

Mayor & Town Council
REGULAR MEETING AGENDA
April 18, 2022

Town of Boonton
 100 Washington Street
 Boonton, NJ 07005

Closed Session Meeting – 6:30 p.m.
 Open Public Meeting – 7:30 p.m.

FLAG SALUTE AND ROLL CALL VOTE

COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. John Meehan	1 st Ward Council Member		
Mr. Cyril Wekilsky	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Dr. Edina Renfro-Michel	2 nd Ward Council Member		
Mr. Joseph Bock	3 rd Ward Council Member		
Mr. Joseph Fenske	3 rd Ward Council Member		
Mr. James Lynch	4 th Ward Council Member		
Mr. Michael Wade	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 22-108

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: Potential Litigation
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:

Public Meeting will be held LIVE and via ZOOM

If you are unable to attend the Public Meeting live, please see instruction below:

You are invited to a Zoom webinar.

When: Apr 18, 2022 07:30 PM Eastern Time (US and Canada)

Topic: Mayor and Town Council Meeting - April 18th, 2022

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/88195567590?pwd=b2d1R1hEQ29KSWd0eitXYjZlL29Uz09>

Passcode: 01NzCk

Or iPhone one-tap :

US: +13017158592,,88195567590#,,,,*156881# or +13126266799,,88195567590#,,,,*156881#

Or Telephone:

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

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 881 9556 7590

Passcode: 156881

International numbers available: <https://us06web.zoom.us/j/kevHdK9pDv>

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 speaking – 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.

Please note that there are two separate passcodes. One is for the internet link and the other is for telephone dial-ins. Please use the appropriate passcode for your method of participation.

Those accessing the meeting via the internet link should make sure that you are using an up-to-date internet browser. Outdated browsers may not support all Zoom functions.

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, April 18, 2022** 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.

Please be advised that all comments made through the Zoom “Chat” function will not be a part of the meeting and minutes. Only comments made through the “Open to the Public” section of this meeting will be recognized and addressed.

**OPEN PUBLIC SESSION – 7:30 P.M.
FLAG SALUTE AND ROLL CALL VOTE**

COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. John Meehan	1 st Ward Council Member		
Mr. Cyril Wekilsy	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Dr. Edina Renfro-Michel	2 nd Ward Council Member		
Mr. Joseph Bock	3 rd Ward Council Member		
Mr. Joseph Fenske	3 rd Ward Council Member		
Mr. James Lynch	4 th Ward Council Member		
Mr. Michael Wade	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 as follows:

1. Notice of this meeting was published in the Citizen of Morris County and the Daily Record Newspapers and a copy of this agenda was forwarded to each of the town’s official newspapers.
2. Notice of this meeting and the agenda were posted on the bulletin board at Town Hall, 100 Washington Street, Boonton, NJ 07005.
3. Notice of this meeting was posted on the outside front door and ADA accessible door of Town Hall.
4. Notice of this meeting and the agenda were posted on the Town website and the Town of Boonton Facebook page.

Pursuant to the Open Public Meetings Act and the Emergency Remote Meeting Protocol for Local Public Bodies, adequate and electronic notice of this remote Zoom meeting have been provided as follows:

1. Notice of this meeting was published in the Citizen of Morris County and the Daily Record Newspapers and a copy of this agenda was forwarded to each of the town’s official newspapers.
2. Notice of this meeting and the agenda were posted on the bulletin board at Town Hall, 100 Washington Street, Boonton, NJ 07005.
3. Notice of this meeting was posted on the outside front door and ADA accessible door of Town Hall.
4. Notice of this meeting and the agenda were posted on the Town website and the Town of Boonton Facebook page.

CORRESPONDENCE

St. John's Episcopal Church



226 Cornelia St., Boonton, NJ 07005
 973-334-3655
 Admin@StJohnsBoonton.org

April 5, 2022

Town of Boonton
 100 Washington Street
 Boonton, NJ 07005

Re: St Johns Church
 Block 10, Lot 7
 226 Cornelia Street
 Boonton, NJ

Mayor & Board of Alderman:

We would appreciate your consideration in waiving permit fees for the above captioned property. We are a non-profit organization. We are collaborating with the World Christian Organization and several other Episcopal Churches by providing temporary housing for an Afghanistan refugee family. We look forward to your consideration.

