

**Mayor & Town Council
PUBLIC MEETING AGENDA
November 6, 2023**

**Town of Boonton
100 Washington Street
Boonton, NJ 07005**

**Closed Session Meeting- 6:00 p.m.
Open Public Meeting – 7:00 p.m.**

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/84383025917?pwd=anB4UWRJUkhsQ2ltMFd0ZXhOS21jQT09>

Passcode: hJu53v

Or iPhone one-tap :

US: +13052241968,,84383025917#,,,,*890513# or +13092053325,,84383025917#,,,,*890513#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171

Webinar ID: 843 8302 5917

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This meeting is hybrid and accordingly the public may participate remotely without attending the meeting in person. However, please be advised that in the event that technology does not provide adequate service to the meeting, members of the public should be made aware that they can attend in public or request an audio portion of the meeting in the event of a technology failure. The remote access is an additional benefit and transparency for members of the public. In the event remote access is terminated due to power outage, information technology deficiency, the public meeting will continue.

FLAG SALUTE AND ROLL CALL VOTE

COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. Cyril Wekilsky	1 st Ward Council Member		
Mr. John Meehan	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Mr. Jacob Hettrich	2 nd Ward Council Member		
Mr. Elliott Ruga	3 rd Ward Council Member		
Mr. Daniel Balan	3 rd Ward Council Member		
Mr. Michael Wade	4 th Ward Council Member		
Mr. Benjamin Weisman	4 th Ward Council Member		
Mr. Richard Corcoran	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Edward Pasternak	Town Attorney		
Mr. Neil Henry	Town Administrator		
Ms. Cynthia Oravits	Town Clerk		

CLOSED SESSION

RESOLUTION 23-238

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 Town Council 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: **Property-NJSA 10:4-12(b)5**
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.
5. No action may be taken in Closed Session.

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

OPEN PUBLIC MEETING
FLAG SALUTE AND ROLL CALL VOTE

COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. Cyril Wekilsy	1 st Ward Council Member		
Mr. John Meehan	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Mr. Jacob Hettrich	2 nd Ward Council Member		
Mr. Elliott Ruga	3 rd Ward Council Member		
Mr. Daniel Balan	3 rd Ward Council Member		
Mr. Michael Wade	4 th Ward Council Member		
Mr. Benjamin Weisman	4 th Ward Council Member		
Mr. Richard Corcoran	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Edward Pasternak	Town Attorney		
Mr. Neil Henry	Town Administrator		
Ms. Cynthia Oravits	Town Clerk		

ADEQUATE NOTICE
MAYOR'S STATEMENT

Pursuant to the Open Public Meetings Act, adequate and electronic notice of this live and remote Zoom meeting have been provided, and pursuant to the requirements of R.S. 10:4-10, the clerk is directed to enter into the minutes of this meeting an accurate statement to the effect that:

Notice of the Town Council meetings were published in the Citizen of Morris County and the Daily Record Newspapers and posted at Town Hall on December 28, 2022, and this agenda was posted on the Town Website and the Town of Boonton's Official Facebook page on November 3, 2023.

During the meeting, 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.

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.
2. If you wish to speak during public comment, please press "9" (telephone) or the "raise hand" icon (Zoom App) and wait to be recognized by the host. If you are speaking via telephone, unmute your phone when you are called on to speak.

3. Announce yourself when you are speaking – for instance “This is Mayor Corcoran” or “This is Richard Corcoran from Birch Street I would like to” Speakers must provide their full name and address.
4. Speak slowly and clearly as it helps with the recording.
5. There is a 3-minute limit per individual on all public comment.

PRESENTATION

1. Town Auditor Dieter P. Lerch, Lerch, Vinci and Bliss will discuss the 2022 Municipal Audit.
2. Ms. Laura Wagner, Special Projects Coordinator will discuss Darress Theatre.

2023 CITIZEN OF THE YEAR NOMINATIONS AND VOTE

The Town Council will determine who the 2023 Citizen of the Year will be and Proclamation will be presented on November 20, 2023.

