

Mayor & Town Council
REGULAR MEETING AGENDA
June 20, 2022

Town of Boonton
 100 Washington Street
 Boonton, NJ 07005

Closed Session Meeting – 7:00 p.m.
 Open Public Meeting – 7:30 p.m.

Public Meeting will be held LIVE and via ZOOM

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

Below, please find the login information:

You are invited to a Zoom webinar.

When: Jun 20, 2022 07:30 PM Eastern Time (US and Canada)

Topic: Mayor and Council Regular Meeting - June 20th, 2022

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/84153244527>

Or iPhone one-tap :

US: +13017158592,,84153244527# or +13126266799,,84153244527#

Or Telephone:

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

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

Webinar ID: 841 5324 4527

International numbers available: <https://us06web.zoom.us/j/84153244527>

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

FLAG SALUTE AND ROLL CALL VOTE

COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. John Meehan	1 st Ward Council Member		
Mr. Cyril Wekilsky	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Dr. Edina Renfro-Michel	2 nd Ward Council Member		
Mr. Joseph Bock	3 rd Ward Council Member		
Mr. Joseph Fenske	3 rd Ward Council Member		
Mr. James Lynch	4 th Ward Council Member		
Mr. Michael Wade	4 th Ward Council Member		
Mr. Richard Corcoran	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Edward Pasternak	Town Attorney		
Mr. Neil Henry	Town Administrator		
Ms. Cynthia Oravits	Town Clerk		

CLOSED SESSION

RESOLUTION 22-159

RESOLUTION TO RECESS INTO CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
2. The general nature of the subject matter to be discussed is as follows: Litigation
3. It is anticipated at this time that the above stated subject matter will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.
5. No action may be taken in Closed Session.

MOVED:		SECONDED:	
VOICE VOTE:	IN FAVOR	AGAINST:	

OPEN PUBLIC SESSION – 7:30 P.M.

FLAG SALUTE AND ROLL CALL VOTE:			
COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. John Meehan	1 st Ward Council Member		
Mr. Cyril Wekilsky	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Dr. Edina Renfro-Michel	2 nd Ward Council Member		
Mr. Joseph Bock	3 rd Ward Council Member		
Mr. Joseph Fenske	3 rd Ward Council Member		
Mr. James Lynch	4 th Ward Council Member		
Mr. Michael Wade	4 th Ward Council Member		
Mr. Richard Corcoran	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Edward Pasternak	Town Attorney		
Mr. Neil Henry	Town Administrator		
Ms. Cynthia Oravits	Town Clerk		

**ADEQUATE NOTICE
MAYOR’S STATEMENT**

Pursuant to the Open Public Meetings Act, adequate and electronic notice of this live and remote Zoom meeting have been provided as follows:

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

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

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

BOONTON FINANCE DEPARTMENT & ADMINISTRATION

Finance	<p>Jen Muscara, Tax Collector/Mayor Corcoran</p> <p>Taxes</p> <p>2020 2nd quarter as of 6/16/2020</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Total billed for 2nd qtr. 2020</td> <td style="text-align: right;">\$8,360,267.84</td> </tr> <tr> <td>Total paid as of date above</td> <td style="text-align: right;">\$8,037,176.46</td> </tr> <tr> <td>Balance as of date above</td> <td style="text-align: right;">\$ 323,091.38</td> </tr> </table> <p>Collection Percentage 96.14%</p> <p>2021 2nd quarter as of 6/16/2021</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Total billed for 2nd qtr. 2021</td> <td style="text-align: right;">\$8,285,137.86</td> </tr> <tr> <td>Total paid as of date above</td> <td style="text-align: right;">\$7,848,567.64</td> </tr> <tr> <td>Balance as of date above</td> <td style="text-align: right;">\$ 436,570.22</td> </tr> </table> <p>Collection Percentage 94.73%</p> <p>2022 2nd quarter as of 6/16/2022</p> <table style="width: 100%; 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	Spr – 3			
	Water	254.16	15.58	269.74
	All - 191			
	Water	75,473.26	11,396.99	86,870.25
	FBF	<u>50.00</u>	<u>0</u>	<u>50.00</u>
	Water/Total	75,523.26	11,396.99	86,920.25
	Sewer	<u>56,217.82</u>	<u>3,948.62</u>	<u>60,166.44</u>
	Total	131,741.08	15345.61	147,086.69
Administration/Health Dept.	Neil Henry			

CONSENT AGENDA
Resolutions 22-160 through 22-176

“An abstention does not count toward the final tally, but it has the same effect as a no vote for ordinances based on the Town’s form of government.

