

**Mayor & Board of Aldermen**  
**REGULAR MEETING AGENDA**  
**March 2, 2020**

Town of Boonton  
100 Washington Street  
Boonton, NJ 07005

Meeting Begins 7:30 p.m.

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*All cell phones must be turned off*  
**The Meeting is now being recorded and called to order**

**FLAG SALUTE and ROLL CALL VOTE:**

<b>ALDERMAN</b>	<b>TITLE</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. Edward Robillard	1 <sup>st</sup> Ward Alderman		
Mr. Cyril Wekilsky	1 <sup>st</sup> Ward Alderman		
Ms. Marie DeVenezia	2 <sup>nd</sup> Ward Alderwoman		
Dr. Edina Renfro-Michel	2 <sup>nd</sup> Ward Alderwoman		
Mr. Joseph Bock	3 <sup>rd</sup> Ward Alderman		
Mr. Joseph Fenske	3 <sup>rd</sup> Ward Alderman		
Mr. Michael Cardillo	4 <sup>th</sup> Ward Alderman		
Mr. Michael Wade	4 <sup>th</sup> 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		

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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 25, 2019 and this agenda was posted on February 28, 2020.
2. Notice of this meeting was published in the Citizen of Morris County and the Daily Record Newspapers on December 25, 2019 and a copy of this agenda was forwarded to each of the town's official newspapers on February 28, 2020.

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**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](http://www.boonton.org).

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**CORRESPONDENCE**

***Alderman Robillard***

1. Letter dated February 17, 2020 from the First Reformed Church of Boonton requesting the use of Grace Lord Park on Easter Sunday morning (April 12, 2020) for their Annual Easter Sunrise Service.
2. Letter dated February 17, 2020 from Boonton Area Cultural Arts, requesting approval of their annual summer concerts in Grace Lord Park and requesting a donation of \$750.00 (same as 2019).
3. Letter dated February 18, 2020 from Tracy Pryer, Director, Boonton Parks & Recreation, requesting approval to host a Halloween event at Grace Lord Park on October 24, 2020 (rain date October 25, 2020), consisting of Trick or Treating throughout the Park as well as an inflatable Corn Maze and Live DJ. Equipment and the assistance of the DPW, Police and Fire Departments will also be needed.

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**PRESENTATIONS**

1. RVRSA Presentation (Ms. J. Mondsini) - RVRSA Rate Increase
2. Josh Galster, Associate professor, Earth & Environmental Studies Dept., Montclair State University will make a presentation on the Slope Failure at Grace Lord Park.

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**CONSENT AGENDA**

*Alderman Wade*

**RESOLUTION 20-86**

**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:

February 18, 2020 – Regular & Closed Session Meetings

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**RESOLUTION 20-87**

**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.

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**RESOLUTION 20-88**

**RESOLUTION AUTHORIZING A GRANT AGREEMENT FOR THE IRONWORKS HISTORIC DISTRICT**

**WHEREAS**, the Mayor and Board of Aldermen of the Town of Boonton desires to further its historic preservation through various grants; and

**WHEREAS**, grants have been received with the aid of the Boonton Trails Committee with the Canal Society, and

**WHEREAS**, the Town is eligible to receive \$77,150.00, and is in the process of obtaining a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$50,000 for the Boonton Ironworks Historic District Registration; and

**WHEREAS**, the Canal Society of New Jersey has paid funds for the Certificate of Eligibility in the amount of \$25,150.00;

**WHEREAS**, Historic Architects from Hickey & Connolly will complete the required Historic District Registration whereby the Town cannot degrade the integrity of the historic resources that are part of the period of significance (Ironworks); and

**WHEREAS**, the Town of Boonton must match the above referenced grant in the amount of \$2,000.00.

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**NOW THEREFORE, BE IT RESOLVED**, that Town Administrator Neil Henry be and is hereby authorized to execute a grant agreement with the State in the amount up to that awarded for the proposed project, and to seal the grant agreement.

I hereby certify that funds are available contingent upon the adoption of the 2020 Municipal Budget
Account # 0-01-20-100-270
_____
Yolanda Dykes, CFO

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**RESOLUTION 20-89**

**RESOLUTION AUTHORIZING JOHNNIES TAVERN TO OBTAIN ENTERTAINMENT PERMIT**

**WHEREAS**, an application has been received by Robert Steinhauser of Johnnies Tavern for an Annual Entertainment Permit for premises located at 301 Boonton Avenue, Boonton, NJ; and

**WHEREASE**, the application has been forwarded to the Boonton Police Department and Code Enforcement Departments.

**NOW, THEREFORE, BE IT RESOLVED** that all papers being in good order and the necessary fee having been paid to the Town of Boonton, the Clerk is hereby authorized to issue an Entertainment Permit for said premises, expiring December 31, 2020.