CORRESPONDENCE

Cynthia A. Oravits
Boonton, NJ 07005

November 6, 2023

To: Mayor and Town Council
RE: Retirement

After being the Municipal Clerk in the Town of Boonton for the past 23 years, it is now time for me to retire, effective January 1, 2024. My last day of work will be Friday, December 29, 2023.

Sincerely,
Cynthia A. Oravits, RMC/CMR

Cc: Neil Henry, Administrator
Michael Yazdi, CFO

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

**BOONTON ADMINISTRATOR,
FINANCE & PERSONNEL COMMITTEE AND POLICE COMMITTEE REPORT**

Administration	Neil Henry
Finance & Personnel Committee	Benjamin Weisman
Police Committee	Cyril Wekilsky

**CONSENT AGENDA
Resolutions 23- 259 through 23-272**

RESOLUTION 23-259

RESOLUTION OF THE MAYOR AND TOWN COUNCIL APPROVING MEETING MINUTES

WHEREAS, Minutes of the previous meeting(s) have been submitted to the Mayor and Town Council for their review and approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, County of Morris and State of New Jersey that the Minutes from the following meeting(s) are hereby approved as typed and filed in the Town Clerk’s office:

October 16, 2023

RESOLUTION 23-260
RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

WHEREAS, vouchers for payment have been submitted to the Mayor and Town Council by the various municipal departments.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, County of Morris and State of New Jersey, all vouchers approved by the Administrator be and are hereby ordered paid.

RESOLUTION 23-261
RESOLUTION ACKNOWLEDGING THE BEST PRACTICES INVENTORY

BE IT RESOLVED by the Mayor and Council of the Town of Boonton, that the CY 2023 Best Practice Inventory Program has been reviewed and discussed.

RESOLUTION 23-262
RESOLUTION TO CANCEL WATER/SEWER CHARGES

BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, County of Morris and State of New Jersey, that the following Water/Sewer charges be and are hereby canceled:

Account	Address	Reason	Amount
1035-0/Sewer	328 Mechanic Street	Conversion of number of units from two to one	\$ 628.28

RESOLUTION 23-263
RESOLUTION TO REFUND OVERPAYMENT ACCOUNT 1197-0

WHEREAS, the property located at 134 Myrtle Avenue, Water/Sewer Account # 1197-0, paid the utility bill on September 20, 2023, and

WHEREAS, the same bill was paid again on September 26, 2023 and

WHEREAS, this payment has now created an overpayment on the account in the amount of \$286.36.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to issue a check to Rani Uzma, 711 Oak Street, Boonton, NJ 07005 in the amount of \$286.36 for overpayment of taxes.

RESOLUTION 23-264
RESOLUTION OF THE TOWN OF COUNCIL OF BOONTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AUTHORIZING EMPLOYMENT OF COLIN HAMILTON AS PART-TIME LABORER IN THE DEPARTMENT OF PUBLIC WORKS

BE IT RESOLVED that Colin Hamilton be and is hereby hired by the Town of Boonton, in the Department of Public Works as a Part-Time Laborer; and

BE IT FURTHER RESOLVED, that the start date of employment shall begin pursuant to the outcome of pre-employment testing, at an hourly salary of \$18.00/hour.

RESOLUTION 23-265
RESOLUTION IN SUPPORT OF SENATE BILL 3739 DELAYING THE FOURTH ROUND OF AFFORDABLE HOUSING OBLIGATIONS FROM JULY 1, 2025 TO JULY 1, 2028

WHEREAS, a majority of municipal communities have obtained Substantive Certification demonstrating compliance with their respective Third Round Affordable Housing Obligations which is set to expire June 30, 2025; and

WHEREAS, all of these communities have demonstrated such compliance and commitment to Affordable Housing, but as part of that commitment, have dedicated significant resources and taxpayer services in support of their Affordable Housing obligation; and

