

Mayor & Board of Aldermen
REGULAR MEETING MINUTES

July 6, 2020

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:

ALDERMAN	TITLE	PRESENT	ABSENT
Mr. Edward Robillard	1 st Ward Alderman/Board President	X	
Mr. Cyril Wekilsky	1 st Ward Alderman	X	
Ms. Marie DeVenezia	2 nd Ward Alderwoman	X	
Dr. Edina Renfro-Michel	2 nd Ward Alderwoman	X	
Mr. Joseph Bock	3 rd Ward Alderman	X	
Mr. Joseph Fenske	3 rd Ward Alderman	X	
Mr. James Lynch	4 th Ward Alderman		X
Mr. Michael Wade	4 th Ward Alderman	X	
Mr. Richard Corcoran	Mayor	X	
Mr. Fred Semrau	Town Attorney	X	
Mr. Edward Pasternak	Town Attorney	X	
Mr. Neil Henry	Town Administrator	X	
Ms. Cynthia Oravits	Town Clerk	X	

CLOSED SESSION

RESOLUTION 20-163

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: Attorney/Client Privilege and 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: WEKILSKY		SECONDED: FENSKE	
VOICE VOTE:	IN FAVOR X	AGAINST:	

CLOSED SESSION ADJOURNED AT 7:19 P.M.

OPEN PUBLIC SESSION – 7:30 P.M.

The Meeting of July 6, 2020 is now being recorded and called to order via "Go To Meetings.com"

FLAG SALUTE AND ROLL CALL VOTE:

ALDERMAN	TITLE	PRESENT	ABSENT
Mr. Edward Robillard	1 st Ward Alderman/Board President	X	
Mr. Cyril Wekilsky	1 st Ward Alderman	X	
Ms. Marie DeVenezia	2 nd Ward Alderwoman	X	
Dr. Edina Renfro-Michel	2 nd Ward Alderwoman	X	
Mr. Joseph Bock	3 rd Ward Alderman	X	
Mr. Joseph Fenske	3 rd Ward Alderman	X	
Mr. James Lynch	4 th Ward Alderman		x
Mr. Michael Wade	4 th Ward Alderman	X	
Mr. Richard Corcoran	Mayor	X	
Mr. Fred Semrau	Town Attorney	X	
Mr. Edward Pasternak	Town Attorney	X	
Mr. Neil Henry	Town Administrator	X	
Ms. Cynthia Oravits	Town Clerk	X	

Adequate Notice
MAYOR'S STATEMENT

Pursuant to the requirements of RS 10:40-10, I announce and direct the Clerk to enter into the Minutes of this meeting an accurate statement to the effect that:

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 July 2, 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 July 2, 2020.

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and more specifically N.J.S.A. 10:4-8(b), which authorizes the use of communications equipment to hold public meetings, and in consideration of Executive Order 107 issued by Governor Phil Murphy and guidance provided by the New Jersey Department of Community Affairs, Division of Local Government Services, the Town of Boonton hereby notifies the public that in order to protect the health, safety and welfare of its citizens, while ensuring the continuity and continued operations of government, the Town will hold its regularly scheduled public meeting by way of a dial-in conference call on Monday, July 6, 2020 beginning at 7:30 p.m.

During the public session, members of the public will be muted until the public comment portion of the meeting is opened, and then unmuted to allow for public comment. Please note that while muted, the public will still be able to hear the governing body conduct business. The public portion will be opened by the Town Administrator following the conclusion of formal business. Once the public portion is concluded, the public will again be muted for the duration of the meeting

Any member of the public who wishes to participate in the meeting may do so by calling the following number:

General Session-Board of Aldermen-July 6 2020

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

<https://global.gotomeeting.com/join/474053461>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3117](tel:+15713173117)

Access Code: 474-053-461

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<https://global.gotomeeting.com/install/474053461>

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

1. Mute phone when not speaking. Do not log on through the computer and the telephone line as it creates audio issues. Choose only one. Unmute your phone when you are called on to speak or wish to speak.
2. Announce yourself when you are 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.

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, July 6, 2020** at 3:00 p.m. The comments or questions, which must include the individual's name and address, will be read into the record during the public portion of the meeting.

BOONTON HEALTH DEPARTMENT/OEM/FINANCE

1. Health Department: *Public Health Nurse Mandi Bendett reported on the COVID-19 Pandemic saying there are 79 cases in Boonton and is trending down. The NJ Fireman’s Home is doing well and the virus is “controlled” at this time. Tracy Pryer (Recreation Director) and her created a flyer to bring some lightness to the residents there and are requesting cards be sent. There have not been any new cases in the past week and a half.*

Mandi trying to shift gears and to make sure residents are keeping up with their children’s vaccinations, hoping to all be done by the time the flu season begins in the Fall.

Mayor Corcoran asked the board for any questions they may have and there were none, although they all thanked her for her hard work. Alderwoman DeVenezia also thanked her for being able to concentrate on other things along with the crisis.

2. OEM: *Deputy Directors Michael Gulla reported that PPE inventory is all set, and everything is trending down. He added that Scott Bednar continues working with Yolanda Dykes on billing in order to get reimbursed by FEMA. The Board thanked him for his work, but had no further questions.*

3. Tax Collections: 2019 2nd quarter as of 7/1/2019		2020 2nd quarter as of 7/1/2020	
Total billed for 2nd qtr. 2019	\$8,136,475.33	Total billed for 2nd qtr. 2020	\$8,360,267.84
Total paid as of 7/1/2019	<u>\$7,776,933.65</u>	Total paid as of 7/1/2020	<u>\$8,081,619.85</u>
Balance as of 7/1/2019	\$ 359,541.68	Balance as of 7/1/2020	\$ 278,647.99
Collection Percentage 95.58%		Collection Percentage 96.67%	

Mayor Corcoran explained the Tax Collector’s calculations above adding that the Town is trending better than it did at this time last year. However, we are moving forward to August waiting to see the tax revenue at then.

