

Mayor & Board of Aldermen
May 4, 2020

Town of Boonton
100 Washington Street
Boonton, NJ 07005

Begins 7:30 p.m.

All cell phones must be turned off

The Meeting of May 4, 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 Wekilsky	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 May 1, 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 May 1, 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, May 4, 2020, beginning at 7:30 p.m.

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:

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

<https://global.gotomeeting.com/join/166166733>

You can also dial in using your phone.

United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(571\) 317-3129](tel:+15713173129)

Access Code: 166-166-733

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

<https://global.gotomeeting.com/install/166166733>

Because of the COVID-19 crisis we have moved the Board of Alderman meetings to an online format. In order to assure that the meeting proceeds in an orderly fashion please observe the following guidelines:

1. Mute phone when not speaking. Do not log on through the computer and the telephone line as it creates audio issues. Choose only one Unmute your phone when you are called on to speak or wish to speak.
2. Announce yourself when you are speak – for instance “This is Mayor Corcoran” or “This is Richard Corcoran from Birch Street I would like to”
3. Speak slowly and clearly as it helps with the recording.

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 **Monday, May 4, 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.

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 AND BOONTON OEM UPDATES

Public Health Nurse Mandi Bendett and OEM Director Peter Herbert or Deputy Directors Scott Bednar and Michael Gulla will give updates on the COVID-19 Pandemic.

BOONTON TOWN HALL

1. Geri Carcich, Sr. Citizen Bus Driver report on Boonton Senior Citizens.
 2. Jennifer Muscara, Tax Collector Report.
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CORRESPONDENCE

None

GENERAL DISCUSSION OF MAYOR & BOARD OF ALDERMEN, ADMINISTRATOR AND TOWN ATTORNEY

1. Boonton Municipal Properties
 2. Recent Fire Department and Police Department Food Drive Report
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CONSENT AGENDA

Alderman Robillard

RESOLUTION 20-124

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 20, 2020 – Regular Meeting

RESOLUTION 20-125

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 20-126

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A COLLECTIVE NEGOTIATIONS AGREEMENT WITH MORRIS COUNCIL NO. 6, N.J.C.S.A., I.F.P.T.E., AFL

WHEREAS, the collective negotiations agreement between the Town of Boonton (hereinafter referred to as "Town") and Morris Council No. 6, N.J.C.S.A., I.F.P.T.E., AFL (hereinafter referred to as "Council 6") expired on December 31, 2016; and

WHEREAS, the parties' ratified and executed a memorandum of agreement which sets forth the terms to a successor collective negotiations agreement; and

WHEREAS, the parties worked together on updating the collective negotiations agreement with the new terms and conditions as set forth in the executed and ratified memorandum of agreement; and

WHEREAS, Council 6 has executed the new collective negotiations agreement for the period of January 1, 2017 through December 31, 2019; and

WHEREAS, the Town of Boonton is desirous of executing the new collective negotiations agreement for the period of January 1, 2017 through December 31, 2019.

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

1. The Mayor is hereby authorized to execute the collective negotiations agreement between the Town of Boonton and Morris Council No. 6, N.J.C.S.A., I.F.P.T.E., AFL for the period of January 1, 2017 through December 31, 2019.
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RESOLUTION 20-127

A RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AUTHORIZING THE GRANT APPLICATION TO THE NEW JESREY HISTORIC TRUST FOR RESTORATION AND STABILIZATION FOR THE ARCH BRIDGE AND AUTHORIZING ADMINISTRATOR TO SIGN ASSURANCES AND ACKNOWLEDGE ANY NECESSARY CERTIFICATION

WHEREAS, the Town of Boonton is interested in continuing with the next phase for the restoration of the Arch Bridge located in Grace Lord Park; and

WHEREAS, the Mayor and Board of Aldermen fully support this effort and authorized the application to the New Jersey Historic Trust; and

WHEREAS, Authorization by the Applicant’s Governing Body or Board is required; and

WHEREAS, the Governing Body/Board authorizes Neil Henry, Administrator of the Town of Boonton to sign the assurances, and acknowledge any certification in support of the application.

CONSENT AGENDA VOTE

Alderman Robillard

Roll Call vote for Resolutions 20-124 through 20-127

MOVED:		SECOND:				
Mayor Corcoran will open this portion of the meeting for Mayor & Board of Aldermen discussion on Consent Agenda Resolutions						
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 COMMITTEE REPORTS

COMMITTEE	CHAIR	ALDERMAN	MEETING DATE	NEXT MEEETING DATE	REPORT	
					YES	NO
Economic Development	Joe Fenske	Marie DeVenezia Joe Bock				
Finance & Personnel	Jim Lynch	Joe Bock Ed Robillard				
Grants	Edina Renfro-Michel	Joe Fenske Mike Wade				
Ordinance & Codification	Cy Wekilsky	Marie DeVenezia Mike Wade Joe Bock				
Police & Parking	Michael Wade	Ed Robillard Jim Lynch				
Public Works	Edina Renfro-Michel	Cy Wekilsky				

		Ed Robillard				
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UNFINISHED BUSINESS

Alderman Wade

ORDINANCE 15-20 (FINAL READING/ADOPTION)

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:				
This portion of the meeting will be open to the public for comment on Ordinance 05-20 only						
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

None

MEETING OPEN TO THE PUBLIC

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

CLOSED SESSION – If Necessary

Alderwoman Renfro-Michel

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:			
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					

ADJOURN
Alderman Lynch

There being no further business, the meeting shall adjourn:

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