WHEREAS, during the period of said compliance, the COVID-19 pandemic resulted in a shutdown of the New Jersey economy creating economic hardships for taxpayers and municipalities throughout the State of New Jersey; and

WHEREAS, the resident impact of COVID-19 and the economic climate has also resulted in a significant increase in interest rates as well as the ability to effectuate and complete the agreed upon development of said Affordable Housing projects; and

WHEREAS, communities are presently working to support those developments that have failed to construct the agreed upon Affordable Housing and are addressing the transition and development of such projects; and

WHEREAS, the Affordable Housing developments that were identified and included as part of the Substantive Certification by the Courts, did not necessarily take into account the offsite obligations of traffic, drainage, environmental considerations, open space, municipal utility services and other municipal services such as police, fire, and emergency medical services within each community and such responsibility of local taxpayers; and

WHEREAS, as a result of COVID-19, economic conditions and the significant responsibility to be the steward of appropriate compliant development of Third Round Affordable Housing plans, it is important to note that a majority of said plans were approved within the last seven years, and will place an inordinate responsibility on local government and taxpayers to immediately reconvene with a new round of obligations to begin on July 1, 2025.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton that we hereby support Resolution 3739 and all of the reasons stated therein to delay or postpone the Fourth Round Affordable Housing obligation from July 1, 2025 to July 1, 2028.

BE IT FURTHER RESOLVED that the Town Council hereby authorizes the Administration to speak on behalf of the municipality in support of this legislation.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to all Municipal Clerks within Morris County as well as to the municipality's New Jersey Legislative representatives.

This resolution shall take effect immediately.

RESOLUTION 23-266

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY TO CONTRACT WITH MILLS + SCHNOERING ARCHITECTS, LLC FOR PREPARATION OF A HISTORIC PRESERVATION PLAN AMENDMENT FOR THE DARRESS THEATRE.

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the Darress Theatre; and

WHEREAS, the Mayor and Council deem it in the best interest of the residents of the Town of Boonton to retain the services of Mills + Schnoering Architects, LLC a firm in the State of New Jersey, having its principal offices at 200 Forrestal Road, Suite 3a Princeton, NJ 08540; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Mills + Schnoering Architects, LLC for professional services relative to the Darress Theatre.
1. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.

2. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for professional services for this project shall not exceed \$8,000.00.
3. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.

I certify that funds are available in A/C #C04-22-100-001

Michael Yazdi, CFO

RESOLUTION 23-267

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY TO CONTRACT WITH MILLS + SCHNOERING ARCHITECTS, LLC FOR PREPARATION OF A NATIONAL REGISTER OF HISTORIC PLACES NOMINATION FOR THE DARRESS THEATRE

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the Darress Theatre; and

WHEREAS, the Mayor and Council deem it in the best interest of the residents of the Town of Boonton to retain the services of Mills + Schnoering Architects, LLC a firm in the State of New Jersey, having its principal offices at 200 Forrestal Road, Suite 3a Princeton, NJ 08540; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town’s behalf with Mills + Schnoering Architects, LLC for professional services relative to the Darress Theatre.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for professional services for this project shall not exceed \$39,000.00.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.

I certify that funds are available in A/C #C04-22-100-001

Michael Yazdi, CFO

RESOLUTION 23-268

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A CONTRACT TO MOTT MACDONALD, LLC FOR PROFESSIONAL SERVICES RELATIVE TO 122 PLANE STREET DRAINAGE INVESTIGATION

WHEREAS, the Mayor and Town Council deem it in the best interests of the residents of the Town of Boonton to retain the services of Samantha Anello, PE, CME, CFM, Project Engineer of Mott MacDonald, LLC, in the State of New Jersey, having its principal offices at 412 Mount Kemble Avenue, Suite G22, Morristown, NJ 07960; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., permits the hiring of professional services without advertising and public bid and requires that the resolution authorizing same be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Mott MacDonald, LLC for professional services relative to Engineering Services for 122 Plane Street Drainage Investigation.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for services for this project shall not exceed \$11,750.00, in accordance with the proposal submitted by Samantha Anello, Project Engineer and John Ruschke, Vice President for said project, dated May 16, 2023.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
5. Notice of this action shall be published in "The Daily Record" newspaper within ten (10) days of the passage thereof.