4. Administrator: *Neil Henry spoke about 1) Resolution 20-153 that was adopted at the last meeting regarding closing Main Street on Friday nights. The County Board of Chosen Freeholders has granted approval to our request and he is currently working with the Mayor and his assistant Charlene, the Police and the Health Department in order for the roadway to be closed for the next four Fridays in July. He has asked the BPD for a reduced overtime schedule and Lt. Stafford indicates it will cost \$1,600.00 every Friday night (if covered by senior officers). If lower ranked officers work, it will cost less. The Health Department is working on the applications for outdoor dining and health inspections are taking place. The next step is to notify everyone of this closure and has reached out to Boonton Main Street to help notify all the restaurants. Social distancing needs to be kept in place. This is a good opportunity to help our businesses and restaurants drawing people toward Main Street.*

Mr. Henry also spoke about when the playgrounds would be opened indicating that in order to do so, the Town must comply with Governor Murphy’s Executive Order 157. There are limits regarding people being at least 6’ apart, playground equipment needs to be wiped down and sterilized after every use pursuant to CDC guidelines, and there continue to be requirements to wear masks. Therefore, there is still a lot of work to be done and he will be meeting with Bob Ezzi, Interim DPW Superintendent to go forward.

Alderwoman Renfro-Michel stated she is getting reports that people are jumping the fence in Pepe Field. Mr. Henry said Executive Orders are received by the BPD and these actions must be reported to the Prosecutor. He will respond to the Chief about Pepe Park.

Alderwoman Renfro-Michel also stated that the Kanouse Street Park will remain closed because the old equipment is planned to be dismantled. As chair of the DPW, she said there are concerns about manpower in the department which results in significant costs.

Alderman Wade feels although the governor said we can open the play grounds it’s really going to be hard to keep children off the equipment until its cleaned, stating this is an impossible set of rules to follow.

Alderwoman DeVenezia commented that she has spoken to Laura Wagner from Boonton Main Street and she is now aware of the plans for closing the street on Friday nights. Ms. DeVenezia also spoke about a question that arose about who is responsible for the tennis courts near the high school and was advised that they belong to the Board of Education.

Alderman Bock has been contacted by residents about when we are opening the town hall and we need to start discussing it in a safe process.

Alderman Fenske said opening playgrounds is a huge process and keeping our children safe is our main concern.

Mayor Corcoran said retarding Town hall, there is a plan in place and we have already incurred some costs regarding cleaning it. We are working on final details. Once we get to a clear date, we will make everyone aware of when it will be open.

CORRESPONDENCE

1. Email received from Leen VanGinckel requesting approval of placing an "earthcache" in Grace Lord Park

Hello,
(thank you for forwarding below to the relevant colleague)

hope you and your family are doing fine in these crazy times.

I would like to ask you a question related to **Grace Lord park (more specific to the foot trail that run along the river gorge to the waterfall)**.

The question relate to our hobby "**geocaching**" - geocaching is an outdoor game that allows people as an individual or a family to discover new places. Maybe you have heard about it before - if not you can find more information here. <https://www.geocaching.com/blog/2018/03/what-is-geocaching/> Geocaching is well arranged and regulated, via the central site [geocaching.com](http://www.geocaching.com) and official apps that people can put on their smart phone. For new geocaches to be put out, there is a strict review process in place which includes asking for permission of the land owner which is what I want to do now 😊

Our question: We would like to place an "earthcache": that means that in our online community (website [geocaching.com](http://www.geocaching.com)) we tell about a place, and geocachers can get a "point" by coming to the area and answer a few questions about a geologic phenomenon (in this case the pothole in the gorge that one can easily observe from the trail). I estimate that this would mean that about 10 to 20 people might come "on purpose" to the area to explore and answer this question. There is **nothing placed physically, it's about visiting and answer a few easy questions about observations on the spot!** For this **we would need permission** from you (or a different party in case that would not be in your responsibility). Given the Covid-19 crisis we would not officially "publish" the geocache before that whole situation has cleared up of course (might still take a while...).

We are Leen and Roel, our geocaching nickname is Tippy_1. We have found more than 28.000 geocaches across the globe (mostly in Europe (where we lived until a year ago) and in the US). We have also already placed more than 400 geocaches so we are pretty passionate about our hobby geocaching 😊. We currently reside in New Jersey but travel a lot across all the states on the US east coast.

Our recent trips brought us to Boonton where we were really happily surprised with the beauty of the area around the waterfall. It is such a great place to admire the forces of nature and geology, so decided we would like to bring this spot to the attention of geocachers by marking it an "earthcache", meaning we ask people to make a stop here (place is well equipped for that with parking and boardwalk), admire the falls and answer some questions to get a learning experience.

We hope you will take our request to approve this geocache into consideration. There will not be any harm to the nature, as geocachers just use the already existing facilities like any other "tourist" and we did not place anything physical. The only difference might be that there will be a few more people stopping in Boonton 😊 (but will not be massive).

Thank you for considering our request, and hopefully approving it.

If you would have any specific remarks or concerns that we should ask to our geocaching listing, feel free to let us know.

