of two hours. U.S. currency, "quarters only."
- D. Meter rates for use of a long-term regulated parking space shall be \$0.25 for each three hours to a maximum of 12 hours. U.S. currency, "quarters only."
- E. Daily permits, "contractor permits." The fee for this parking permit shall be \$12 per day per vehicle.
- F. Replacement fee of \$25 for annual parking permits; lost, stolen or mutilated.

SECTION 2. All ordinances of the Town of Boonton that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. If any section, subsection, section, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

MOVED:		SECOND:			
<i>Mayor Corcoran will open Ordinance 03-20 to the Public for comment.</i>					
<i>Mayor Corcoran will open this meeting to the Board of Aldermen for Comment</i>					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Ms. Renfro-Michel					
Mr. Robillard					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

ORDINANCE 04-20 (Public Hearing)
AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND ARTICLE IV, SECTION 27, FIRE DEPARTMENT, TO REQUIRE KNOX BOXES AT COMMERCIAL BUILDINGS

WHEREAS, the Town finds that an ordinance is necessary to require all commercial buildings to install Knox Boxes; and

WHEREAS, the benefits of installing Knox Boxes include providing immediate emergency access to firefighters, leading to increasing Fire Department efficiency; preventing costly forced entry and

allowing undamaged doors to be re-secured after the emergency; and protecting property, inventory, equipment and supplies as well as firefighters against possible injuries.

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

SECTION 1. Article IV, Section 27, “Fire Department” is hereby amended to add § 27-25 as follows:

§ 27-25. Knox Boxes.

A. Definitions. “Knox Box” shall mean a secure rapid entry system that is designed to be used by Emergency Personnel in the event of an emergency to gain entry into a structure by using the enclosed owner provided key(s). This box is usually mounted on the exterior of the building in a location that is specified by the Fire Official. All boxes shall be UL (“Underwriters Laboratories”) certified, and approved by the Fire Official.

B. Knox Box Required for New Commercial Buildings. All new commercial buildings shall have installed a Knox Box, of a UL type and size approved by the Town Fire Official, in a location specified by the Town Fire Official prior to the issuance of a permit of occupancy.

C. Knox Box Required for Existing Commercial Buildings. All existing commercial buildings equipped with automatic fire detection and/or a suppression system shall have installed a Knox Box, of a UL type and size approved by the Town Fire Official, in a location specified by the Town Fire Official within six (6) months of the date of this ordinance. For the period of one (1) year following the date of this ordinance, such installation shall be voluntary; however, after that one-year time period, such installation shall be mandatory for all existing commercial buildings.

D. Knox Box Required for Multi-Family Residential Structures. All multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units shall have installed a Knox Box, of a UL type and size approved by the Town Fire Official, in a location specified by the Town Fire Official within six (6) months of the date of this ordinance.

E. Knox Box Contents. All Knox Boxes shall contain labeled keys, easily identified to provide ready access into the property and/or building, and to any locked areas within the said building as the Fire Official may direct.

F. Any violation of this provisions of this Section shall be liable pursuant to Chapter 1, General Provisions, Article III, General Penalty.

SECTION 2. All ordinances of the Town of Boonton that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. If any section, subsection, section, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

MOVED:		SECOND:			
<p><i>Mayor Corcoran will open Ordinance 04-20 to the Public for comment.</i></p> <p><i>Mayor Corcoran will open this meeting to the Board of Aldermen for Comment</i></p>					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Ms. Renfro-Michel					
Mr. Robillard					
Mr. Wade					
Mr. Wekiisky					
Mayor Corcoran					

ORDINANCE 06-20 (Public Hearing)
AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND CHAPTER 95, STREET VENDORS

WHEREAS, the Town finds that necessary updates must be made to correctly reflect the process of obtaining a permit to operate as a Street Vendor, to include mobile vendors, as well as reflect updated technology for fingerprinting and criminal background checks as to the process necessary to obtain a permit; and

WHEREAS, ensuring Street Vendors comply with all requirements benefits the health, safety and welfare of the Town’s residents.

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

SECTION 1, Article I, Chapter 95. “Commercial Canvassers, Solicitors and Peddlers” is hereby amended in the following particulars only:

§ 95-3 Application.” shall be removed in its entirety, and replaced with the following language:

§ 95-3 Application.