A recusal does not add to a quorum, and usually involves withdrawing from the entire proceeding, due to a conflict of interest (or avoiding the appearance thereof). An absence from a meeting neither adds to a quorum, nor allows a vote on a matter.”

If this simplified form only adds to further questions, here is a more detailed statement by way of further explanation:

An abstention does not count toward the final tally, but it has the same effect as a “no” vote based on the Towns’ form of government. Said another way, when a member abstains, they are in effect attending only to contribute to having a quorum. The NJ Appellate Part ruled abstentions may not be counted as “no” votes in Zimmer v .Castellano. However, and again due to the Town’s form of government, because we have a 9-member voting board, in order for anything to pass, there must be 5 affirmative votes, and that applies whether there are 5, 6, 7, 8 or 9 members present. An “abstention vote” is actually not a vote at all--and generally focuses on the final decision.

A recusal does not add to a quorum. A quorum is number of members of a board required to hold a meeting or take action. A recusal usually involves withdrawing from the entire proceeding, usually for a conflict of interest (or avoiding the appearance thereof). When a member recuses, they must refrain from deliberation and voting on the matter.

If an elected member is absent from a meeting, that member neither adds to a quorum, nor votes on a matter.

RESOLUTION 22-160

RESOLUTION OF THE MAYOR AND TOWN COUNCIL APPROVING MEETING MINUTES

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, County of Morris and State of New Jersey that the Minutes from the following meeting(s) are hereby approved as typed and filed in the Town Clerk’s office:

June 6 2022

RESOLUTION 22-161

RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

WHEREAS, vouchers for payment have been submitted to the Mayor and Town Council by the various municipal departments.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, County of Morris and State of New Jersey, all vouchers approved by the respective committees be and are hereby ordered paid.

RESOLUTION 22-162

RESOLUTION AUTHORIZING THE TOWN OF BOONTON’S TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L 1994, C.72

WHEREAS, the State of New Jersey has not certified Municipal County Budgets as of this date, and

WHEREAS, as a result thereof, the Morris County Board of Taxation is unable to verify the Town of Boonton’s tax rate and the Town of Boonton’s Collector will be unable to mail the Town’s 2022 tax bills on a timely basis;

WHEREAS, the Tax Collector has computed an estimated tax levy in accordance with N.J.S.A 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Boonton, New Jersey, in the County of Morris and State of New Jersey on this 20th day of June 2022 as follows:

1. The Town of Boonton Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town for the third installment of 2022 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by L.1994, C. 72(N.J.S.A 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2022 is hereby set at \$34,983,702.32.
3. The Estimated tax rate (based on estimated levy) is hereby set at \$3.177.
4. In accordance with law, the third installment of 2022 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

RESOLUTION 22-163

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #21-00001

WHEREAS, the Tax Collector has been paid \$33,550.29, the necessary amount to redeem the following Tax Sale Certificate held Evolve Bank & Trust for property assessed to James & Dayna Gianguercio.

Certificate	Block/Lot	Address	Tax Title Lien	Premium	Total Redemption
21-00001	17-18	110 Oak Street	\$33,550.29	\$67,000.00	\$100,550.29

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancellation, be authorized to draw a check for \$100,550.29 from the Trust Account and forward said check to Evolve Bank & Trust, 6070 Poplar Avenue, Suite 200, Memphis, TN 38119.

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #21-00001 from the municipal record.

RESOLUTION 22-164

RESOLUTION OF THE MAYOR AND TOWN COUNCIL AUTHORIZING STREET OPENING PERMIT FOR 450 CHURCH STREET FOR NJNG GAS SERVICE

WHEREAS, New Jersey Natural Gas Co., on behalf of the property owner of 450 Church Street, applied for a street opening permit to install gas service to this property; and

WHEREAS, pursuant to §254-14 B, *“no opening or excavation will be permitted within the surface of a public road, street or right-of-way upon which permanent pavement has been placed within five years of its application”*; and

WHEREAS, pursuant to §254-14 B, *“where the denial of the permit can be shown by the applicant to cause undue hardship, this requirement may be waived upon the recommendation of the Town Engineer and upon approval of the Town Council”*; and