Kind regards,
Leen Van Ginckel & Roel Verlot
120 South St
Hightstown, NJ 008520

Alderman Bock questioned why government approval would be needed for this request but feels this could become a liability issue. Alderwoman Renfro-Michel responded that getting approval from the town is a polite thing to do. This brings people to our parks and she feels the board should grant their request which would then be posted by them that the Town is in favor. Attorney Semrau feels it's better for the town to take action on this. Alderman Wekilsky stated the Star Ledger newspaper published the Town's waterfalls as a place of interest in New Jersey and we will see people coming to town because of their article. Upon discussion of the Board, Mr. Semrau reported that regarding Title 59 allows immunity and certain protections of the Town and feels it's prudent to take action on this request. He recommended getting the endorsement of the Parks & Recreation Director.

The above request was unanimously approved by the Mayor & Board of Aldermen.

Mayor Corcoran announced that Alderwomen Renfro-Michel and DeVenezia will be leaving this meeting early in order to attend the County's grant approval meeting.

CONSENT AGENDA

RESOLUTION 20-164

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN APPROVING MEETING MINUTES

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

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 that the Minutes from the following meeting(s) are hereby approved as typed and filed in the Town Clerk's office:

June 15, 2020

RESOLUTION 20-165

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 20-166

RESOLUTION TO CANCEL WATER/SEWER CHARGES

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 following water/sewer charges be and are hereby canceled:

Account	Address	Reason	Amount	Correction applied to:
1203-0	110 Myrtle Avenue	Overbilled in 2017	345.42	1 st quarter 2020

RESOLUTION 20-167

RESOLUTION TO REFUND OVERPAYMENT BLOCK 61 LOT 4.03

WHEREAS, the property located at 628 Church Street, Block 61 Lot 4.03, owned by Carl & Tracey Mc Kay, has an overpayment on 1st and 2nd quarter 2020 in the total amount of \$5,315.96, and

WHEREAS, the homeowner's mortgage company, made payments on behalf of homeowners Carl and Tracey Mc Kay, and

WHEREAS, the homeowners also made a payment on this property in error, and

WHEREAS, Carl and Tracey have requested the overpayment be returned to them

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 Tracey Mc Kay in the amount of \$5,315.96 for overpayment of 1st and 2nd quarter taxes.

RESOLUTION 20-168

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR BASK INVESTMENTS (WINE BARREL)

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2020; and

WHEREAS, the Police Department has recommended the renewal of these licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the following Alcoholic Beverage Control Application be processed:

BASK INVESTMENTS LLC - 1401-44-011-007

RESOLUTION 20-169

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR STEINHAUSERS TAVERN INC.

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2020; and

WHEREAS, the Police Department has recommended the renewal of these licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the following Alcoholic Beverage Control Application be processed:

STEINHAUSERS TAVERN INC. - 1401-33-010-006

RESOLUTION 20-170

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR SLOVAK GYMNASTIC UNION SOKOL ASSEMBLY 32

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2020; and

WHEREAS, the Police Department has recommended the renewal of these licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the following Alcoholic Beverage Control Application be processed:

SLOVAK GYMNASTIC UNION SOKOL ASSEMBLY 32 - 1401-31-015-001

RESOLUTION 20-171

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR EKM LIQUORS, INC. (Liquor Outlet)

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2020; and

WHEREAS, the Police Department has recommended the renewal of these licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the following Alcoholic Beverage Control Application be processed:

EKM LIQUORS, INC. - 1401-44-001-006

RESOLUTION 20-172

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR EFJ5 INC. (Matta Donna)

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2020; and

WHEREAS, the Police Department has recommended the renewal of these licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the following Alcoholic Beverage Control Application be processed:

EFJ5 INC. - 1401-33-006-006

RESOLUTION 20-173

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN AUTHORIZING CHANGE ORDER #1 FOR THE HIGHLAND AVENUE & LATHROP AVENUE RESURFACING PROJECT

WHEREAS, the Town of Boonton entered into an Agreement with American Asphalt & Milling Services, LLC for the above referenced project in the amount of \$ 495,163.37; and

WHEREAS, Suburban Consulting Engineers has reviewed and approved Change Order #1 submitted by American Asphalt & Milling Services, LLC in the amount of \$8,500.00 for CA1-A, Inlet Replacement.

NOW THEREFORE, BE IT RESOLVED that Change Order #1 be and is hereby authorized in the amount of \$8,500.00.

I hereby certify that funds are available in the General Capital Account
Account # C-04-55-989-004

Yolanda Dykes, CFO

RESOLUTION 20-174
RESOLUTION APPROVING APPLICATION FOR BLOCK PARTY

WHEREAS, Susan Zaniewski has submitted an application for a Block Party on Dawson Avenue from Old Boonton Road to Madison Street; and

WHEREAS, the application has been reviewed and approved by the Boonton Police Department.

NOW THEREFORE, BE IT RESOLVED said approval is subject to any executive orders and social distancing requirements pursuant to the governor’s executive orders and State of Emergency.

BE IT FURTHER RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that all papers being in good order, the Clerk is hereby authorized to approve the Block Party on Saturday, September 5, 2020.

RESOLUTION 20-175
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON ACCEPTING A PROPOSAL FOR DEEP CLEANING WITHIN THE TOWN HALL

WHEREAS, the Town of Boonton sought quotes for deep cleaning in the Boonton Town Hall, in accordance with the Local Public Contracts Law, N.J.S.A. §40A:11-1, et seq.; and

WHEREAS, two (2) proposals were received from:

Contractor	Amount
PDQ RESTORATION	\$ 8,200.00
Servpro of E. Central Morris County	\$8,945.00

WHEREAS, the Board of Aldermen is satisfied with the proposal submitted by PDQ Restoration as being the proposal which satisfies the best interest of the Town and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, N.J.S.A. §40A:11-1 *et seq.*

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

1. It does hereby authorize the issuance of a Contract to PDQ Restoration, 302 Boonton Avenue, Boonton, NJ for the remediation of mold within the Boonton Police Department, South Boonton Fire House and Boiler in Town Hall at a total cost not to exceed \$8,200.00.
2. The Town Administrator is specifically authorized to execute the aforementioned Contract.