I hereby certify that funds are available in Account # _____
Not to Exceed \$ 11,750.00

Michael Yazdi, CFO

RESOLUTION 23-269
RESOLUTION OF THE MAYOR AND TOWN COUNCIL ACCEPTING CHANGES TO THE EMPLOYEE HANDBOOK AND PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, Town Labor Attorney Matthew J. Giacobbe, Esq. has forwarded a number of changes that are needed to update the Employee Handbook and Personnel Policies and Procedures Manual for JIF's member's consideration, to include:

- Sick Leave Policy
- Alcohol and Drug Free Workplace
- Domestic Violence Policy
- Personal Day Policy
- Equal Employment Opportunity Policy and Americans with Disabilities Policy
- Family and Medical Leave Policy
- New Jersey Family Leave
- Policy for Use of Employer Vehicles (non-law enforcement)
- Overtime
- House of Work
- Personnel Records; and

NOW, THEREFORE, BE IT RESOLVED the Mayor and Town Council approve the above referenced changes to be incorporated into the current Town of Boonton Employee handbook and personnel Policies and Procedures Manual.

RESOLUTION 23-270

RESOLUTION OF THE MAYOR AND TOWN COUNCIL ACCEPTING 2024-2025 EMPLOYMENT PRACTICES LIABILITY (EPL) PROGRAM

WHEREAS, the Municipal Excess Liability Joint Insurance Fund has forwarded their official notice that the 2024-2025 Employment Practices Liability Program has begun; and

WHEREAS, every two years, the MEL reviews applicable laws and regulations to update the Model Personnel Manual, Model Employee Handbook and Model Volunteer Handbook and members are asked to complete training geared towards Managers and Supervisors, Non-supervisory Employees and Police Command Staff training; and

WHEREAS, members with updated loss control programs receive the standard EPL deductible of \$20,000 per claim plus a 20% co-pay capped at \$50,000 and may be eligible to buy down deductibles and co-insurance caps; and

NOW, THEREFORE, BE IT RESOLVED the Mayor and Town Council approve the above referenced changes to be incorporated into the current Town of Boonton Employee handbook and personnel Policies and Procedures Manual.

RESOLUTION 23-271

RESOLUTION AUTHORIZING THE AWARD OF A FIVE-YEAR CONTRACT TO GAETA RECYCLING, INC. OF PATERSON, NEW JERSEY FOR THE COLLECTION AND TRANSPORTATION OF SOLID WASTE TO AN APPROVED DISPOSAL FACILITY

WHEREAS, the Town of Boonton (“Town”) solicited bids, which were opened on October 4, 2023, for a five-year contract for the collection and transportation of solid waste to an approved disposal facility; and

WHEREAS, the Town received one (1) bid for the contract, which was from Gaeta Recycling, Inc. and included the following option:

OPTION 3: 4 DAYS PER WEEK/2 CANS/BAGS

Year 1	\$420,000
Year 2	\$451,500
Year 3	\$462,000
Year 4	\$467,250
Year 5	\$483,000

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that competitive bidding contracts be awarded to the lowest responsible bidder; and

WHEREAS, the Town Attorney has reviewed the bid and found it to be substantially in proper form and in compliance with the Local Public Contracts Law, and has deemed it therefore responsive; and

WHEREAS, the Finance Committee has duly reviewed and analyzed the bid and recommends Option 3 as the most beneficial to the Town; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract.

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

The Mayor and Town Council hereby award a contract to the lowest responsible bidder, Gaeta Recycling, Inc. of Paterson, New Jersey, for the collection and transportation of solid waste to an approved disposal facility, at a rate

not to exceed \$420,000 for Year 1, \$451,500 for Year 2, \$462,000 for Year 3, \$467,250 for Year 4, and \$483,000 for Year 5.