WHEREAS, the Town Engineer, Samantha Anello, Mott MacDonald, reviewed the application with New Jersey Natural Gas, confirming a hardship of paying for heating oil vs. natural gas; and

WHEREAS, Ms. Anello confirmed with New Jersey Natural Gas that a 3'x3' opening in the newly paved roadway would be required and all other work could be accomplished underground and/or internal to the subject property, without further disturbance to the pavement; and

WHEREAS, it was the Town Engineer's recommendation that the road disturbance moratorium be waived for this application in order to install new service to this property while also imposing the additional requirement that the Applicant shall saw cut all limits of pavement disturbance and infrared the new pavement restoration to blend it into the existing pavement to the satisfaction of the Town Engineer and Public Works.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Boonton, in the County Morris and State of New Jersey, formally approve the street opening permit for 450 Church Street, Boonton, NJ.

RESOLUTION 22-165

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO SUBURBAN CONSULTING ENGINEERS, INC. FOR PROFESSIONAL SERVICES RELATIVE TO THE FORMER JERSEY PLATING COMPANY REMEDIAL INVESTIGATION PROJECT

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the former Jersey Plating Company Remedial Investigation project; and

WHEREAS, the Mayor and Town Council deem it in the best interests of the residents of the Town of Boonton to retain the services of Suburban Consulting Engineers, Inc., a corporation in the State of New Jersey, having its principal offices at 96 U.S. Highway 206, Flanders, NJ 07836; 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 Council of the Town of Boonton, New Jersey, as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Suburban Consulting Engineers, Inc. for professional services relative to the above referenced project.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for services for this project shall not exceed \$ 69,180.00, in accordance with the proposal submitted by Andrew S. Holt, PE, PP, CME, Executive Vice President for said project, dated March 21, 2022.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.

5. Notice of this action shall be published in "The Daily Record" newspaper within ten (10) days of the passage thereof.

I hereby certify that funds are available in the General Capital Account # C-04-55-100-035
Not to Exceed \$ 69,180.00*

Michael Yazdi, CFO

RESOLUTION 22-166

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING BOONTON POLICE DEPARTMENT TO PURCHASE TWO (2) 2022 FORD EXPLORER PURSUIT VEHICLES IN AN AMOUNT NOT TO EXCEED \$38,146.68 VIA FINANCING THROUGH SANTANDER BANK

WHEREAS, the Town of Boonton has the need to purchase two (2) 2022 Ford Explorer Pursuit Vehicles; and

WHEREAS, the Town has received a three-year lease-purchase agreement from Santander; and

WHEREAS, Chief Financial Officer certifies that funds are available for the purchase of said vehicles; and

WHEREAS, the purchase of said equipment is in the best interest of the Town of Boonton.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, County of Morris and State of New Jersey, that the Mayor and Town Clerk are hereby authorized and directed to execute a contract for a total amount not to exceed of \$38,146.68 as indicated in the proposal from Beyer Ford.

This Resolution shall take effect immediately.

I hereby certify that \$38,146.68 is available in the Municipal Budget, A/C # 1-01-25-241-201

Michael Yazdi, CFO

RESOLUTION 22-167

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO SUBURBAN CONSULTING ENGINEERS, INC. FOR PROFESSIONAL SERVICES RELATIVE TO THE TOWN HALL PARKING LOT MONITORING WELL SAMPLING

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the above referenced project; and

WHEREAS, the Mayor and Town Council deem it in the best interests of the residents of the Town of Boonton to retain the services of Suburban Consulting Engineers, Inc., a corporation in the State of New Jersey, having its principal offices at 96 U.S. Highway 206, Flanders, NJ 07836; and

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

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

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Suburban Consulting Engineers, Inc. for professional services relative to the above referenced project.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for services for this project shall not exceed \$18,500.00, in accordance with the proposal submitted by Andrew S. Holt, PE, PP, CME, Executive Vice President for said project, dated June 17, 2022.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
5. Notice of this action shall be published in "The Daily Record" newspaper within ten (10) days of the passage thereof.