I hereby certify that funds are available in the Trust Fund Account
Account # 0-13-56-856-801

Yolanda Dykes, CFO

RESOLUTION 20-176
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2021-WOOTTON STREET - PHASE II-00645 APPLICATION FOR THE WOOTTON STREET - PHASE II PROJECT.

WHEREAS, the Town of Boonton wishes to submit an electronic grant application identified as **A-2021-Wootton Street – Phase II-00645** to the New Jersey Department of Transportation for the primary purpose of improving the condition of roadway infrastructure (e.g. resurfacing, reconstruction, drainage); and

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton formally approves the grant application for the above stated project.

NOW THEREFORE, BE IT FURTHER RESOLVED that Mayor Richard Corcoran and the Town Clerk are hereby authorized to submit an electronic grant application identified as **MA-2021-Wootton Street - Phase II-00645** to the New Jersey Department of Transportation on behalf of Town of Boonton.

BE IT FURTHER RESOLVED that Mayor Richard Corcoran and the Town Clerk are hereby authorized to sign the grant agreement on behalf of Town Boonton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 20-177

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2021-WOOTTON STREET - PHASE III-00648 APPLICATION FOR THE WOOTTON STREET - PHASE III PROJECT.

WHEREAS, the Town of Boonton wishes to submit an electronic grant application identified as **MA-2021-WOOTTON STREET-PHASE III-00648** to the New Jersey Department of transportation for the primary purpose of improving the condition of roadway infrastructure (e.g. resurfacing, reconstruction, drainage); and;

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton formally approves the grant application for the above stated project.

NOW THEREFORE, BE IT FURTHER RESOLVED that Mayor Richard Corcoran and the Town Clerk are hereby authorized to sign the grant agreement on behalf of Town Boonton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 20-178

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A SETTLEMENT AGREEMENT

WHEREAS, there was an action filed by Rosemarie Lynch against the Town; and

WHEREAS, that action sought compensation for unused time in the amount of \$29,224.86, plus costs; and

WHEREAS, it is the recommendation of the Administration to amicably resolve this matter, and that the matter be settled for \$10,000.00. and

WHEREAS, it is the considered opinion of Mayor and Board of Aldermen, without prejudice that such claim should be resolved in accordance with the terms negotiated by the Town labor attorney;

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, that the Mayor and Municipal Clerk are hereby authorized to execute a settlement agreement under the terms conveyed by the Town labor attorney. Such agreement shall be in a form acceptable to the labor attorney and will be made public upon execution by all parties, at the conclusion of this matter.

This Resolution will take effect immediately upon its passage

RESOLUTION 20-179

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A SETTLEMENT AGREEMENT

WHEREAS, there was complaint filed in Equity by Retained Realty Inc., a New York Corporation (hereinafter "Retained"), as to its property located at 116 Essex Avenue in the Town of Boonton, against Douglas Kay and Karen Sorandes (hereinafter "Kay and Sorandes") and the Town of Boonton, and

WHEREAS, Kay and Sorandes later added as Third-Party Defendants Francis D. McIntyre, Esq. and the Law Office of Francis D. McIntyre; and

WHEREAS, the action by Retained seeks compensation for the impermissible extinguishing of an easement by Kay and Sorandes to Rockaway Street, as well as the Town's prior refusal to grant an easement to Essex Avenue; and

WHEREAS, it is now the recommendation of the Administration to amicably resolve this matter by way of the granting of an easement to Essex Avenue, in further consideration of evidence in regard to the existing driveway to Essex Avenue; and

WHEREAS, by way of settlement, the Plaintiff and Defendants shall pay to the Town of Boonton the sum of \$23,000, and

WHEREAS, as part of the settlement, the Town shall, subject to governing body approval, adopt an ordinance and grant an easement to establish access from the property located at 116 Essex Avenue to Essex Avenue, and as part of such settlement, that the Town shall be released from any claims with respect to access, title issues or any other claim of right; and

WHEREAS, the contemplated access easement has already been a long-standing access for the property, based on historical data and mapping, and

WHEREFORE, a driveway with curb cut has been in existence for some time, and as such granting of such an easement is not a new entrance; and

WHEREAS, all costs as to such easement shall be borne by parties other than the Town of Boonton; and

WHEREAS, it is the considered opinion of Mayor and Board of Aldermen, without prejudice that such claim should be resolved in accordance with the terms negotiated by the Town attorney;

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, that the Mayor and Municipal Clerk are hereby authorized to execute a settlement agreement under the terms conveyed by the Town attorney. Such agreement shall be in a form acceptable to the Town attorney and will be made public upon execution by all parties, at the conclusion of this matter.

This Resolution will take effect immediately upon its passage.

CONSENT AGENDA VOTE

Roll Call Vote for Resolutions 20-163 through 20-179

MOVED: RENFRO-MICHEL		SECOND: WEKILSKY			
Mayor Corcoran opened this portion of the meeting for Board of Aldermen’s Discussion and Comments – there were no comments.					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia	X				
Mr. Fenske	X		X*		
Mr. Lynch					X
Dr. Renfro-Michel	X				
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

*Due to professional concerns and on advice of Council, Alderman Fenske abstained from Resolution 20-170.