- A. The application form for a permit under this article shall require the following information:
 - (1) Name of the applicant.
 - (2) Permanent home address.
 - (3) Temporary address.
 - (4) Name and address and telephone number of the employer or firm represented.
 - (5) Place or places of residence of the applicant for the preceding three years.
 - (6) Date on which soliciting or canvassing is to commence and end.
 - (7) Nature of goods or merchandise to be sold or offered for sale or the nature of the services to be furnished.

- (8) Whether the applicant has been convicted of a crime, disorderly person's offense or violation of any section relating to canvassing or soliciting and, if so, when, where and the nature of the offense.
 - (9) The names of other municipalities in New Jersey where the applicant has been issued a permit to solicit in the past two years.
 - (10) Whether any motor vehicle will be used in connection with the canvassing or soliciting and, if so, the make, year, color, type and license plate number.
 - (11) Physical description of the applicant.
- B. The application shall be accompanied by a letter or other written statement from the individual, firm or corporation employing the applicant certifying that the applicant is authorized to act as the representative of the individual, firm or corporation.
 - C. All applicants under this article shall be fingerprinted by Identogo by Morphotrust USA.

SECTION 2, Article IV, Chapter 95. "Street Vendors" is hereby amended in the following particulars only:

§ 95-17 "Application requirements." shall be removed in its entirety, and replaced with the following language:

§ 95-17 Application requirements.

In addition to an application supplied by the Boonton Police Department, all applicants for such a permit shall supply to the Township Clerk the following, in addition to the requirements of § 95-3:

- A. Two recent photographs of each proposed street vendor, mobile vendor, solicitor or canvasser, each photograph to be two inches by two inches in size.
- B. Date of birth, sex, race, height, weight, hair color, eye color, current address, telephone number and copy of a valid driver's license of each proposed mobile vendor, street vendor, solicitor or canvasser.
- C. A complete typed list disclosing an itemization of all merchandise to be sold and/or displayed, with a description of such merchandise.
- D. A certificate of insurance naming the Town of Boonton as an also insured, holding the Town of Boonton harmless from liability for occurrences arising out of or from the permit holder and/or the merchandise sold or displayed.
- E. There shall be an exemption for mobile vendors who currently own or operate a Town of Boonton establishment, who are in compliance with Article III" "Construction, Operation and Maintenance of Retail Food Establishments and Wholesale Food Establishments," wherein such mobile vendor services are an extension of the owner's existing establishment. Such mobile vendors are exempt from the Town of Boonton Police Department's background check process; however, an application shall be remitted to the Town Clerk for further determination by the Boonton Health Department, with reference to §303-18M(1) "Retail Food Licenses."

§ 95-18 “Definitions.” is hereby amended in the following particulars only, to include the definition of “Mobile Vendor” to the existing Definitions section:

§ 95-18 Definitions.

Mobile Vendor Any person who transports by vehicle, and not limited to but including motorized bicycles and/or pedal bicycles, prepared food, foodstuffs to be prepared or cooked prior to sale and beverages with the intent of selling such food and beverages to individual patrons or purchasers while said vehicle is stopped and parked. Mobile vendors of frozen products only, such as ice cream, water ices or other frozen confectionery products shall be considered to be mobile vendors for the purposes of this article and shall be responsible for full compliance with all requirements of this article. Operation of a vehicle, motorized bicycle and/or pedal bicycles must comply with New Jersey Title 39 Motor Vehicle Laws, including but not limited to NJ Title 39:4-14.1 for bicycles. All mobile vendors must have a visible sign.

SECTION 3. All ordinances of the Town of Boonton that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance may be renumbered for codification purposes.

SECTION 5. If any section, subsection, section, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

MOVED:		SECOND:			
<p><i>Mayor Corcoran will open Ordinance 06-20 to the Public for comment.</i></p> <p><i>Mayor Corcoran will open this meeting to the Board of Aldermen for Comment</i></p>					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Ms. Renfro-Michel					
Mr. Robillard					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

NEW BUSINESS

ORDINANCE 05-20 (Introduction)

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND CHAPTER 265, LIMOUSINES

WHEREAS, the Town finds that necessary updates are required to streamline the existing process to obtain a limousine license, and correctly reflect the process of obtaining a permit to operate a limousine in the Town, and to remove now redundant terms; and

WHEREAS, ensuring limousine companies and their drivers comply with all requirements set forth benefits the health, safety and welfare of the Town’s residents.

