

Mayor & Town Council
REGULAR MEETING AGENDA
November 7, 2022

Town of Boonton
100 Washington Street
Boonton, NJ 07005

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:

You are invited to a Zoom webinar.

You are invited to a Zoom webinar.

When: Nov 7, 2022 07:30 PM Eastern Time (US and Canada)

Topic: Mayor and Town Council Meeting - November 7th, 2022

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81376257189>

Or iPhone one-tap :

US: +13092053325,,81376257189# or +13126266799,,81376257189#

Or Telephone:

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

US: +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 215 8782

Webinar ID: 813 7625 7189

International numbers available: <https://us06web.zoom.us/j/81376257189>

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

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

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 Wekilsy	1 st Ward Council Member		
Ms. Marie DeVenezia	2 nd Ward Council Member		
Dr. Edina Renfro-Michel	2 nd Ward Council Member		
Mr. Joseph Bock	3 rd Ward Council Member		
Mr. Joseph Fenske	3 rd Ward Council Member		
Mr. James Lynch	4 th Ward Council Member		
Mr. Michael Wade	4 th Ward Council Member		
Mr. Richard Corcoran	Mayor		
Mr. Fred Semrau	Town Attorney		
Mr. Edward Pasternak	Town Attorney		
Mr. Neil Henry	Town Administrator		
Ms. Elizabeth Bonsiewich	Deputy Town Clerk		

MOMENT OF SILENCE

Moment of silence Thomas Corigliano, BFD member who died last month.

OPEN PUBLIC MEETING – 7:30 P.M.

(None at time of publication of this agenda)

**RESOLUTION 22-
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: _____
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:	

**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.

During the meeting, 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.

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.
2. If you wish to speak during public comment, please press "9" (telephone) or the "raise hand" icon (Zoom App) and wait to be recognized by the host. If you are speaking via telephone, unmute your phone when you are called on to

- 3. Announce yourself when you are speaking – for instance “This is Mayor Corcoran” or “This is Richard Corcoran from Birch Street I would like to” Speakers must provide their full name and address.
- 4. Speak slowly and clearly as it helps with the recording.
- 5. There is a 3-minute limit per individual on all public comments.

2021 AUDIT

Dieter P. Lerch, Lerch, Vinci & Bliss, LLP - Auditor of the Town of Boonton will make a presentation before the Town Council of the 2021 Audit.

.....

RESOLUTION 22-256

RESOLUTION CERTIFYING THE MAYOR AND TOWN COUNCIL’S COMPLIANCE WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:5-4

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations
and

WHEREAS, the members of the Governing Body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52-to wit:

R.S. 52:27BB-52-“A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article,

shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Boonton hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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					

BOONTON HEALTH DEPARTMENT/OEM/FINANCE

Finance	Report will be made at the November 21, 2022 meeting
OEM	Carl Wendt
Administration/Health Dept.	Neil Henry

**CONSENT AGENDA
Resolutions 22-257 through 22-_____**

“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 22-257

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:

October 17, 2022 – Regular & Closed Session

RESOLUTION 22-258

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 22-259

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON TO AMEND RESOLUTION 22-156 APPOINTING NICOLE MONTEMORANO AS A PROBATIONARY MUNICIPAL POLICE OFFICER TRAINEE IN THE BOONTON POLICE DEPARTMENT TO A PROBATIONARY POLICE OFFICER IN THE BOONTON POLICE DEPARTMENT

WHEREAS, Nicole Montemorano will complete the waiver program from her Special Law Enforcement Officer Class II certification to a Basic Course for Police Officers Certification according to the New Jersey Police Training Commission (PTC) curriculum at the Morris County Public Safety Training Academy on the 30th of November 2022; and

WHEREAS, the Public Safety Director and the Police Department's Officer in Charge have made a recommendation that Nicole Montemorano be appointed as a Probationary Municipal Police Officer in the Town of Boonton;

WHEREAS, this appointment complies with all applicable State and Federal laws governing Equal Employment;

WHEREAS, pursuant to N.J.S.A 11A:4-1.3 this governing body has adopted by ordinance a conflict of interest and nepotism policy and this applicant is in compliance with this statute;

BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, New Jersey, that Nicole Montemorano be and is hereby appointed to the position of Probationary Municipal Police Officer in the Town of Boonton Police Department to be effective on 30th of November 2022 and she will be paid according to Step 1 of the collective bargaining agreement between the Town of Boonton and Boonton PBA Local #212.