NEW BUSINESS

General Discussion

Mayor & Board of Aldermen, Town Attorney, Town Administrator

1. Request by RVRSA for bypass – Engineer Andrew Holt, Suburban Consulting Engineers, Inc.

Town Engineer Andrew Holt spoke about a meeting held on Jne 24 with representatives from the RVRSA need for a bypass. There is a pipe going from Interstate 287 to the Mayor’s Park across from Town Hall. A portion of that pipe needs to be replaced. In order to do so, they must stop and re-route the wastewater flow through Canal Side Park. This will not be a long-term construction project, perhaps taking only a week or so. Following is the letter written by Mr. Holt to the Administrator with an explanation and a list of concerns to be addressed:

Re: Town of Boonton, Morris County, New Jersey
 RVRSA Contract 35 Rebid II
 File No.: SCE-R08470.Y20

Dear Mr. Henry:

Subsequent to the June 24th meeting with representatives from Rockaway Valley Regional Sewerage Authority (RVRSA) and our July 1st meeting with the Town of Boonton Public Works Advisory Committee, provided is a summary of information and conditions which are recommended to be incorporated into any approving action taken by the Board of Alderman in response to the RVRSA request for approval of a revised bypass flow scenario associated with the above referenced contract.

As you're aware, RVRSA has identified a problem on the project concerning the Contractor's inability to find a third party engineer who will review and certify the proposed siphon bypass of wastewater for the timeframe necessary to accommodate the replacement of the sewer interceptor where it crosses Washington Avenue in front of the Town of Boonton Municipal Building and Mayor's Park. RVRSA is entertaining the Contractor's Proposal to instead, allow bypassing of all wastewater flow into the old Jersey City trunk interceptor upstream of the project area in Canal Side Park to allow for the complete removal and replacement of the subject pipe in Washington Avenue. RVRSA reports that this would be the most expeditious and reliable way to accommodate construction versus that which was originally designed and formed the basis of their contract. RVRSA has indicated that time is of the essence in making this adjustment to attempt to complete this work before the wet fall hurricane season, which could jeopardize the bypass pumping arrangement.

The following list of concerns and conditions are recommended to be made part of the communication by the Town in response to RVRSA's request. These conditions will better protect the Town of Boonton residents and businesses leading up to, during, and following the work.

1. The Town reserves the right to stop work or require enhancements to the odor control system in Canal Side Park during the time of bypass pumping.
2. Within 60 days of work completion, Canal Side Park shall be fully restored to its original condition to the satisfaction of the Town of Boonton Public Works Director and municipal engineer.
3. RVRSA will require the Contractor to provide fully redundant by-pass pumping units (200% capacity) and shall have those pumps installed and ready for operation at all times. This requirement is in lieu of a one-week demonstration period in advance of the work.
4. Adequate fuel storage for the pumps shall be properly maintained on site with necessary protection for fuel transfer and storage to avoid environmental impact to the park or river.
5. RVRSA shall require the Contractor to man the bypass pumps on a continuous (24/7) basis without interruption of observation or operator care.
6. Adequate sound attenuation shall be provided to preserve the park-like setting and avoid impact to neighboring properties.
7. Extreme wet weather contingency plans shall be in place which may include resuming flow through interceptor under construction throughout the project.
8. No work shall be scheduled to occur on dates when more than 1-inch of rainfall is forecast with greater than 30% certainty.
9. The Town of Boonton will have an opportunity to review and comment on the accuracy of metered sewer flows during the time that bypass pumping is occurring. It is our understanding that flows through this period may be estimated as the Town of Boonton is concerned that equitable measurements and billing shall be maintained.
10. RVRSA shall supplement the escrow account to cover the Town's professionals and in-house resources' overtime, if necessary. A deposit of \$10,000 is requested to be made within 15 days of this approval.
11. Contingency plans for this work to occur in the Fall shall be communicated to the Town in advance should the RVRSA desired summer construction schedule be delayed,

NOTE: The opportunity to complete this work with lower traffic impacts and the lack of a Labor Day parade blackout period are expected to facilitate the work in the most expeditious manner. It is mutually beneficial to RVRSA and Town of Boonton to see this work proceed as expeditiously as possible. Therefore, SCE is recommending that after consideration and discussion, the Board of Alderman act favorably in support of the proposed bypass pumping arrangement, subject to these and any other conditions they deem appropriate.

Should you have any questions, please do not hesitate to contact our office.

Very Truly Yours,

SUBURBAN CONSULTING ENGINEERS, INC.

Andrew S. Holt, PE, PP, CME
Principal Engineer

Mayor Corcoran opened the meeting to the Board of Aldermen for any questions or concerns. He then opened it to the public for any questions. There were no questions at that time and the Board approved his recommendations.

2. *Proposed Ordinances for Water/Sewer Rate Increases and Sump Pump Usage – The Personnel and Finance Committee did an analysis of the water and sewer rates and are now recommending rate increases. The board had no questions and an ordinance will be introduced at the next board meeting for said increases which will be written by the Town Attorney.*

Alderman Wekilsy also spoke about a sump pump ordinance that will be introduced at the next meeting also. There are a lot of businesses and residents tied into the sewer system which runs into the RVRSA treatment plant raising costs.