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

SECTION 1, Article I, Chapter 265. “Limousines” is hereby amended in the following particulars only:

§ 265-2 “Display of window sticker for current year license.” shall be removed in its entirety and in expectation of any further updates, the section shall be reflected as “§ 265-2. RESERVED.”

SECTION 2, Article II, “Limousine Service Licenses” is hereby amended in the following particulars only:

§ 265-7 “Application for license.” at paragraph “E.” is hereby removed in its entirety and replaced with the following language:

All applicants and drivers must complete and sign a Limousine Permit Application and sign Form SBI-212B. The fully executed form and the applicant’s check or money order must be submitted along with the application for a limousine license.

§ 265-7 “Application for license.” at paragraphs “G” through “L” shall be removed in their entirety, and replaced with the following language:

- G. All drivers must be “limousine qualified” (“LQ”) by the State of New Jersey, as indicated on their driver abstracts.
- H. Where a limousine license has previously been issued, the approval of the Mayor and Board of Aldermen shall not be required as a condition for issuance of additional vehicle licenses.
- I. An identification of each vehicle to be operated as a limousine and covered under the mandated insurance policy, including the make, model, year, color, vehicle identification number, number of doors, passenger capacity (including the driver) and proof of registration as a limousine.
- J. The limousine must be registered with the municipality, so as to be registered with the New Jersey Motor Vehicle Commission. No limousine shall be operated in the municipality without both registrations.
- K. Proof that each and every vehicle proposed to be utilized in a limousine operation has been inspected when due by a state-authorized inspection facility and that each and every vehicle has passed all required inspections.
- L. Equipment; condition.
 - (1) A certification that each limousine identified in the application is equipped, in accordance with minimum standards established by NJMVC and as set forth in N.J.S.A. 48:16-22.1, with:

- (a) A two-way communications system, which, at a minimum, shall provide for communication to a person outside the vehicle for a distance of not less than 100 miles and which requirement may be satisfied by a mobile telephone;
 - (b) A removable first-aid kit and an operable fire extinguisher, which shall be placed in an accessible place within the vehicle; and
 - (c) Sideboards attached to the permanent body construction of the vehicle if the height of the vehicle floor is 10 inches or more above ground level.
- (2) Every vehicle operating under this section shall be kept in a clean and sanitary condition in accordance with the rules and regulations promulgated by the state and the Town of Boonton.

M. Changes in application or submission information shall be provided to the Town Clerk within 72 hours of said change.

§ 265-8 "Investigation of applicant." shall be removed in its entirety, and replaced with the following language:

§ 265-8 Investigation of applicant.

After the application identified in § 265-7 is properly filled out and signed by the applicant, the original and duplicate thereof shall be filed with the Town Clerk. The investigation shall include a criminal history name search identification check pursuant to N.J.S.A. 53:1-20.5 et seq. The criminal history check results shall be kept confidential. For the purposes of this check, the Boonton Police Department is hereby authorized to have access to the criminal history record information file through the State Bureau of Investigation.

A. As a result of such investigation, the Chief of Police shall note on the application his/her recommendation and his/her reasons therefor and return the application to the Town Clerk. Such recommendation shall be returned to the Town Clerk within 20 days of the Police Department's receipt of the duplicate application.

- (1) Any recommendation by the Chief of Police that a license should not be issued to the applicant shall be based on the driver abstract.

SECTION 3, Article III, "Limousine Driver's License" is hereby amended in the following particulars only:

§ 265-16 "Application for license." is hereby removed in its entirety and replaced with the following language:

§ 265-16 Minimum qualifications for driver's license.

No limousine operator's license shall be issued or renewed unless the applicant complies with the following:

- A. Furnish satisfactory evidence that he/she is the holder for at least one year prior to the date of application a valid automobile driver's license issued by the State of New Jersey, Motor Vehicle Commission;
- B. Is at least 21 years of age;

- C. Has been a resident of the State of New Jersey for one year or more;
- D. Is able to read, write and speak the English language;
- E. Is a citizen or legal alien of the United States; and
- F. Certification to the Town that he/she has adequately provided for the safety of children under the age of five years, who may be passengers in a limousine owned or operated by him/her. The operator shall comply with federal child safety law regarding car seats.
- G. Each driver must be validated "Limousine Qualified ("LQ") by the State of New Jersey MVC. Initial application is required and re-certification is required by the Town of Boonton every year.

