Mayor & Board of Aldermen
REGULAR MEETING AGENDA
February 18, 2020

Meeting Begins 7:30 p.m.

Town of Boonton
100 Washington Street
Boonton, NJ 07005

ALL CELL PHONES MUST BE TURNED OFF

The Meeting of February 18, 2020 is now being recorded and called to order

FLAG SALUTE

ROLL CALL VOTE:

<table>
<thead>
<tr>
<th>ALDERMAN</th>
<th>TITLE</th>
<th>PRESENT</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>Mr. Edward Robillard</td>
<td>1st Ward Alderman</td>
<td>X</td>
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<td>Mr. Cyril Wekilsky</td>
<td>1st Ward Alderman</td>
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<td>Ms. Marie DeVenezia</td>
<td>2nd Ward Alderwoman</td>
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<td>X-7:35 pm</td>
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<td>Dr. Edina Renfro-Michel</td>
<td>2nd Ward Alderwoman</td>
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<td>Mr. Joseph Buck</td>
<td>3rd Ward Alderman</td>
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<td>Mr. Joseph Fenske</td>
<td>3rd Ward Alderman</td>
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<td>Mr. Michael Cardillo</td>
<td>4th Ward Alderman</td>
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<td>Mr. Michael Wade</td>
<td>4th Ward Alderman</td>
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<td>Mr. Richard Corcoran</td>
<td>Mayor</td>
<td>X</td>
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<td>Mr. Fred Semrau</td>
<td>Town Attorney</td>
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<tr>
<td>Mr. Edward Pasternak</td>
<td>Town Attorney</td>
<td>X</td>
<td></td>
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<td>Mr. Neil Henry</td>
<td>Administrator</td>
<td>X</td>
<td></td>
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<tr>
<td>Ms. Cynthia Oravits</td>
<td>Town Clerk</td>
<td>X</td>
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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 26, 2019 and this agenda was posted on February 14, 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 February 14, 2020.

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.

MAYOR’S APPOINTMENTS

1. I, Richard Corcoran, hereby appoint Ashleigh Tharp as a member of the Historic Preservation Commission to a term of four (4) years, expiring 12/31/23.

2. I, Richard Corcoran, hereby appoints Cathy Riccobono as a member of the Board of Health to fulfill a two-year term, expired 12/31/21.

Alderman Wekilsky made a motion to approve these appointments, seconded by Alderwoman Renfro-Michel – motion carried.

PRESENTATION

TOPOLOGY: Due to professional concerns and upon advice from Council, Alderman Fenske recused himself to the audience during the presentation made by Topology regarding an area in need of redevelopment.

Mr. Philip Abramson gave a PowerPoint presentation on a proposed Area in Need of Redevelopment on Division and Mechanic Streets. Tonight’s presentation was regarding their legal and policy foundation for creating such an area. If the Board determines to go forward, a resolution will need to be adopted at a future meeting that the Planning Board must review and offer their recommendations. He would then do a preliminary study and once the Planning Board accepts that, the Mayor and Board could designate the Area in Need of Redevelopment.
Mayor & Board of Aldermen
REGULAR MEETING AGENDA
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Town of Boonton
100 Washington Street
Boonton, NJ 07005

Redevelopment Overview

Prepared by Topology For Town of Boonton, Board of Aldermen

February 18, 2020

Agenda

1. Introduction
2. Redevelopment Overview
3. Preliminary Investigation Overview
4. Study Area
5. Next Steps
1. Introduction

Topology

- Urban planning and real estate consulting firm
- Hired by the Town in December 2019 to conduct a "preliminary investigation" to determine if certain blocks on Division St and Mechanic St qualify as an "area in need of redevelopment."
  - To begin work, a resolution authorizing the study is required.
- Experience working throughout NJ, including public sector representation and redevelopment work in communities like Morristown, South Orange, and Summit
Local Housing + Redevelopment Law

- Empowers municipalities to initiate a process to designate an “area in need of redevelopment”.
- A municipality’s powers for “areas in need of redevelopment” include the ability to:
  - Draft and adopt Redevelopment Plans
  - Negotiate short + long term tax abatements
  - Designate redevelopers
  - Exercise the power of condemnation in certain cases
  - Apply for state and other subsidies

**“Area in need of redevelopment” is a passive tool. Exercising these powers requires additional action by Board of Aldermen AFTER an “area in need of redevelopment” is declared.**

Process Overview

Initial Resolution: Governing body authorizes preliminary investigation and delineates the boundaries of the study area.