Many thanks,

The Vestry of St. John's Episcopal Church


 Sharon Liparini
 Senior Warden

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

BOONTON HEALTH DEPARTMENT/FINANCE

Finance	Jen Muscara, Tax Collector/Mayor Corcoran 2020 2nd quarter as of 4/12/2020 Total billed for 2 nd qtr. 2020 \$8,360,267.84 Total paid as of date above \$ 228,818.30 Balance as of date above \$8,131,449.54 Collection Percentage 2.74% 2021 2 nd quarter as of 4/12/2021 Total billed for 2 nd qtr. 2021 \$8,285,137.86 Total paid as of date above \$ 358,824.02 Balance as of date above \$7,926,313.84 Collection Percentage 4.33% 2022 2 nd quarter as of 4/12/2022 Total billed for 2 nd qtr. 2022 \$8,606,105.42 Total paid as of date above \$ 508,066.81 Balance as of date above \$8,098,038.61 Collection Percentage 5.90%
Administration/Health Dept.	Neil Henry

CONSENT AGENDA
Resolutions 22-109 through 22-119

RESOLUTION 22-109
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:

April 4, 2022 – Regular and Closed Session Minutes

RESOLUTION 22-110
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 respective committees be and are hereby ordered paid.

RESOLUTION 22-111
RESOLUTION OF THE MAYOR AND COUNCIL ACCEPTING THE RESIGNATION OF THE TOWN OF BOONTON FIRE OFFICIAL, SALVATORE MARINO

BE IT RESOLVED by the Mayor and Town Council that the resignation of Salvatore Marino, Fire Official in the Town of Boonton is hereby accepted, effective immediately.

RESOLUTION 22-112
RESOLUTION APPOINTING DAVID MOLINA AS A MEMBER OF THE BOONTON VOLUNTEER FIRE DEPARTMENT

BE IT RESOLVED by the Mayor and Council of the Town of Boonton that David Molina, 220 Myrtle Avenue, Boonton, NJ be and is hereby appointed as a member of the Boonton Volunteer Fire Department, Maxfield Hose & Engine Co. 1, effective immediately.

RESOLUTION 22-113
RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND TAX COURT JUDGMENT

WHEREAS, a Tax Court Judgment has been received for the year 2021 for block 8 lot 12, for property located at 520 Main Street, owned by 516-520 Main Street, LLC and;

WHEREAS, the reduction in tax assessment has caused an overpayment for the year 2021.

Year	Original	Tax Court Judgment	Difference	Tax Rate	Total Refund
2021	1,147,400	1,000,000	147,400	3.119	4,597.41

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be authorized to draw a check for \$4,597.41 from the Current Account and forward said check to Zipp & Tannenbaum, LLC, 280 Raritan Center Parkway, Edison, NJ 08837.

RESOLUTION 22-114

RESOLUTION TO REFUND OVERPAYMENT BLOCK 107 LOT 27

WHEREAS, the property located at 19 Puddingstone Drive, Block 107 Lot 27, was purchased on May 10, 2021 by a totally disabled veteran, and

WHEREAS, this property is no longer eligible to pay taxes, and

WHEREAS, there was a payment on this account for 1st quarter 2022, and

WHEREAS, this payment has now created an overpayment on the account in the amount of \$3,689.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to issue a check to Christopher Annor in the amount of \$3,689.00 for overpayment of 1st quarter 2022 taxes.

RESOLUTION 22-115

RESOLUTION AUTHORIZING THE UTILIZATION OF INSURANCE FUNDS

WHEREAS, the Town of Boonton has been awarded insurance funds from Municipal Excess Liability in the amount of \$133,974.00 for damages to the Darress Theatre sustained during storm Ida in September 2021; and

WHEREAS, the Town authorizes the deposit of these funds into the account insurance claims funds # 2-01-23-210-297; and

WHEREAS, the Town authorizes the use of these funds as outlined by the insurance agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Boonton that it hereby authorizes the Town to utilize the funds received from Municipal Excess Liability Insurance.

RESOLUTION 22-116

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON AUTHORIZING EXECUTION OF A GRANT APPLICATION FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE DESIGN, BUILD AND INSTALLATION OF A HISTORICALLY ACCURATE MARQUEE FOR THE DARRESS THEATRE

WHEREAS, the Town of Boonton desires to apply for the Community Capital Needs Grant from the New Jersey Department of Community Affairs for \$500,000 to carry out a project to design, build, and install a historically accurate marquee for the current Darress Theatre located at 615 Main Street, Boonton NJ, 07005.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Boonton authorize the application for such grant; and, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between The Town of Boonton and the New Jersey Department of Community Affairs.