The Mayor and Town Clerk are hereby authorized and directed to execute said contract.

This Resolution and contract shall be available for public inspection in the office of the Town Clerk. This Resolution shall take effect immediately.

RESOLUTION 23-272

RESOLUTION OF THE MAYOR AND COUNCIL APPOINTING TRUVIEW BSI, LLC FOR BACKGROUND SCREENING SERVICES

WHEREAS, the Mayor and Town Council deem it in the best interests of the residents of the Town of Boonton to retain the services of TruView BSI, LLC, for background screening services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., permits the hiring of professional services without advertising and public bid and requires that the resolution authorizing same be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with TruView, LLC for professional services relative to background screening services.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for services for this project shall not exceed \$1,000.00, in accordance with the proposal submitted by Nicholas M. Auletta, CPP, President.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
5. Notice of this action shall be published in "The Daily Record" newspaper within ten (10) days of the passage thereof.

I hereby certify that funds are available in Account # _____
Not to Exceed \$1,000.00

Michael Yazdi, CFO

CONSENT AGENDA VOTE
Roll Call Vote for Resolutions 23-259 through 23-272

MOVED:			SECOND:		
Mayor & Town Council Discussion					
MOVED:			SECOND:		
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Balan					
Ms. DeVenezia					
Mr. Hettrich					
Mr. Meehan					
Mr. Ruga					
Mr. Wade					
Mr. Weisman					
Mr. Wekilsky					
Mayor Corcoran					

TOWN COUNCIL MEMBER COMMENTS

Council Member Wade would like to discuss “Israel”

UNFINISHED BUSINESS

ORDINANCE 21-23 (Public Hearing/Adoption)

AN ORDINANCE OF THE TOWN OF BOONTON AMENDING CHAPTER 130 SECTION 20 OF THE CODE OF THE TOWN OF BOONTON MODIFYING WATER AND SEWER RATES AND DELINQUENT FEES FOR ALL CUSTOMERS

WHEREAS, it has been the long- and well-established practice and policy of the Town of Boonton that its Water Utility and the Sewer Utility be financially self-sustaining, with a Capital Plan that keeps infrastructure up to date as needed; and,

WHEREAS, the Town CFO has analyzed and projected future cost increases and debt funding that pose a risk to each utilities’ self-liquidating status, which has been reviewed with the Town Finance Committee; and,

WHEREAS, the Town CFO and Finance Committee recommended a 3% increase to Water Utility Rates and a 2% increase to Sewer Utility Rates, effective for usage after November 1st 2023, to maintain a financially self-sustaining status for both Water and Sewer Utilities; and,

WHEREAS, the fee structure for water shutoffs needs to be modified to reflect the current cost of associated work by the Tax Collector and Water and Sewer Department employees; and,

WHEREAS, some Water Utility customers have accrued significant excess usage at time of final billing, due to unbilled usage over multiple years, that shall be charged at a fixed reduced rate; and,

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Town of Boonton, County of Morris, as follows:

SECTION B – SEWER RATES

1. **Delete** “Service charge based on project flow: \$78.30 per quarter per equivalent unit”
2. Residential sewer rates, per dwelling unit (multi-family residential properties have a separate flat rate charge per dwelling unit): \$116.41 per quarter
3. Commercial and industrial sewer rates, per assigned equivalent unit: \$116.41 per quarter

SECTION D – WATER RATES

1. Water rates established:

RESIDENTIAL RATES	VOLUME (GALLONS PER QUARTER)
\$58.71 Minimum Charge	Up to 8,500
\$11.29 per 1,000 gallons	8,500 to 27,000
\$11.97 per 1,000 gallons	Over 27,000

COMMERCIAL/INDUSTRIAL RATES	VOLUME (GALLONS PER QUARTER)
\$58.71 Minimum Charge	Up to 4,000
\$14.24 per 1,000 gallons	Over 4,000

RESIDENTIAL/COMMERCIAL/INDUSTRIAL IRRIGATION RATE	VOLUME
\$15.67 per 1,000 gallons	No limit

PRIVATE FIRE PROTECTION RATE	VOLUME (GALLONS PER QUARTER)
\$58.71 Minimum Charge	No limit for fire protection.