Preliminary Investigation: Analysis of study area and recommended course of action.

Planning Board Review: Town PB holds public hearing to review preliminary investigation for recommendation to governing body.

Designation: Governing body resolution that accepts, rejects or modifies recommendations.

Redevelopment Planning: Policy and regulatory framework for redevelopment.

Plan Adoption: Ordinance adopting the Plan as an amendment to Zoning.

Implementation: Implementation can take many forms based on project parameters and municipal preferences.
3. Preliminary Investigation Overview

What is a Preliminary Investigation?

A parcel-by-parcel analysis to determine if a property meets the criteria to be an “Area in Need of Redevelopment.”

Requires actions like:

- **Documenting Existing Conditions**: Property inspection for all parcels within study area.
- **Analyzing Tax Assessment Data**: Records from the Town and the State detailing value and ownership.
- **Reviewing Records and Documents**: Construction and Permitting Records, Easement Agreements, Fire and Police records, etc.
“Area in Need of Redevelopment” Criteria

Statutory Analysis (N.J.S.A. 40A:12A-5)

a. Substandard, unsafe, unsanitary, dilapidated, or obsolescent buildings

b. Abandonment of commercial buildings or disrepair rendering them untenantable; significant vacancies for two plus years

c. Vacant or publicly owned land unlikely to be developed with private capital due to location, access or topography

d. Dilapidated, obsolescent, faultily arranged or designed improvement detrimental to the public safety, health, morals, or welfare.

e. Stagnant and unproductive condition of land because of a condition of title or diversity of ownership.

“Area in Need of Redevelopment” Criteria

Statutory Analysis (N.J.S.A. 40A:12A-5 (cont.))

f. Area of 5+ acres with improvements that have been destroyed by fire or natural disaster

g. Adopted and approved Urban Enterprise Zones (which may be designated for tax abatements only)

h. Designation is consistent with smart growth planning principles

Section 3: “necessary...for the effective redevelopment of the area of which they are a part”
**Sample Analysis**

- **Address:** 33 Claremont Road
- **Size:** .19 acres
- **Owner:** 33 Claremont Road, LLC
- **Use:** Vacant commercial
- **Applicable Criteria:** B, D, H

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**Sample Analysis: Criterion B**

- Building previously used for commercial purposes with significant vacancies for at least two years

- Primary structure previously used for commercial purposes by Griffin & Howe, a company that manufactures and sells firearms

- Based on review of imagery, commercial property has been vacant since at least 2016
Sample Analysis: Criterion D

- Faulty arrangement detrimental to safety and welfare
  - Property includes improvements on both sides of Mine Brook
  - Improvements are connected via wood bridge
  - Bridges create a “damming” effect by trapping debris that impedes the free flow of the waterway
  - “Debris dam” effect may magnify district flooding by blocking the flow of the waterway beneath the structure with insufficient clearance

Process

**Initial Resolution:** Governing body passes resolution directing the Planning Board to investigate if the property qualifies as an area in need of redevelopment. Resolution states if study is condemnation or non-condemnation.

**Due Diligence:** Research on the condition of the property in the study area.

**Preliminary Investigation:** Analysis of study area and recommended course of action.

**Planning Board Review:** Planning Board holds public hearing.

**Investigation Revisions:** Draft will be revised based on Town Planning Board input.

**Designation:** Governing body accepts, rejects, or modifies recommendation.
Study Area

2018 Master Plan: Aims to encourage transit-oriented and context-sensitive redevelopment in Division/Mechanic Streets area.

- **Action Item #32 (Land Use Element):**
  Conduct an Area in Need of Redevelopment and an Area in Need of Rehabilitation study for Division Street and portions of Mechanic Street…

- **Action Item #8 (Economic Development Element):**
  Encourage development opportunities that incorporate transit-oriented design principles in the Division/Mechanic Streets area with densities, amenities and uses reflective of the neighborhood context and site-related features and opportunities.

5. Next Steps
The First Step...

Initial Resolution: Governing body passes resolution directing the Planning Board to investigate if the property qualifies as an area in need of redevelopment. Resolution states if study is condemnation or non-condemnation.

