

AGENDA
JULY 18, 2016

Mayor & Board of Aldermen
Regular Meeting
7:30 p.m.

Town of Boonton
100 Washington Street
Boonton, NJ 07005

All cell phones must be turned off

The Meeting of July 18, 2016 is now being recorded and called to order

**FLAG SALUTE
ROLL CALL VOTE:**

ALDERMAN	TITLE	PRESENT	ABSENT
Mr. Michael Eoga	1 st Ward Alderman		
Mr. Daniel Carey	1 st Ward Alderman		
Mr. Keith Price	2 nd Ward Alderman		
Ms. Doris Yanez	2 nd Ward Alderman		
Mr. Daniel Piccioni	3 rd Ward Alderman		
Mr. Scott Minitier	3 rd Ward Alderman		
Mr. Anthony Scozzafava	4 th Ward Alderman		
Mr. James Lynch	4 th Ward Alderman		
Mr. Matthew DiLauri	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Terry McCue	Administrator		
Ms. Cynthia Oravits	Town Clerk		

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 23, 2015 and this agenda was posted on July 15, 2016.
2. Notice of this meeting was published in the Citizen of Morris County and the Daily Record Newspapers on December 23, 2015 and a copy of this agenda was forwarded to each of the town's official newspapers on July 15, 2016.

PRESENTATION

1. Morris County Freeholder Deputy Director Hank Lyon will make a Presentation on the Morris County Budget.
2. Chris Manzella, Executive Director of Boonton Main Street will be giving their 2nd Quarter update to the Mayor and Board.
3. Frank Rossi, Boswell Engineering, will be giving an update on the Rockaway River Slope Damage.

CORRESPONDENCE – Alderman Price

1. Letter received from Thomas Corigliano, Chairmen of the Boonton Fire Department Labor Day Celebration Committee requesting the following:
 - * Use Main Street for the parade on Saturday, September 3.
 - * Police personnel to direct traffic
 - * Permission to serve alcohol at the celebration (already approved Res. 16-151)
 - * Service of employees and vehicles assigned to the DPW

Also included is an invitation to the Mayor & Board of Aldermen to review the parade and join in celebrating the fire department's 125th year of continuous service to the community.

2. Letter received from Hugh E. Flood, Administrator/Superintendent of the NJ Firemen's Home requesting the waiver of all permit fees associated with adding 8' x 8' covering to replace the existing basement Bilco Doors at 565 Lathrop Avenue.

3. Letter received from Jeffery Theriault, Boonton Tax Collector/Assistant Treasurer announcing his formal retirement date from the Town of Boonton effective July 1, 2017.
4. Letter received from Harmony Senior Drum Corps requesting to hang a banner from Town Hall in recognition of their 130th Anniversary.
5. Letter received from Boonton Chris Manzella, Executive Director, Boonton Main Street, Inc. requesting permission to use the Upper Plane Street Parking Lot for the First Friday Late Night August for *Biker Night*, on August 5, 2016 from 4:30 pm – 9:00 pm. They are also requesting the Street Department to provide 4 barricades and two trash barrels.
6. Letter received from Robert Collins, Mayor of the Borough of Kinnelon, informing the Mayor and Board of Aldermen of their intention to install a Community Garden at the Boonton Avenue Recreation Facility, and requesting the Board's approval. The property is currently leased from the Town of Boonton to Kinnelon.

MEETING OPEN TO THE PUBLIC

Mayor DiLauri will open this portion of the meeting to the Public

CONSENT AGENDA – Alderman Eoga

Resolutions 16-154 through 16-162

RESOLUTION 16-154

RESOLUTION TO ADOPT MINUTES OF THE MAYOR AND BOARD OF ALDERMEN MEETINGS

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:

June 20, 2016 – Regular and Closed Session

RESOLUTION 16-155

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 16-156

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 the State of New Jersey, that the following water/sewer charges be and are hereby canceled:

Account	Address	Reason	Amount
Water-2087-0	19 Baldwin Lane	Bad Reading	\$ 606.96
Water-932-0	617 Boonton Avenue	Clerical Error	\$ 168.32

RESOLUTION 16-157

RESOLUTION APPROVING AUTOMATIC AMUSEMENT GAME APPLICATION FOR BOONTON LANES, LLC

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that all papers being in good order, the proper fee having been paid and the applicable inspections and approvals conducted and provided by the appropriate police, fire and health officials, the Clerk is hereby authorized to issue an Automatic Amusement Game Permit for 2016 to Boonton Lanes, LLC, 720 Myrtle Avenue, Boonton, NJ 07005.