2. Irrigation. The irrigation rate is \$15.67 per 1,000 gallons.
 3. Fire Protection. The private fire protection water rate shall be \$58.71 per quarter.

SECTION E – WATER SERVICE FEES AND RATES

2. Water Services:

- a. Turning service off during normal working hours: \$50
- b. Turning service off after 3:30 p.m., Monday through Friday and on weekends: \$200.
- c. Turning service on during normal working hours: \$50
- d. Turning service on after 3:30 p.m., Monday through Friday and on weekends: \$200.

3. Water meters:

- a. Installation of remote water meter in new dwelling unit or business:
 - 1. Three-fourths inch remote water meter: \$225
 - 2. One inch water meter: \$325
 - 3. Water meter test: \$150
- b. Repairing water meters for freezing damage or hot water damage:
 - 1. Five-eighths-inch water meter: \$225
 - 2. One inch water meter: \$325
 - 3. One-and-one half inch water meter: charged for time and material
- c. **ADD** – Installation or repair of radio frequency meter in new dwelling unit or business
 - 1. **ADD** – 5/8th to one-inch meters: \$225

5. Delinquent water accounts. For water accounts delinquent for more than 90 calendar days, the following charges shall be applied to each delinquent account:

- a. **ADD** – For making a site visit to mark property for shutoff, once the noticed shutoff deadline passes without payment: \$100
- b. For turning water service off: \$50. This fee shall be charged when a site visit is made for the purpose of turning the service off, even though such action is rendered unnecessary by the payment of outstanding arrearages at that time.
- c. For turning water service back on: \$50. The water service will not be turned back on until all of the following are satisfied:
 - i. The property owner or tenant is home
 - ii. Either:
 - 1. All delinquent balances are paid in full including interest to date

- 2. A payment plan is established with the Tax Collector or CFO, and it is signed including first payment. Any property with a payment plan that is not paid according to schedule is subject to immediate shutoff.
- d. **ADD** – Any payment made for a property on the shutoff list that is returned for any reason, is subject to immediate shutoff. Payment to rectify this would have to be in the form of cash or certified funds.

7. ADD – Final Bill Rates:

- a. Final Water and Sewer bills shall be charged at the rate currently set by fee ordinance (Chapter 130-20) for all usage, as well as a Final Bill fee of \$50.
- b. The inside meter shall be read for all Final Bills, and can be read at any time the Water Department deems necessary.
- c. In the instance of a final water bill or meter replacement for a meter that has an outside counter, the inside reading shall be read yet may show a significantly higher usage number versus the outside counter. The excess usage over 8,500 gallons shall be paid at the time of final billing or meter replacement, at a fixed rate of \$9.00 per thousand gallons (2010-2019 Rate). This is due to potentially unbilled usage over a multi-year period, without a fair assessment of when the gallons were used.

MOVED:			SECOND:		
Town Council Discussion					
MOVED:			SECOND:		
Public Hearing					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Balan					
Ms. DeVenezia					
Mr. Hettrich					
Mr. Meehan					
Mr. Ruga					
Mr. Wade					
Mr. Weisman					
Mr. Wekilsky					
Mayor Corcoran					

NEW BUSINESS

ORDINANCE 22-23 (Introduction/Title Only)

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO BE UNDERTAKEN AND BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$425,000 THEREFOR FROM VARIOUS FUNDS OF THE TOWN

MOVED:			SECOND:		
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Balan					
Ms. DeVenezia					
Mr. Hettrich					
Mr. Meehan					
Mr. Ruga					
Mr. Wade					
Mr. Weisman					
Mr. Wekilsky					
Mayor Corcoran					

MEETING OPEN TO THE PUBLIC

Mayor Corcoran will open the meeting to the public for comment

ADJOURN

There being no further business, the meeting shall adjourn.

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