ORDINANCE 16-20 (Introduction/Title Only)

AN ORDINANCE OF THE TOWN OF BOONTON FIXING THE SALARIES AND WAGES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, FOR THE YEAR 2020

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

UNFINISHED BUSINESS

ORDINANCES

ORDINANCE 09-2020 – Final Reading/Public Hearing

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percent rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Boonton in the County of Morris finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Board of Aldermen hereby determines that a 1.0% increase in the budget for said year, amounting to \$101,485.40 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Board of Aldermen hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Boonton, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Town of Boonton shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$355,198.89 that the CY 2020 municipal budget for the Town of Boonton be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

MOVED: WEKILSKY		SECOND: ROBILLARD			
Mayor Corcoran opened this portion of the meeting to the public. Having nobody come forward, he closed this portion of the meeting.					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia					X
Mr. Fenske	X				
Mr. Lynch					X
Dr. Renfro-Michel					X
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

ORDINANCE 10-2020 – Final Reading/Public Hearing

BOND ORDINANCE APPROPRIATING \$1,795,087, AND AUTHORIZING THE ISSUANCE OF \$1,183,783 BONDS OR NOTES OF THE TOWN, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Town of Boonton, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,795,087 including the aggregate sum of \$62,304 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes and including also, in the case of the improvements or purposes described in paragraph (c) of said Section 3, the aggregate sum of \$549,000 received or expected to be received by the Town from the New Jersey Department of Transportation, as grants-in-aid of financing said improvements to Reservoir Drive and Wootton Street.

For the financing of said improvements or purposes and to meet the part of said \$1,795,087 appropriations not provided for by application hereunder of said down payments and grants, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$1,183,783 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$1,183,783 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase and installation, as necessary, of new and additional equipment, including without limitation, a walk behind mower for use by the Department of Public Works of the Town, self-contained breathing apparatus, turnout gear, air bottles, portable radios and a Knox box for use by the Fire Department of the Town, together with for all the aforesaid all attachments, accessories and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved	\$156,979	\$149,130
(b) Improvement of municipally-owned properties and facilities in and by the Town, including without limitation, Pepe Field by the upgrade of the playground, and the firehouse by the upgrade of the security system, together with all studies, equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved.	266,198	252,887
(c) Improvement of various roads in and by the Town, including Overlook Avenue, Kenmore Road, Toner Road, Hillside Avenue, Reservoir Drive from Monroe Street to Boyd Street, Wootton Street from Myrtle Avenue to William Street by the construction, reconstruction and resurfacing thereof of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), and including also the paving of the Department of Public Works parking lot, together with all crack sealing sidewalks, curbing, guard rails, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved, the \$1,181,910 appropriation hereby made therefor being inclusive of the aggregate amount of \$549,000 received or expected to be received by the Town from the New Jersey Department of Transportation as grants-in-aid of financing said improvements to Reservoir Drive and Wootton Street	1,181,910	601,266
(d) Acquisition by purchase of new and additional vehicular equipment including of one (1) utility vehicle for use by the Fire Chief of the Town, together with all equipment, attachments and accessories necessary therefor or incidental	80,000	76,000

thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved

(e) Acquisition by purchase of lands in and by the Town located at 116 Essex Avenue and commonly known as the Bosche Property, consisting of approximately .274 acres and shown as Lot 29.01 in Block 112 on the Official Tax Map of the Town for parks and recreational purposes, all in accordance with the proposed contract therefor on file or to be filed in the office of the Town Clerk and hereby approved

	<u>110,000</u>	<u>104,500</u>
Totals	<u>\$1,795,087</u>	<u>\$1,183,783</u>

Except as otherwise stated in paragraph (c) above with respect to the said grants-in-aid of financing the purposes described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 14.02 years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Town as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,183,783, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$180,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

The funds from time to time received by the Town on account of the \$549,000 grants referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in paragraph (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Town authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvement or purpose shall, be held and applied by the Town as funds applicable only to the payment of obligations of the Town authorized by this bond ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Town Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

MOVED: WEKILSKY		SECOND: ROBILLARD			
Mayor Corcoran opened this portion of the meeting to the public. Having nobody come forward, he closed this portion of the meeting.					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia					X
Mr. Fenske	X				
Mr. Lynch					X
Dr. Renfro-Michel					X
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

ORDINANCE 11-2020 – Final Reading/Public Hearing

BOND ORDINANCE APPROPRIATING \$375,785, AND AUTHORIZING THE ISSUANCE OF \$356,000 BONDS OR NOTES OF THE TOWN FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, FOR THE WATER UTILITY OF THE TOWN

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Town of Boonton, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$375,785 including the aggregate sum of \$19,786 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

For the financing of said improvements or purposes and to meet the part of said \$375,785 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$356,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$356,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional equipment, including one (1) power valve trailer, together with all attachments, accessories and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved	\$75,330	\$71,000
(b) Improvement of the Green Street tank by the remediation thereof, together with all equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved	120,455	114,000
(c) Acquisition by purchase of new and additional vehicular equipment, including of one (1) dump truck, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved	<u>180,000</u>	<u>171,000</u>
Totals	<u>\$375,785</u>	<u>\$356,000</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 18.20 years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Town determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Town as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$356,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$40,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

This bond ordinance authorized obligations of the Town solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph of (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Town.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and, unless paid from the revenues of the water supply and distribution system of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Town Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

MOVED:		SECOND:			
Mayor Corcoran will open this portion of the meeting to the public					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Dr. Renfro-Michel					
Mr. Robillard					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

ORDINANCE 12-2020 – Final Reading/Public Hearing

ORDINANCE PROVIDING FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$97,250 THEREFOR FROM MONEYS IN THE WATER CAPITAL IMPROVEMENT FUND OF THE TOWN

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF WASHINGTON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by the Town of Boonton, in the County of Morris, New Jersey, and there is hereby appropriated therefor the sum of \$97,250 from moneys available in the Water Capital Improvement Fund of the Town.