RESOLUTION 16-158

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE

WHEREAS, the Tax Collector has been paid \$2,333.26, the necessary amount to redeem the following Tax Sale Certificate held by Ebury Fund 2 NJ, LLC, for property assessed to Rony A. Garcia

Certificate	Block/Lot	Address	Amount
15-00008	14-2	707 Birch Street	\$2,333.26 (not including premium)

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancelation, be authorized to draw a check for \$2,333.26 from the Trust Account and forward said check to the lienholder, TWR-Custodian for Ebury Fund 2 NJ, LLC, PPO Box 54908, New Orleans, LA 70154.

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #15-00008 from the municipal record.

RESOLUTION 16-159

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE

WHEREAS, the Tax Collector has been paid \$5,678.74, the necessary amount to redeem the following Tax Sale Certificate held by Isaac Moradi for property assessed to Marc C. Licciardi.

Certificate	Block/Lot	Address	Amount
14-00021	71.06-13	113 Wootton Street	\$5,678.74 (not including premium)

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancelation, be authorized to draw a check for \$5,678.74 from the Trust Account and forward said check to the lienholder, Mr. Isaac Moradi, 520 Elm Street, Kearny, NJ 07032.

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #14-00021 the municipal record

RESOLUTION 16-160

RESOLUTION IN SUPPORT OF CLEAN WATER SUPPLIES

WHEREAS, water is a necessary and fundamental building block of all life; and

WHEREAS, clean drinking water is a fundamental right of New Jersey citizens; and

WHEREAS, all drinking water in New Jersey is supplied by underground aquifers, rivers, and/or reservoirs replenished by rain, snow melt or fed by rivers and streams; and

WHEREAS, an ample supply of clean water is critical to agricultural production in the Garden State; and

WHEREAS, an ample supply of clean water is necessary for a healthy economy and a robust business climate for key industries in New Jersey, such as hospitality, tourism, manufacturing, healthcare and others; and

WHEREAS, New Jersey's ecosystems and wildlife rely on an adequate supply of clean water in creeks, streams, rivers, and ponds, and wetlands; and

WHEREAS, in 2015, 12 of the 21 counties in New Jersey entered into a state of drought watch and several drought warnings, watches, and emergencies have been declared in New Jersey since the year 2000; and

WHEREAS, in 1981, the New Jersey Legislature adopted Chapter 262, known as the Water Supply Management Act; and

WHEREAS, the Water Supply Management Act requires the development of a Statewide Water Supply Plan; and

WHEREAS, the Water Supply Management Act requires the New Jersey Department of Environmental Protection to update the Water Supply Master Plan at least every 5 years; and

WHEREAS, the last completed and publicly available version of the Water Supply Plan occurred in 1996; and

WHEREAS, for over a decade under an outdated State Water Supply Plan, land use planning and development have been proceeding in New Jersey without publicly available updated scientific or policy guidance regarding the availability of adequate water supplies; and

WHEREAS, municipalities depend on the Governor of New Jersey and New Jersey Department of Environmental Protection to adopt policies and regulations allocating a safe, sustainable supply of New Jersey's water resources in accordance with the Water Supply Plan.

NOW THEREFORE, BE IT RESOLVED that the municipality of Boonton respectfully requests that the Governor of New Jersey and the New Jersey Department of Environmental Protection release an update to the New Jersey Water Supply Master Plan immediately for public review and comment and, following such comment, finalize, adopt and implement the Plan.

BE IT FURTHER RESOLVED that the Town of Boonton will send a letter to the Governor's office, the New Jersey Department of Environmental Protection and to our New Jersey Assembly and Senate members alerting them to our concerns about the lack of a current Water Supply Plan in New Jersey.