Due Diligence: Research on the condition of the property in the study area

Preliminary Investigation: Analysis of study area and recommended course of action.

Planning Board Review: Planning Board holds public hearing.

Investigation Revisions: Draft will be revised based on Town Planning Board input.

Designation: Governing body accepts, rejects, or modifies recommendation.
2. A presentation was made by Terry Connolly and Oliver N. Esman on “Nourish.NJ – a program that creates lasting solutions to the problems of hunger, homelessness and poverty. They are in the process of constructing their Headquarters on Division Street and spoke about their various programs, and plans.
Ms. Terry Connolly, Executive Director presented their vision to the Mayor and Board of Aldermen for Nourish, NJ to come to the Town of Boonton to provide services to the needy.

CORRESPONDENCE
Alderman Bock
Alderman Bock made a motion to approve both pieces of correspondence, which were seconded by Alderman Wekilsky – Motion carried.

CONSENT AGENDA
Alderman Wekilsky

RESOLUTION 20-79
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 3, 2020 – Regular and Closed Session

RESOLUTION 20-80
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 20-81
RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #19-00006

WHEREAS, the Tax Collector has been paid $12,567.40, the necessary amount to redeem the following Tax Sale Certificate held by the US Bank Cust for Pro Capital 8 for property assessed to John Occhipinti

<table>
<thead>
<tr>
<th>Certificate</th>
<th>Block/Lot</th>
<th>Address</th>
<th>Tax Title Lien</th>
<th>Premium</th>
<th>Total Redemption</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-00006</td>
<td>33-304</td>
<td>616 Oak Street</td>
<td>$12,567.40</td>
<td>$0.00</td>
<td>$12,567.40</td>
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</table>

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancellation, be authorized to draw a check for $12,567.40 from the Trust Account and forward said check to the lienholder US Bank Cust for Pro Cap 8, Pro Capital Management II, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #19-00006 from the municipal record.
RESOLUTION 20-82
A RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

<table>
<thead>
<tr>
<th>PROPERTY OWNER</th>
<th>BLOCK</th>
<th>LOT</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>JPMorgan Chase Bank</td>
<td>77</td>
<td>1</td>
<td>100 Monroe Street</td>
</tr>
<tr>
<td>Princeton Meadows Holdings, LLC</td>
<td>118</td>
<td>1</td>
<td>115 Hawkins Place</td>
</tr>
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</table>

; and

WHEREAS, the Tax Assessor and Town Attorney are of the opinion that it is in the best interest of the Township to settle these appeals.

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 settlement of the following tax appeals filed at the Tax Court of New Jersey are hereby authorized as follows:

<table>
<thead>
<tr>
<th>PROPERTY OWNER</th>
<th>YEAR</th>
<th>ORIGINAL ASSESSMENT</th>
<th>PROPOSED SETTLEMENT</th>
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<tr>
<td>JPMorgan Chase Bank</td>
<td>2018</td>
<td>$1,066,400</td>
<td>$850,000</td>
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<td></td>
<td>2019</td>
<td>$1,066,400</td>
<td>$750,000</td>
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<tr>
<td></td>
<td>2020</td>
<td>$1,066,400</td>
<td>$650,000</td>
</tr>
<tr>
<td>Princeton Meadows Holdings, LLC</td>
<td>2014</td>
<td>$7,742,200</td>
<td>$7,442,200</td>
</tr>
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</table>

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.

3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.

5. This Resolution shall take effect immediately.

RESOLUTION 20-83
RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF A MOTOR VEHICLE

WHEREAS, the Boonton Police Department collects forfeiture funds throughout the year, to be deposited in a Forfeiture Account; and

WHEREAS, the Boonton Police Department is interested in obtaining an additional motor vehicle using funds from the Forfeiture Account in the amount of $15,000.00 to add to their fleet; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton feel this is a worthwhile and necessary purchase.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, that the Town Administrator, Neil Henry, be and is hereby authorized to execute an agreement with the Morris County Prosecutor’s Office to purchase a vehicle in the amount not to exceed $15,000.00.