I hereby certify that funds are available in the General Capital Account #C-04-55-100-005
Not to Exceed \$ 18,500.00

Michael Yazdi, CFO

RESOLUTION 22-168

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO SUBURBAN CONSULTING ENGINEERS, INC. FOR PROFESSIONAL SERVICES RELATIVE TO THE GROUNDWATER MONITORING AT THE BOONTON TOWN STREET DEPARTMENT SITE (DPW)

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the above referenced project; and

WHEREAS, the Mayor and Town Council deem it in the best interests of the residents of the Town of Boonton to retain the services of Suburban Consulting Engineers, Inc., a corporation in the State of New Jersey, having its principal offices at 96 U.S. Highway 206, Flanders, NJ 07836; and

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

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

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Suburban Consulting Engineers, Inc. for professional services relative to the above referenced project.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for services for this project shall not exceed \$7,924.00, in accordance with the proposal submitted by Andrew S. Holt, PE, PP, CME, Executive Vice President for said project, dated June 17, 2022.

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

I hereby certify that funds are available in the General Capital Account # C-04-55-100-007
Not to Exceed \$9,000.00

Michael Yazdi, CFO

RESOLUTION 22-169

**RESOLUTION AMENDING RESOLUTION 22-40 DESIGNATING DEPOSITORIES AND CHECK SIGNATURE
AUTHORIZATION TO MIKE YAZDI**

BE IT RESOLVED, effective immediately, the signature of Michael Yazdi, CFO, be and is hereby authorized for all documents regarding the Town of Boonton's depositories and checks, and facsimile signatures for specified accounts, replacing the previous CFO.

RESOLUTION 22-170

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDED A
PROFESSIONAL SERVICES CONTRACT TO MOTT MACDONALD FOR PROFESSIONAL SERVICES RELATIVE TO THE
GRACE LORD PARK TRAIL IMPROVEMENT PROJECT**

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the Grace Lord Park Trail Improvement Project; and

WHEREAS, the Mayor and Council deem it in the best interests of the residents of the Town of Boonton to regain the services of Mott MacDonald, a corporation in the State of New Jersey, having its principal offices at 412 Mount Kemble Avenue, Suite G22, Morristown, NJ 07960; 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 to be available for public inspection; and

WHEREAS, the Mayor and Council previously passed Resolution 21-196 to award a professional services contract to Mott MacDonald for the above referenced project, which resolution contained an error as to the contract amount listed in the accepted proposal.

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

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Town's behalf with Samantha Anello, PE, CME, CFM, Mott MacDonald for professional services relative to the above referenced project.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the contract is awarded for services to be performed by a person or persons licensed and authorized by law to practice a recognized profession and the services to be rendered are of an unspecific nature not compatible with competitive bidding.
3. The term of services shall be from the date of acceptance of the agreement until its completion, in full accord with the terms and conditions thereof. The total fee for services for this project shall not exceed \$40,000.00 in accordance with the proposal submitted by Samantha Anello for said project, dated June 29, 2021 and updated August 13, 2021. This resolution corrects Resolution 21-196 which listed an incorrect total contract amount from a proposal that was not accepted.

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

I hereby certify that funds are available in Account # C-04-55-992-007
Not to Exceed \$ 40,000.00*

Michael Yazdi, CFO

RESOLUTION 22-171

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR BOONTON ELKS CLUB INC.

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2022; and

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

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

BOONTON ELKS CLUB INC – 1401-31-014-001

RESOLUTION 22-172

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR EFJ5 INC – Matta Donna Restuarant

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2022; and

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

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

EFJ5 INC – 1401-33-006-006

RESOLUTION 22-173

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR DHRUVI & DHANI LLC – Liquor Locker

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2022; and

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

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

DHRUVI & DHANI LLC – 1401-44-004-004

RESOLUTION 22-174

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE FOR LOMBARDI HOSPITALITY GROUP LLC (Pocket)

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2022; and

WHEREAS, Lombardi Hospitality Group, LLC has successfully submitted a petition application for 12.39 to the NJ ABC for the terms 2022-2023.

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

LOMBARDI HOSPITALITY GROUP LLC – 1401-33-003-008

RESOLUTION 22-175

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

WHEREAS, the following application has been filed with the Town Clerk for renewal of the Alcoholic Beverage License for the year 2022; and

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

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

SLOVAK GYMNASTIC UNION SOKOL – 1401-31-015-001

RESOLUTION 22-176

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WOOTTON STREET PHASE IV ROAD IMPROVEMENT PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Boonton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor, and Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Wootton Street Phase IV Road Improve-00216 to the New Jersey Department of Transportation on behalf of the Town of Boonton.