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**RESOLUTION 20-90**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO ACRISURE, LLC FOR PROFESSIONAL SERVICES RELATIVE TO THE TOWN OF BOONTON RISK MANAGEMENT SERVICES**

**WHEREAS**, the Town of Boonton is desirous of obtaining professional services; and

**WHEREAS**, one (1) RFP for Risk Management Services was received on February 11, 2020; and

**WHEREAS**, the Mayor and Board of Aldermen deem it in the best interests of the residents of the Town of Boonton to retain the services of Acrisure, LLC, a corporation in the State of New Jersey, having its principal offices at 1460 Route 9 North, Ste. 310, Woodbridge, NJ 07095.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen 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 Acrisure, LLC for professional services to the Risk Management Services.
2. 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 December 31, 2020, in full accord with the terms and conditions thereof.
4. The Consultant shall be paid by the Town of Boonton a fee as compensation for services rendered in an amount equal to five percent (5%) of the Municipality's annual assessment as promulgated by the Funds of the Morris County Joint Insurance Fund.
5. The previous five year's payments were as follows: In 2015, \$17,479.79 was paid; 2016, \$17,778.92 was paid; 2017, \$18,112.00 was paid; 2018, \$18,519.00 was paid; and 2019, \$18,592.00 was paid.

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5. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
  6. Notice of this action shall be published in "The Daily Record" newspaper within ten (10) days of the passage thereof.

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I hereby certify that funds are available in the Municipal, Water and Sewer Operating Budgets

Accounts # 0-01-23-210-294, 0-05-55-502-295 and 0-07-55-502-293

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Yolanda Dykes, CFO

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**RESOLUTION 20-91**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO NISIVOCCIA, LLP FOR PROFESSIONAL SERVICES RELATIVE TO THE TOWN OF BOONTON AUDIT SERVICES**

**WHEREAS**, the Town of Boonton is desirous of obtaining professional services; and

**WHEREAS**, one (1) RFP for the position of Auditor was received on February 11, 2020; and

**WHEREAS**, the Mayor and Board of Aldermen deem it in the best interests of the residents of the Town of Boonton to retain the services of Kathryn L. Mandell, CPA, RMA, PSA, Nisivoccia, LLP - a corporation in the State of New Jersey, having its principal offices at 200 Valley Road, Ste. 300, Mt. Arlington, NJ 07856; 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 Board of Aldermen 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 Nisivoccia, LLP for professional services relative to the Town of Boonton's Audit.
2. 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 December 31, 2020, in full accord with the terms and conditions thereof, at an annual rate not to exceed \$79,600.00.
4. Additional services may be required or at our request, such as assistance with debt management plans, bond sales, tax rate projections, fund balance projections, special research projects, or other services and would be billed at standard hourly rates (which vary according to the level and range of experience of the personnel to be assigned as follows:

Partner/Principal	\$150 - \$175
Manager/Supervisor	\$135 - \$145
Senior (in Charge Accountants	\$115 - \$130
Staff Accountants	\$ 95 - \$110

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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.

.....

<p>I hereby certify that funds are available in the Municipal, Water &amp; Sewer Operating Budgets</p> <p>Accounts # 0-01-20-135-231, 0-05-55-502-228 and 0-07-55-502-228</p> <p>_____</p> <p>Yolanda Dykes, CFO</p>
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**RESOLUTION 20-92**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING CGP&H AS ADMINISTRATIVE AGENT FOR THE TOWN'S AFFORDABLE HOUSING PROGRAM AND AWARDING A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETATIVE BIDDING TO CGP&H**

**WHEREAS**, the Town of Boonton's Housing Element and Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and applicable Council on Affordable Housing and Uniform Housing Affordability Controls ("UHAC") regulations; and

**WHEREAS**, the Town is required to appoint an Administrative Agent to perform duties set forth in the applicable UHAC regulations, including those related to affirmative marketing, household certification, affordability controls, resales and re-rentals, processing requests from unit owners, and enforcement, and in Chapter 70, Affordable Housing, of the Town Code; and

**WHEREAS**, Community Grants, Planning & Housing ("CGP&H") has submitted a proposal dated February 27, 2020 to provide professional administrative agent services; and

**WHEREAS**, the Town wishes to retain CGP&H to provide such services, as per its proposal dated February 27, 2020; and

**WHEREAS**, the Town's Chief Financial Officer has certified that sufficient funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of a contract for professional services without competitive bidding, and the contract itself, be available for public inspection.

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

1. The Town hereby awards, and authorizes the Mayor and Clerk to execute, a contract with CGP&H to provide professional administrative agent services, at an hourly rate of \$130 for senior staff and \$85 per hour for all other staff, for a total not to exceed \$2,800, and reimbursement of expenses not to exceed \$200, per the proposal dated February 27, 2020.
2. The contract is awarded without competitive bidding as a professional services contract in accordance with the provision of the Local Public Contract Law because said services are performed by a person

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licensed under law to practice a recognized profession.