RESOLUTION 20-84
A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON ADOPTING AN AFFORDABILITY ASSISTANCE PROGRAM

WHEREAS, the Town of Boonton has prepared a Spending Plan consistent with P.L. 2008, c. 46, Council on Affordable Housing ("COAH") regulations and the Settlement Agreement entered into between the Town of Boonton and Fair Share Housing Center on March 22, 2018, as amended on November 25, 2019; and

WHEREAS, said Spending Plan was adopted by the Mayor and Board of Aldermen of the Town of Boonton on September 17, 2018 via Resolution 18-247; and
WHEREAS, said Spending Plan commits to spend 30 percent of the Town’s collected development fee revenues, less those funds committed to the Town’s rehabilitation program and other housing activity, toward affordability assistance for low- and moderate-income households; and

WHEREAS, the Town now seeks to adopt the proposed Affordability Assistance Program attached hereto as Exhibit A, which establishes how the affordable housing trust funds committed in Boonton’s adopted Spending Plan toward affordability assistance will be spent and how the program will be administered.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Boonton in the County of Morris and State of New Jersey hereby adopts the Affordability Assistance Program that is attached hereto as Exhibit A.

CONSENT AGENDA

Alderman Wekilsky

Roll Call vote for Resolutions 20-79 through 20-84

MOVED: WEKILSKY  SECOND: CARDILLO

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<tr>
<th>BOARD MEMBER</th>
<th>YES</th>
<th>NO</th>
<th>ABSTAIN</th>
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<tr>
<td>Mr. Bock</td>
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<td>Mr. Cardillo</td>
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<td>Ms. DeVenezia</td>
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<td>Mr. Fenske</td>
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<td>Dr. Renfro-Michel</td>
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<td>Mayor Corcoran</td>
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*Due to Professional Concerns and advice from Council, Mr. Fenske recused himself from Resolutions 20-81 and 20-82.

MAYOR AND BOARD OF ALDERMEN
TOWN ATTORNEY AND ADMINISTRATOR DISCUSSION ITEMS

LIAISON REPORTS:

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<tr>
<th>COMMISSIONS, BOARDS, ETC.</th>
<th>LIAISON</th>
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<tr>
<td>Board of Education</td>
<td>Joe Bock reported that the Board discussed different their curriculum.</td>
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<td>Board of Health</td>
<td>Joe Bock has been unable to attend their meeting because of a scheduling conflict, however, he continues to correspond with them.</td>
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<tr>
<td>Boonton Holmes Library</td>
<td>Joe Fenske reported that eBooks have doubled. Community outreach is very successful. Grants have been received for window replacements. A new Youth Services Librarian has been hired.</td>
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<tr>
<td>Boonton Main Street</td>
<td>Marie DeVenezia attended the January Reorganization meeting; Steve Kampschmidt, President, Matt DiLauri, Vice President and Jane Conway, Secretary were elected. At their February meeting, Marie was also put on the board. Discussions included the 1st Friday’s for the year. There is another group called “Club 44, who now works with Boonton Main Street – they serve the businesses on or around Main Street and Boonton Main Street serves as a marketing entity. Marie was asked to forward the meeting schedules of both groups for the board to be able to attend their meetings. Alderman Cardillo reminded the Board that work was going to be done on a bus stop on Upper Main Street and Administrator Henry indicated it will begin in the Spring, 2020.</td>
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<td>Fire Commissioner</td>
<td>Cy Wekilsky reported that there have been required meetings and exercises; one with agility training with full gear, one with the Health Department, and the third in the Kiwanis building. These training sessions are all required for certification of the BFD members. Deputy Chief Joinson reported that there have been 33 calls so far this year. Regarding what Alderman Wekilsky spoke of previously, 73 members did indeed attend. Alderman Robillard urged members of the Board of Aldermen to attend their next meeting just to see what they must go through in order to be a member of the department.</td>
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</table>
2. **Grants Committee discussion of historical grants for 2020.**