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

CONSENT AGENDA VOTE

Roll Call Vote for Resolutions 22-160 through 22-176

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

UNFINISHED BUSINESS

ORDINANCE 05-22 (Public Hearing)

AN ORDINANCE OF THE TOWN OF BOONTON, COUNTY OF ORRIS AND STATE OF NEW JERSEY, AMENDING CHAPTER 27 – DEPARTMENTS OF THE CODE OF THE TOWN OF BOONTON

BE IT ORDAINED by the Mayor and Town Council of the Town of Boonton as follows:

SECTION 1.

§ 27-7. Department established shall be amended as follows:

- A. The Police Department of the Town of Boonton may consist of a public safety director, chief law enforcement officer, and 22 officers, including one captain, two lieutenants, five sergeants, and 14 patrolmen, and civilian employees. If the current number of employees in the aforementioned positions exceeds these staffing levels, the employees shall remain in the positions until their employment is terminated. Upon the termination of employment of the employees, the aforementioned staffing levels may be in effect unless otherwise modified by the Mayor and Town Council.
- B. Subject to the approval by resolution of the Town Council, the Mayor may appoint special law enforcement officers for a term not exceeding one (1) year, in compliance with N.J.S.A. 40A:14-146.8, *Special Law Enforcement Officers Act*.
 1. Such special law enforcement officers shall carry out their duties and responsibilities under the direct supervision of the chief law enforcement officer, and the chief law enforcement officer shall define their powers, rights and duties. These powers, rights, and duties; however, shall immediately cease at the expiration of the term for which they were appointed, or upon revocation of their appointment. The resolution approving appointment of special law enforcement officers shall designate the rate of pay if any.
 2. No person shall be appointed as a special law enforcement officer unless he/she is able to read, write, and speak the English language; is physically qualified and of good moral character, and shall not have been convicted of any crime. Every such special law enforcement officer shall be fingerprinted, and his/her fingerprints shall be filed with the Division of the State Police and Federal Bureau of Investigation. The chief law enforcement officer shall certify the eligibility requirements to the Mayor and Town Council prior to appointment.
 - a. Class One. Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class is strictly prohibited and no Class One officer shall be assigned to any duties that might require the carrying of use of a firearm.

- b. Class Two. Officers of this class shall be authorized to exercise full powers and duties like those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Town.

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

GENERAL DISCUSSION & COMMITTEE REPORTS

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

NEW BUSINESS

RESOLUTION 22-177

RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY ADOPTING PREQUALIFICATION REGULATIONS IN CONNECTION WITH BIDS FOR THE RESTORATION & STABILIZATION OF THE ARCH BRIDGE FROM THE BOONTON IRONWORKS

WHEREAS, pursuant to N.J.S.A. 40A:11-25, the Mayor and Council of the Town of Boonton may establish reasonable regulations appropriate for controlling the qualifications of prospective bidders upon contracts to be awarded by the Town; and

WHEREAS, the Town is required to establish prequalification regulations for projects financially assisted by the New Jersey Historic Preservation Bond Fund; and

WHEREAS, the Town seeks such financial assistance in connection with the restoration and stabilization of the Arch Bridge from the Boonton Ironworks; and

WHEREAS, there have been promulgated contractor prequalification regulations in connection with the restoration and stabilization of the Arch Bridge from the Boonton Ironworks; and

WHEREAS, the Mayor and Council has conducted a public hearing and has determined that it is in the best interest of the Town of Boonton to establish reasonable regulations appropriate for controlling the qualification of prospective bidders in connection with the restoration and stabilization of the Arch Bridge from the Boonton Ironworks.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, in the County of Morris and State of New Jersey, that the prequalification regulations attached hereto are hereby adopted for utilization in connection with the bid for the restoration and stabilization of the Arch Bridge from the Boonton Ironworks; and

BE IT FURTHER RESOLVED that the implementation of the contractor prequalification regulations is subject to review and approval of the Director of the Division of Local Government Services and the Town Clerk is hereby authorized to file with the Director of the Division of Local Government Services proposed regulations, a true copy of this resolution, a true copy of the hearings, copies of the two newspaper legal advertisements for public hearing, and a completed, certified, standard certification form.

MOVED:		SECOND:			
Public Hearing					
MOVED:		SECOND:			
COUNCIL MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Mr. Meehan					
Dr. Renfro-Michel					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

MEETING OPEN TO THE PUBLIC

Mayor Corcoran will open the meeting to the public for comment

ADJOURN

There being no further business, the meeting shall adjourn.

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