RESOLUTION 16-161

RESOLUTION APPROVING CORRECTIVE ACTION PLAN FOR THE 2015 AUDIT TO THE DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS, pursuant to the requirements of Local Finance Notice 92-15 dated July 8, 1992, a corrective action plan shall be prepared addressing the recommendations provided in the annual audit of the Town's books, accounts and financial transactions; and

WHEREAS, the Annual Audit of the Town of Boonton for the Year 2014 provides no recommendations, which is reflected in the Corrective Action Plan.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Boonton directs the Chief Financial Officer to file a copy of this resolution along with the corrective Action Plan with the Director, Division of Local Government Services.

RESOLUTION 16-162

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON APPROVING THE 2016 TRAIL CONSTRUCTION GRANT APPLICATION

WHEREAS, the Morris County Park Commission has an opportunity for a trail construction grant; and

WHEREAS, the Town of Boonton has determined that there are suitable areas in which trails may be constructed and is in support of the proposed trail construction project; and

WHEREAS, the Mayor and Board of Aldermen find the construction of trails within the Town to be in the best interests of the Town; and

WHEREAS, the Town of Boonton acknowledges that it will be responsible for providing advanced funding of the entire trail construction project and that the grant award will be distributed as a reimbursement upon the satisfactory completion of the construction inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, New Jersey, that the 2016 Trail Construction Grant Application is approved.

CONSENT AGENDA

Roll Call vote for Resolutions 16-154 through 16-162

MOVED:	SECONDED:			
BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Carey				
Mr. Eoga				
Mr. Lynch				
Mr. Minitier				
Mr. Piccioni				
Mr. Price				
Mr. Scozzafava				
Ms. Yanez				
Mayor DiLauri				

MAYOR & BOARD OF ALDERMEN COMMITTEE REPORTS

COMMITTEE	CHAIRMAN	ALDERMAN	ALDERMAN
Economic Development	James Lynch	Doris Yanez	Keith Price
Finance & Personnel	Michael Eoga	James Lynch	Doris Yanez
Fire	Anthony Scozzafava	Michael Eoga	Daniel Carey
License & Ordinance	Scott Minitier	Daniel Carey	Anthony Scozzafava
Parking	Daniel Piccioni	James Lynch	Scott Minitier
Police	Daniel Carey	Scott Minitier	Daniel Piccioni
Public Works & Property	Keith Price	Daniel Piccioni	Daniel Carey
Communications & Citizen Engagement	Doris Yanez	Daniel Piccioni	Keith Price

LIAISONS	
Board of Education	Scott Minitier
Board of Health	Doris Yanez
Boonton Holmes Library	Michael Eoga
Boonton Main Street	Doris Yanez
Historic Preservation Commission	Daniel Piccioni
Housing Authority	Anthony Scozzafava
Municipal Alliance	Anthony Scozzafava
Parks & Recreation	Keith Price
Planning Board	James Lynch
Recycling & Waste	Daniel Carey

TOWN ATTORNEY REPORT – Fred Semrau, Esq.

MAYOR AND BOARD OF ALDERMEN GENERAL DISCUSSION ITEMS

General discussion, announcements and miscellaneous items

UNFINISHED BUSINESS – Alderman Lynch

RESOLUTION 16-163

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN APPROVING FUNDS FOR POLICE COVERAGE DURING BOONTON MAIN STREETS ANNUAL CAR SHOW

WHEREAS, Boonton Main Street, Inc. will be having their 14th Annual Car Show on Sunday, August 21, 2016; and

WHEREAS, this event will take place along Main Street, from Division Street to Hill Street.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Board of Aldermen of the Town of Boonton hereby authorizes funds for police coverage shall be covered by the Town of Boonton.