Alderman Renfro-Michel gave a presentation of three grants to be applied for in 2020; The Ironworks Historic District and Trails Project, which includes the Arch Bridge, Train Trestle and Boonton Ironworks. Current funding sources for historic assets are from the Morris County Historic Preservation Trust Fund and the NJ Historic Preservation Fund. The properties must be listed on the National or NJ Register of Historic Places and eligible activities include stabilization, rehabilitation, restoration and preservation plans and reports associated with the implementation of a historic preservation project. Matching funds needed for the Morris County Historic Preservation Trust Fund grants would be <$5,000 – no match; >$5,000 – 20% match and for the NJ Historic Preservation Fund, matching funds – Capital Grants would be $5,000 - $150,000 – 40% Match and $150,000 - $750,000 – 50% Match. The timeline for 2020 Morris Fund Grants would be 1) Letters of Intent due 2/28, Grant Applications Due 3/27, Review Board Site Visits and Presentations, May/June, Funding Recommendations are made to Freeholders in Late June. For NJ Preservation Fund Grants, Grant Applications are due 4:00 p.m. on April 23 and Funding Recommendations are made to legislature and Governor on 10/13/2020.


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<tr>
<th>Housing Authority</th>
<th>Mayor Corcoran indicated there was no quorum for their last meeting, however he has spoken to Sherry Sims, Director. He will ask Ms. Sims to give a quick presentation at an upcoming meeting to discuss their financing and funding.</th>
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<tr>
<td>Kiwanis Ambulance Service of Boonton</td>
<td>Mike Wade attending two meetings. He is very happily surprised with the organization. They have an abundant supply of people for coverage. Their situation now is with the ambulances getting old and they are working on a committee to finance a new “bus” (ambulance). He is also very impressed at their interaction and this is the way to make a service grow. The people there conduct an amazing public service for no glory. He will do whatever he can to help them.</td>
</tr>
<tr>
<td>Morris County Bd. of Chosen Freeholders</td>
<td>Richard Corcoran indicated there is an upcoming Saturday budget meeting that they extended an invitation to all Board members. Alderwoman DeVenezia will be going in his place.</td>
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<tr>
<td>Planning Board</td>
<td>Richard Corcoran &amp; Marie DeVenezia – The biggest change going on is getting bids for a new Planning Board Attorney. A final presentation on the Barrister project was made at their last meeting.</td>
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<td>Trails</td>
<td>Edina Renfro-Michel invited Elliott Ruga to speak on behalf of the Trails committee. He thanked those who attended their tour last week in Grace Lord Park. This will entail various phases of funding.</td>
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![Ironworks Historic District and Trails Project Diagram](image_url)
3. Discussion of the creation of an official DPW/OEM Facebook Page for the Town of Boonton

The Mayor and Board of Aldermen discussed each municipal department to have their own social media pages, based from the Town of Boonton’s official page.
Mayor & Board of Aldermen
REGULAR MEETING AGENDA
February 18, 2020
100 Washington Street
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NEW BUSINESS
Alderman Fenske

ORDINANCE 01-20 (introduction/Title Only)
AN ORDINANCE AMENDING SECTION 300-85 OF THE TOWN OF BOONTON CODE IN ORDER TO ESTABLISH A TOWN-WIDE AFFORDABLE HOUSING MANDATORY SET-ASIDE

MOVED: RENFRO-MICHEL
SECOND: WEKILSKY

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MEETING OPEN TO THE PUBLIC
Mayor Corcoran opened the meeting to the public for comment or discussion.

1. Dan Clevito, 428 Lathrop Avenue (Ward 2): 1) Commented that the Town should consider a plastic bag ban similar to what Parsippany is now doing. Mayor Corcoran replied that this issue is currently being discussed in Trenton and recommends waiting to see what happens before adopting an ordinance. 2) Upon meeting with Tracy Pryer, Parks & Recreation, a discussion took place of having a Track-Recreation Program and he would like to offer his services in a league called the “Lakeland League”. He would like to see if the Grants Committee could look into seeking any type of Grants that may be obtained for Running in order to keep costs down for equipment and coaches. This would be something he’d be interested in in 2021.

CLOSED SESSION
Alderman Cardillo

RESOLUTION 20-85
RESOLUTION TO RECESS INTO CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 2075 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: Possible Litigation/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 subject matter.

4. This resolution shall take effect immediately.

5. No action may be taken in Closed Session

MOVED: CARDILLO
SECOND: WEKILSKY

VOICE VOTE: IN FAVOR: X AGAINST: ___

ADJOURN
Alderman Cardillo

There being no further business, the meeting adjourned at 11:05 p.m.

MOVED: WEKILSKY
SECOND: BOCK

VOICE VOTE: IN FAVOR: X AGAINST: ___