The improvements hereby authorized and the purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance include the improvement of the water supply and distribution system by the upgrade and rehabilitation of pumps and valves; the acquisition by purchase of software, hydrastops and a de-chlorinator; the inspection of the dam; and the preparation of a water leak survey, together with for all the aforesaid all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved.

The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Town Clerk and are available for public inspection.
 This ordinance shall take effect after publication after final passage as provided by law.

MOVED: WEKILSKY		SECOND: FENSKE			
Mayor Corcoran opened this portion of the meeting to the public. Having nobody come forward, he closed this portion of the meeting.					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia					X
Mr. Fenske	X				
Mr. Lynch					X
Dr. Renfro-Michel					X
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

ORDINANCE 13-2020 – Final Reading/Public Hearing

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO BE UNDERTAKEN BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$1,344,026 THEREFOR FROM VARIOUS FUNDS OF THE TOWN

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by the Town of Boonton, New Jersey. For the said improvements or purposes stated in said Section 2, there is hereby appropriated the sum of \$1,344,026, to the extent of \$223,626 from moneys available in the Capital Improvement Fund of the Town, to the extent of \$50,000 from the proceeds of a grant received or to be received by the Town from the New Jersey Historic Trust Fund and to the extent of \$33,600 from the proceeds of a grant received or to be received by the Town from the Morris County Historic Preservation Trust Fund, as grants-in-aid of financing said improvement to the Boonton Ironworks Historic District, to the extent of \$320,000 from the proceed of a grant received or expected to be received by the Town from the Morris County Historic Preservation Trust Fund and to the extent of \$320,000 from the proceeds of a grant received or to be received by the Town from the New Jersey Historic Trust fund as grants-in-aid of financing said improvements to the Arch bridge, to the extent of \$36,800 from the proceeds of a grant received or to be received by the Town from the Morris County Historic Preservation Trust fund as a grant-in-aid of financing said improvement to the train trestle, to the extent of \$280,000 from the proceeds of a grant received or to be received by the Town from the Morris County Historic Preservation Trust Fund, as a grant-in-aid of financing said improvements to the library, and to the extent of \$80,000 from the proceeds of a grant received or to be received by the Town from the Community Development Block Grant Program as a grant-in-aid of financing said improvements to the upper Plane Street parking lot and Canalside Park.

The improvements hereby authorized and the several purposes for which said appropriation is made are as follows: the acquisition by purchase of new and additional equipment for use by the Police Department of the Town, including computers, handguns, shotguns, vehicular equipment, ticketing equipment, scanners, and gun lockers; the conversion of data for the Police Department of the Town; the improvement of the Boonton Trail by the restoration thereof; the improvement thereof; the improvement of the Arch Bridge by the restoration thereof; the upgrade of the Boonton Ironworks Historic District by the preservation thereof; the improvement of the Boonton-Holmes Public Library by the renovation thereof; the train trestle by the upgrade thereof; the upper Plane Street municipal parking lot by the upgrade thereof; and Canalside Park by the improvement thereof, together with all studies, designs, engineering, equipment, accessories, attachments, work and materials, necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved.

The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services are on file with the Town Clerk and are available for public inspection.

This ordinance shall take effect after publication after final adoption, as provided by law.

MOVED: WEKILSKY		SECOND: FENSKE			
Mayor Corcoran opened this portion of the meeting to the public. Having nobody come forward, he closed this portion of the meeting.					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia					X
Mr. Fenske	X				
Mr. Lynch					X
Dr. Renfro-Michel					X
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

ORDINANCE 14-2020 – Final Reading/Public Hearing

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE SANITARY SEWERAGE SYSTEM IN AND BY THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,466,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,393,080 BONDS OR NOTES OF THE TOWN FOR FINANCING SUCH APPROPRIATION

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Town of Boonton, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$1,466,400, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$73,320 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

For the financing of said improvement or purpose and to meet the part of said \$1,466,400 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$1,393,080 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Town in a principal amount not exceeding \$1,393,080 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the sanitary sewerage system in and by the Town including by the construction and installation therein of new sanitary sewerage mains from Myrtle Avenue to Roessler Street to allow for increased capacity, together with all pipes, fittings, connections, structures, appurtenances, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,393,080.

The estimated cost of said purpose is \$1,466,400, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$73,320 down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Town determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Town as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,393,080, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$140,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

This bond ordinance authorized obligations of the Town solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph of (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Town.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and, unless paid from the revenues of the sanitary sewerage system of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Town Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

MOVED: ROBILLARD		SECOND: FENSKE			
Mayor Corcoran opened this portion of the meeting to the public. Having nobody come forward, he closed this portion of the meeting.					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia					X
Mr. Fenske	X				
Mr. Lynch					X
Dr. Renfro-Michel					X
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

ORDINANCE 15-2020 – Final Reading/Public Hearing

ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY, VACATING A PORTION OF THE PUBLIC ROADWAY KNOWN AS MONROE STREET

WHEREAS, there exists in the Town of Boonton (“Town”) a public roadway known as Monroe Street; and

WHEREAS, the Town has received a request from Monroe Street Holdings, LLC to vacate a certain portion of Monroe Street located between Block 78, Lots 1, 2 and 3, New Jersey Interstate 287, and Lincoln Street, and also known as 128 Monroe Street, and shown on the official Town Tax Maps and as more fully described in the metes and bounds description and plat attached hereto as **Exhibit A** (the “Area”); and