3. Notice of this action shall be published once in the Town’s official newspaper as required by law.
4. A copy of this resolution shall be provided to the Town’s Chief Financial Officer and CGP&H for their information and guidance.
5. This resolution shall take effect immediately.

I hereby certify that funds are available in the Municipal Budget

Account # 0-01-21-190-201

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Yolanda Dykes, CFO

**CONSENT AGENDA**

*Alderman Wade*

**Roll Call vote for Resolutions 20-86 through 20-92**

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

**MAYOR & BOARD OF ALDERMEN COMMITTEE REPORTS**

COMMITTEE	CHAIR	ALDERMAN	ALDERMAN
Economic Development	Joe Fenske	Marie DeVenezia	Joe Bock
Finance & Personnel	Mike Cardillo	Joe Bock	Ed Robillard
Grants	Edina Renfro-Michel	Joe Fenske	Mike Wade
Ordinance & Codification	Cy Wekilsky	Marie DeVenezia	Mike Wade
Police & Parking	Michael Wade	Ed Robillard	Mike Cardillo
Public Works	Edina Renfro-Michel	Cy Wekilsky	Ed Robillard

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**NEW BUSINESS**

***Alderwoman Renfro-Michel***

**RESOLUTION 20-93**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING CHANGE ORDER #3 FOR THE GREEN STREET 1MG WATER STORAGE TANK REPLACEMENT CONTRACT D – FINAL SITE REMEDIATION PROJECT**

**WHEREAS**, the Town of Boonton has previously awarded a Construction Contract to Tomco Construction, Inc., for a total contract sum of \$649,931.30 through adoption of Resolution 18-318 on December 17, 2018; and

**WHEREAS**, the Town of Boonton has previously awarded Construction Contract Change Order #1 to Tomco Construction, Inc., for a total amount of \$4,839.40 constituting a 0.74% increase to an adjusted contract value of \$654,770.70 through adoption of Resolution 19-193 on June 17, 2019; and

**WHEREAS**, the Town of Boonton has previously awarded Construction Contract Change Order #2 to Tomco Construction, Inc., for a total amount of \$35,646.00 constituting a 5.48% increase to an adjusted contract value of \$690,416.70 through adoption of Resolution 19-287 on October 21, 2019; and

**WHEREAS**, the Town Engineer, Joseph R. Vuich, PE, PP, CME of Suburban Consulting Engineers, Inc. has reviewed and approved Change Order #3 submitted by Tomco Construction, Inc., in the amount of \$53,046.14 representing the adjustment of actual constructed quantities as encountered in the field from the expanded remedial limits based upon post excavation sample results exceeding the remedial standards defined in the current remediation action plan and as required by the New Jersey Department of Environmental Protection Site Remediation Standards (N.J.A.C.7-26E), including the reduction of unused quantities from the original contract; and

**WHEREAS**, Change Order #3 constitutes an additional 8.16% increase to the proposed adjusted contract value of \$743,462.84. All contract adjustments to date are summarized in the below table.; and

Green Street 1MG Water Storage Tank Replacement Contract D – Final Site Remediation Tomco Construction, Inc., 22 Howard Boulevard, Suite 204, Mount Arlington, NJ 07856 Change Order #3		
Original Contract Amount	\$649,931.30	
Approved Change Order #1	\$4,839.40	Increase 0.74%
Approved Change Order #2	\$35,646.00	Increase 5.48%
Current Change Order #3	\$53,046.14	Increase 8.16%
Adjusted Contract Amount	\$743,462.84	Increase 14.39%

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

1. Change Order #3 be and is hereby authorized in the amount of \$53,046.14.
2. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.

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3. 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 the Water Capital Budget

Account # H-06-55-581-001

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Yolanda Dykes, CFO

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

**MEETING OPEN TO THE PUBLIC**

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

**CLOSED SESSION**

*Alderman Cardillo*

**RESOLUTION 20-94**

**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: Contract Negotiations
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

<b>MOVED:</b>	<b>SECONDED:</b>	
<b>VOICE VOTE:</b>	<b>IN FAVOR: _____</b>	<b>AGAINST: _____</b>

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**OPEN MEETING**

*Mayor Corcoran will reopen the meeting to the public*

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**ADJOURN**

*Alderman DeVenezia*

There being no further business, the meeting shall adjourn:

<b>MOVED:</b>	<b>SECONDED:</b>	<b>TIME:</b>
<b>VOICE VOTE:</b>	<b>IN FAVOR: ____</b>	<b>AGAINST: ____</b>

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