MOVED:	SECONDED:				
	BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Carey					
Mr. Eoga					
Mr. Lynch					
Mr. Minitier					
Mr. Piccioni					
Mr. Price					
Mr. Scozzafava					
Ms. Yanez					
Mayor DiLauri					

NEW BUSINESS – Alderman Scozzafava

RESOLUTION 16-164

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWN OF BOONTON TO CONDUCT A PRELIMINARY INVESTIGATION OF CERTAIN PROPERTY WITHIN THE TOWN FOR POTENTIAL REDEVELOPMENT

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is an “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Board of Aldermen consider it to be in the best interest of the Town to have the Planning Board conduct such an investigation regarding certain property located in the Town at Wootton and Division Streets, which property is identified as Block 69, Lot 75.01, as shown on the official Tax Map of the Town of Boonton (the “Property”); and

WHEREAS, the Town believes the Property is potentially valuable for contributing to, serving, and protecting the public health safety and welfare and for the promotion of smart growth within th Town; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Property as “in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, they being the Governing Body thereof, as follows:

1. The Planning Board of the Town of Boonton is hereby directed to conduct a preliminary investigation to determine whether the aforementioned property, or any portions thereof, constitute an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5;
2. The Planning Board of the Town of Boonton is hereby directed to study the area known as Block 69, Lot 75.01; to develop a map reflecting the boundaries of the proposed redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:6; and to draft a report/resolution to the Mayor and Board of aldermen containing its findings; and
3. The results of such preliminary investigation shall be submitted to the Mayor and Board of Aldermen for review and approval in accordance with the provisions of N.J.S.A. 40A:12A-1 et seq.

MOVED:	SECONDED:				
	BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Carey					
Mr. Eoga					
Mr. Lynch					
Mr. Minitier					
Mr. Piccioni					
Mr. Price					
Mr. Scozzafava					
Ms. Yanez					
Mayor DiLauri					

RESOLUTION 16-165

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT MANAGEMENT ADVISORS, LLC FOR PROFESSIONAL SERVICES RELATIVE TO THE STUDY OF THE TOWN OF BOONTON’S DEPARTMENTS OF PUBLIC WORKS, UCC AND ADMINISTRATION/FINANCE DEPARTMENTS

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the operations, determination level of satisfaction/dissatisfaction, identify operational strengths and weaknesses, identify near term challenges such as succession planning and proposed changes that would reinforce strengths while remediating the found weaknesses; and

WHEREAS, the Mayor and Board of Aldermen deem it in the best interests of the residents of the Town of Boonton to retain the services of Government Management Advisors, LLC, 40 Yorktown Road, East Brunswick, NJ; and

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

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

1. That the Mayor and Clerk be and are hereby authorized to execute a contract on the Town’s behalf with Government Management Advisors, LLC for professional services relative to the study of the Town of Boonton’s Departments of Public Works, UCC and Administration/Finance.

2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for professional services for this project shall not exceed \$14,000.00, in accordance with the proposal submitted by Gregory C. Fehrenbach, Principal, for said project, dated June 27, 2016.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
5. Notice of this action shall be published in “The Daily Record” newspaper within ten (10) days of the passage thereof.

I hereby certify that \$ 14,000.00 is available in the Current Fund-Account # 6-01-20-100-228

Terry McCue, Administrator/CFO

MOVED:	SECONDED:			
BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Carey				
Mr. Eoga				
Mr. Lynch				
Mr. Minitier				
Mr. Piccioni				
Mr. Price				
Mr. Scozzafava				
Ms. Yanez				
Mayor DiLauri				

ORDINANCE 13-16 (Introduction/Title Only)

AN ORDINANCE OF THE TOWN OF BOONTON AMENDING CHAPTER 300 ENTITLED “ZONING AND LAND USE” OF THE CODE OF THE TOWN OF BOONTON UPDATING REGULATIONS FOR THE RH RESIDENTIAL HIGH-DENSITY ZONE TO COMPLY WITH CHAPTER 93 SUBSTANTIVE RULES OF THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING (“COAH”) ALSO KNOWN AS SECOND ROUND RULES

MOVED:	SECONDED:			
BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Carey				
Mr. Eoga				
Mr. Lynch				
Mr. Minitier				
Mr. Piccioni				
Mr. Price				
Mr. Scozzafava				
Ms. Yanez				
Mayor DiLauri				

MEETING OPEN TO THE PUBLIC

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

RESOLUTION 16-166

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

3. It is anticipated at this time that the above stated subject matter will be made public at the conclusion of each individual specified submit matter.
4. This resolution shall take effect immediately.
5. No action may be taken in Closed Session

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

Time: _____

ADJOURN

There being no further business, the meeting shall adjourn:

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

Time: _____