RESOLUTION 22-260

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON APPOINTING JOSEPH FERRIS AS POLICE OFFICER IN THE BOONTON POLICE DEPARTMENT

BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, that Joseph Ferris be and is hereby appointed to the position of Police Officer in the Boonton Police Department, pursuant Article 27, Intergovernmental Transfer, at a prorated annual salary of Step 3 of the collective bargaining agreement, effective December 1, 2022.

RESOLUTION 22-261

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON APPOINTING NICHOLAS EVANS AS POLICE OFFICER IN THE BOONTON POLICE DEPARTMENT

BE IT RESOLVED by the Mayor and Council of the Town of Boonton, New Jersey, that Nicholas Evans be and is hereby appointed to the position of Probationary Police Officer in the Boonton Police Department, contingent upon satisfactory completion of the Basic Course for Police Officer (BCPO) at the Morris County Public Safety Training Academy and of the collective bargaining agreement, effective December 1, 2022.

RESOLUTION 22-262

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AUTHORIZING THE PROMOTION OF MICHAEL GULLA TO THE POSITION OF SERGEANT IN THE POLICE DEPARTMENT

WHEREAS, the Public Safety Director has notified the Mayor and Town Council that the position of Sergeant has become vacant; and

WHEREAS, the candidates for the position of Sergeant have completed the Civil Service written examination and interviewed with a Subcommittee of the Mayor and Town Council; and

WHEREAS, the Mayor and Town Council has received a recommendation from the Subcommittee and the Public Safety Director to promote Michael Gulla to the position of Sergeant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, County of Morris and State of New Jersey, that Michael Gulla be and is hereby promoted to the position of Sergeant in the Boonton Police Department effective November 8, 2022 pursuant to Article 1 of the SOA, at an annual salary of \$126,500.00.

RESOLUTION 22-263

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AUTHORIZING THE PROMOTION OF JOSEPH BOLCAR TO THE POSITION OF SERGEANT IN THE POLICE DEPARTMENT

WHEREAS, the Public Safety Director has notified the Mayor and Town Council that the position of Sergeant has become vacant; and

WHEREAS, the candidates for the position of Sergeant have completed the Civil Service written examination and interviewed with a Subcommittee of the Mayor and Town Council; and

WHEREAS, the Mayor and Town Council has received a recommendation from the Subcommittee and the Public Safety Director to promote Joseph Bolcar to the position of Sergeant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, County of Morris and State of New Jersey, that Joseph Bolcar be and is hereby promoted to the position of Sergeant in the Boonton Police Department effective November 8, 2022 pursuant to Article 1 of the SOA, at an annual salary of \$126,500.00.

RESOLUTION 22- 264

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AUTHORIZING THE PROMOTION OF ANTHONY LIMANDRI TO THE POSITION OF LIEUTENANT IN THE POLICE DEPARTMENT

WHEREAS, the Public Safety Director has notified the Mayor and Town Council that the position of Sergeant has become vacant; and

WHEREAS, the candidates for the position of Lieutenant have completed the Civil Service written examination and interviewed with a Subcommittee of the Mayor and Town Council; and

WHEREAS, the Mayor and Town Council has received a recommendation from the Subcommittee and the Public Safety Director to promote Anthony LiMandri to the position of Lieutenant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, County of Morris and State of New Jersey, that Anthony LiMandri be and is hereby promoted to the position of Lieutenant in the Boonton Police Department effective November 8, 2022 pursuant to Article 1 of the SOA, at an annual salary of \$139,150.00.

RESOLUTION 22-265

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON INCREASING EMPLOYMENT HOURS OF DEBRA GARBEIL PART-TIME ADMINISTRATIVE ASSISTANT IN THE HEALTH/UCC/ZONING DEPARTMENTS

WHEREAS, Debra Garbeil as employed as part-time Administrative Assistant in the Boonton Health/UCC/Zoning Departments; and

WHEREAS, there is now a need to increase four (4) additional hours of work each week.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council that Debra Garbeil be and is hereby authorized to work as part-time employee for the Health/UCC/Zoning offices at an hourly wage of \$25.00/hour for 29 hours per week.

RESOLUTION 22-266

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #22-00009

WHEREAS, the Tax Collector has been paid \$918.57, the necessary amount to redeem the following Tax Sale Certificate held by Pro Cap 8, for property assessed to Robert Salvo

Certificate	Block/Lot	Address	Tax Title Lien	Premium	Total Redemption
22-00009	58-8	331 Church Street	\$918.57	\$800.00	\$1,718.57

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 \$1,718.57 from the Trust Account and forward said check to Pro Cap 8 FBA Firsttrust Bank, PO Box 774, Fort Washington, PA 19034-0774

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #22-00009 from the municipal record.