RESOLUTION 22-117

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO MILLS + SCHNOERING ARCHITECTS, LLC. FOR PROFESSIONAL SERVICES RELATIVE TO A GRANT APPLICATION FOR THE DARRESS THEATRE

WHEREAS, the Town of Boonton obtained professional services relative to Architectural Services for the Darress Theatre, Main Street, Boonton, NJ by resolution 21-334 on September 7, 2021; and

WHEREAS, Mills and Schnoering Architects, LLC have submitted a draft concept design of a historic marquee for the Darress Theatre; and

WHEREAS, the Town of Boonton wishes to apply for grant funding for this marquee from the Neighborhood Preservation Program’s Community Capital Needs Grant; and

WHEREAS, the additional design work and cost analysis required for the grant is outside the current scope of the agreement with Mills + Schnoering Architects, LLC; and

WHEREAS, the cost of these additional requirements is \$4,180.00

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 Meredith Arms Bzdak, PhD, Partner, for professional services relative to the above referenced project.
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 \$4,200.00 in accordance with the proposal submitted by Meredith Arms Bzdak for said project, dated March 18, 2022.
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 the
Account # C-04-55-100-011, not to exceed \$4,200.00.

Mike Yazdi, CFO

RESOLUTION 22-118

RESOLUTION AUTHORIZING A CONTRACT FOR SECURITY EQUIPMENT FOR TOWN HALL ADMINISTRATIVE OFFICES

WHEREAS, the Town intends to enter into a contract for security equipment for the administrative offices of Town Hall; and

WHEREAS, quotes were solicited for the above referenced security equipment from two vendors; and

WHEREAS, one vendor, Allmark Door, Springfield, NJ 07081 could not supply the needed equipment necessary to provide adequate security; and

WHEREAS, the Town of Boonton received a quote dated April 5, 2022 from AC Daughtry Security Systems, in the amount of \$9,655.00 and a quote from New Jersey Door Works, in the amount of \$26,030.04, received on November 2, 2021 for key fobs at various locations in the Town Hall;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton that the Town Administrator/QPA be and is hereby authorized to purchase certain goods and services; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Town of Boonton, hereby authorizes the Chief Finance Officer to certify the full maximum amount of the installation of said security equipment, totally not more than \$37,000.00; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon adoption, according to law.

I hereby certify that funds are available in the following accounts:
C-04-55-981-009 - \$20,822.62, C-04-55-987-003 - \$13,000.00
2-01-26-310-226 - \$3,177.38 - Not to exceed \$ 37,000.00.

Mike Yazdi, CFO

RESOLUTION 22-119

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON APPROVING FUNDING FOR THE BOONTON WATER DEPARTMENT GREEN STREET 1MG WATER STORAGE TANK REPLACEMENT REMEDIAL ACTION WORK PLAN FOR PROJECT SITE CLOSEOUT.

WHEREAS, the Town of Boonton owns and operates a system for the treatment and distribution of potable water; and

WHEREAS, the Town of Boonton has solicited Requests for Proposals regarding the Remedial Construction Plans and Site Improvements; and

WHEREAS, the received Proposals exhibited severe price fluctuations respective to the limited work that remains and is considered to be unspecifiable services due to the complex background and site remediation history; and

WHEREAS, the Water Consulting Engineer, Andrew S. Holt, PE, PP, CME, Suburban Consulting Engineers, Inc., provided a proposal for a lump sum fee of \$68,000; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11.5(1)(a)ii and 18A:18A-5a(2) a governing body can award contracts without competitive bidding for extraordinary unspecifiable services; and

WHEREAS, this approach will place the responsibility for the work with Suburban Consulting Engineers, its Licensed Site Remediation Professional, and the sub consultant contractor, removing any risk and greatly reducing any contingency provisions in work; and

WHEREAS, it was determined that the proposal received from Suburban Consulting Engineers was the most advantageous to the Boonton based on cost, expertise with the site, and vast experience and specific knowledge of this particular project.

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

1. Suburban Consulting Engineers of 96 U.S. Highway 206, Flanders, New Jersey 07836 is hereby awarded a contract in an amount of \$68,000 for the Green Street 1MG Water Storage Tank Replacement Remedial Action Work Plan for Project Site Closeout.

This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.

2. This Resolution shall take effect immediately.

I hereby certify that funds are available in the
 Water Capital Account # H-06-55-582-002
 Not to Exceed \$ 68,000.00

Michael Yazdik, CFO

CONSENT
VOTE

AGENDA

Roll Call Vote for Resolutions 22-109 through 22-119

MOVED:			SECOND:		
Mayor & Town Council Discussion					
MOVED:			SECOND:		
COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
			Means "NO" Vote		
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Mr. Meehan					
Dr. Renfro-Michel					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

GENERAL DISCUSSION & COMMITTEE REPORTS

COMMITTEE	CHAIR
Darress Theatre	Marie DeVenezia
Grants	Joe Fenske
Police	Jim Lynch

NEW BUSINESS

ORDINANCE 04-22 (Introduction/Title Only)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON AMENDING A SECTION OF THE BOONTON CODE CHAPTER 201 ENTITLED PARKING

MOVED:			SECOND:		
COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
			Means "NO" Vote		
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Mr. Meehan					
Dr. Renfro-Michel					
Mr. Wade					
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: ____	