WHEREAS, the request has been reviewed by the Town Engineer, who has determined that the Area will no longer be needed for municipal purposes, has confirmed that the metes and bounds description and plat is acceptable as to form, has indicated that he does not object to the Town vacating the Area subject to the owner(s) of the Area executing certain utility and right-of-way agreements with the Town and the Rockaway Valley Regional Sewerage Authority (“RVRSA”), with the total amount of land being 4,821 square feet (or 0.1107 acres); and

WHEREAS, the Mayor and Board of Aldermen has determined that vacating the Area is in the best interest of the Town; and

WHEREAS, the Town Engineer and Director of the Department of Public Works has determined that easement reservations shall exist due to such vacatur, between the owner(s) the Area and the Town and/or the RVRSA, as may be necessary for sanitary sewer collection, storm water drainage system, and water distribution utilities; and

WHEREAS, such easements reservations shall be maintained by the Town of Boonton and Rockaway Valley Regional Sewer Authority to again afford necessary access to operate and maintain existing or proposed infrastructure within the bounds of the described former right of way area; and.

WHEREAS, upon the right of way vacation being perfected, a new merged lot deed shall be created; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Town to release and extinguish the public’s rights in the Area.

NOW, THEREFORE, BE IT ORDAINED 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 rights and interests in the Area, as more fully described in **Exhibit A** attached hereto, are hereby vacated, abandoned, and released by the Town.
2. By virtue of such release, the Area shall be held by the owner or owners thereof free and clear of any and all public rights as a public street, as if said public rights had never existed, subject to the above referenced easement reservations, and to any utility and right-of-way which may exists, now and/or in the future for storm water drainage, sanitary sewer collection, and/or water distribution.
3. The appropriate Town officials are hereby authorized to execute any collateral documents necessary to effectuate the purposes of this Ordinance, including deed, any and all necessary utility easements.
4. It is the Town’s belief that there are no other rights and/or privileges possessed by public utilities within the proposed area to be vacated, exclusive of the noted rights and privileges noted above by the Town of Boonton and the Rockaway Valley Regional Sewer Authority. To the extent that public utilities possess any rights and privileges within the Area as defined by R.S. 48:2-13, and by any cable television company as defined in the Cable Television Act, N.J.S.A. 48:5A-1 et seq., any and all rights to maintain, repair and replace facilities, in, adjacent to, over or under the aforementioned portions of said area, are hereby expressly reserved from vacation.
5. In accordance with N.J.S.A. 40:49-6, at least one (1) week prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be provided to the owners of all real property, as shown on the current tax map duplicates, located adjacent to the Area.
6. In accordance with N.J.S.A. 40:67-21, The Town Clerk shall, within sixty (60) days after the Ordinance becomes effective, file a certified copy of the Ordinance, together with a copy of proof of publication thereof, with the Clerk of Morris County for recording.

7. All costs relating to this Ordinance must be paid by the property owner.

BE IT FURTHER ORDAINED, that all ordinances of the Town of Boonton that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

MOVED: WEKILSKY		SECOND: WADE			
Mayor Corcoran will open this portion of the meeting to the public					
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock	X				
Ms. DeVenezia					X
Mr. Fenske	X				
Mr. Lynch					X
Dr. Renfro-Michel					X
Mr. Robillard	X				
Mr. Wade	X				
Mr. Wekilsky	X				
Mayor Corcoran	X				

MEETING OPEN TO THE PUBLIC

Mayor Corcoran opened the meeting to the public for comment.

Natalie Pisarcik, Ward 2: Thanked the Mayor for the great July 4 celebration. It was very hot and well attended, social distancing was in effect. She sees a lot of crowds coming into the park and making quite a mess and asked if there was a plan to address it. Mayor Corcoran stated he is aware of this and he and Neil Henry have been in contact with the police department and DPW. He hasn't heard how it went this past weekend. They plan on addressing it through better signage and better patrolling of the area.

Linda Hogaboom, Ward 4: Asked if the Town attorney could investigate the legal transition of the name "Board of Aldermen" to "Town Board and changing "Aldermen" to "Aldersperson". She wants to move toward gender neutrality and thinks it can be easily addressed. She knows Board of Aldermen is a legal term and she encourages the board to adopt this. Mr. Semrau said there was an issue during one of the elections, with a petition listing "Alderwoman". He would like to report back to the Board at the next meeting after he looks into this further. It may be an antiquated State Statute.

Patti Bujtas, Ward 4: Was on the Board of Aldermen for 17 years, but understands why this is being brought up now. She appreciates the work being done on the problems at Grace Lord Park as it is out of hand. She said she is there if the Mayor and Board need her.

Administrator Neil Henry spoke about work at town Hall saying as they are looking into the possibility of opening Town Hall, the staff has been doing a fantastic job. We continue to serve the public with the highest quality they expect.

Town Clerk Cynthia Oravits reminded people that tomorrow is Primary Election Day and all voting is being done through Mail in Ballots or by Provisional ballots only. Alderman Bock confirmed that voting will be taking place at the Sr. Citizen's Center for Provisional Voting only.

ADJOURN

There being no further business, the meeting adjourned.

MOVED: FENSKE	SECONDED: WEKILSKY		TIME: 9:09 PM
VOICE VOTE:	IN FAVOR: X	AGAINST: _____	

Attendees:

Mayor & Board of Aldermen, Eric Joinson, "H", Karl Mangino, Natalie Pisarcik, Pattie Dencker, Patti Bujtas, Robert Patterson, Amanda Bendett, Andrew Holt, Anthony Cosentino, Bob Ezzi, Brett Friedensohn, Mike Gulla, Meghan, Ganesh, Yolanda Dykes, Scott Bednar, Callers 04, 06, 08, 09, 10, 11, 12, 17