§ 265-17 "Application for driver's license; background check; items accompanying application." Is hereby removed in its entirety and replaced with the following language:

§ 265-17 Application for driver's license; background check; items accompanying application.

- A. An application for a limousine driver's license shall be filed with the Town Clerk upon forms provided by the Town. The application shall include the following information:
 - (1) Name and address of the applicant.
 - (2) Places of residence for the preceding five years.
 - (3) Age, height, color of eyes and color of hair.
 - (4) Business, home and cell phone numbers.
 - (5) Social security number.
 - (6) Employer's name and business address.
 - (7) Whether the applicant has ever been convicted of a crime, disorderly persons' offense or petty disorderly offense or of a felony, a high misdemeanor, or misdemeanor, or of a prior violation of a limousine ordinance, including but not limited to crimes, disorderly person, petty disorderly person, felonies, high misdemeanors, misdemeanors, or violations which occurred either in or outside of New Jersey.
 - (8) Whether a driver's license, issued by any state or a limousine vehicle operator's license issued to him/her, has been suspended or revoked, and for what cause.
 - (9) The application shall be accompanied by two passport-type photographs of the applicant taken within 30 days of the application, front view, size two inches by two inches.
 - (10) Changes in any application or submission information shall be provided to the Town Clerk within 72 hours of said change.

§ 265-18 "Investigation of application; consideration." is hereby removed in its entirety and replaced with the following language:

§ 265-18 Investigation of application; consideration.

- A. If an applicant's motor vehicle abstract reveals a history of multiple violations, the Town may refuse to issue such an applicant a limousine driver's license.

§ 265-21 "Driver's license duration; revocation and reinstatement." is hereby removed in its entirety and replaced with the following language:

§ 265-21 Driver's license duration; revocation and reinstatement.

- A. Duration. Limousine driver's licenses shall expire annually on June 30 of every year.
- B. Revocation. A limousine driver's license shall be revoked by the Town Clerk under any of the following circumstances:
 - (1) Upon the limousine driver's conviction of operating a motor vehicle while under the influence of drugs or alcohol or reckless driving;
 - (2) Upon revocation of said limousine driver's New Jersey driving privileges by the New Jersey Motor Vehicle Commission;
 - (3) Upon revocation of said operator's driving privilege in any state having motor vehicle law reciprocity with New Jersey vis-a-vis the Interstate Compact codified in N.J.S.A. 39:5D-1 et seq.
- C. Notice of a revocation of a limousine driver's license shall be provided in writing via regular and certified mail, or via facsimile, or e-mail of record of the limousine driver or of the limousine driver's employer. However, direct oral communication by the Town Clerk or the Clerk's designee to the limousine driver or to the limousine driver's employer shall be sufficient notice to terminate the limousine driver's operation of a limousine within the Town before the written notice aforesaid is transmitted by the Town.
- D. Reinstatement. A limousine driver's license may be reinstated by the Town Clerk upon the driver's compliance with all of the requirements in this section.

SECTION 4. All ordinances of the Town of Boonton that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance may be renumbered for codification purposes.

SECTION 6. If any section, subsection, section, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

MOVED:		SECOND:			
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Ms. Renfro-Michel					

Mr. Robillard					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

MEETING OPEN TO THE PUBLIC

Mayor Corcoran will open the meeting to the public for comment or discussion

CLOSED SESSION

Alderman Fenske

RESOLUTION 20-

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 in the County of Morris and State of 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 submit matter.
4. This resolution shall take effect immediately.
5. No action may be taken in Closed Session

MOVED:	SECONDED:		
VOICE VOTE:	IN FAVOR: _____	AGAINST: _____	

OPEN MEETING

Mayor Corcoran will reopen the meeting to the public

ADJOURN

Alderwoman DeVenezia

There being no further business, the meeting shall adjourn:

MOVED:	SECONDED:	TIME:
VOICE VOTE:	IN FAVOR: _____	AGAINST: _____