RESOLUTION 22-267

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #19-00002

WHEREAS, the Tax Collector has been paid \$58,510.92, the necessary amount to redeem the following Tax Sale Certificate held by Tower DB IX, for property assessed to John Fragomeni

Certificate	Block/Lot	Address	Tax Title Lien	Premium	Total Redemption
19-00002	8/17	616 Main Street	\$ 58,510.92	\$ 16,000.00	\$ 74,510.92

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 \$74,510.92 from the Trust Account and forward said check to US Bank Cust for Tower DB IX, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #19-00002 from the municipal record.

RESOLUTION 22-268

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #20-00002

WHEREAS, the Tax Collector has been paid \$33,449.57, the necessary amount to redeem the following Tax Sale Certificate held by NJSL 301, LLC, for property assessed to Shukri Properties

Certificate	Block/Lot	Address	Tax Title Lien	Premium	Total Redemption
20-00002	8-18	618 Main Street	\$ 33,449.57	\$600.00	\$34,049.57

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 \$34,049.57 from the Trust Account and forward said check to NJSL 301, LLC, 650 E. Palisades Avenue, #2258, Englewood Cliffs, NJ07632

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #20-00002 from the municipal record.

RESOLUTION 22-269

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REDEEM TAX SALE CERTIFICATE #20-00003

WHEREAS, the Tax Collector has been paid \$29,598.75, the necessary amount to redeem the following Tax Sale Certificate held by Pro Cap 8, for property assessed to Shukri Properties

Certificate	Block/Lot	Address	Tax Title Lien	Premium	Total Redemption
20-00003	8-19	702 Main Street	\$29,598.75	\$16,100.00	\$45,698.75

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 \$45,698.75 from the Trust Account and forward said check to Pro Cap 8 FBA Firstrust Bank, PO Box 774, Fort Washington, PA 19034-0774

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel lien #20-00003 from the municipal record.

RESOLUTION 22-270

RESOLUTION AUTHORIZING TRANSFER OF 2022 APPROPRIATIONS

WHEREAS, NJSA 40A:4-58 provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of any respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess of those appropriations deemed to be insufficient; and

WHEREAS, the Governing Body further finds and declares that the Chief Financial Officer has determined that the following transfers are both necessary and appropriate; and

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 Chief Financial Officer is hereby authorized to make the following transfers in the CY2022 Budget.

CURRENT FUND				
Account Number	Account Name	From	To	Purpose
2-01-25-255-201	L.O.S.A.P. O/E	7,000		
2-01-26-300-233	Line Painting, O/E	7,000		
2-01-26-315-225	PD Vehicle Maint. O/E		14,000	Cover add'l vehicle repairs
	TOTALS	14,000	14,000	

RESOLUTION 22-271

RESOLUTION OF THE MAYOR AND COUNCIL AUTHORIZING CHANGE ORDER #1 FOR THE CONTRACT FOR RESERVOIR DRIVE IMPROVEMENTS-PHASE 1 BETWEEN THE TOWN OF BOONTON AND ONORATI CONSTRUCTION CO., INC.

WHEREAS, the Town of Boonton entered into an Agreement with Onorati Construction Co., Inc. for the FY2019 NJDOT Municipal Aid Grant Reservoir Drive Improvements Project-Phase I; and,

WHEREAS, it has been recommended by Town Engineer Andrew S. Holt to amend this contract due to certain necessary & unforeseen changes at the time of plan preparations. The modified scope of work along Reservoir Drive now includes: additional curbing and asphalt quantities and price adjustments; and,

WHEREAS, the original contract amount was **\$150,827.21** ;the amended contract amount based upon Change Order #1 is \$157,810.70 which is a 4.63% increase from the original contract amount; and,

NOW THEREFORE, BE IT RESOLVED that Change Order #1 be and is hereby authorized by the Mayor and Town Council as follows:

Original Contract	\$ 150,827.21
Change Order #1	\$ <u>6,983.49</u>
New Contract Total:	\$ 157,810.70 - Increase: 4.63%

I hereby certify that funds are available in Account #c-04-55-991-004
Not to Exceed \$157,810.70

Michael Yazdi, CFO

RESOLUTION 22- 272

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO SUBURBAN CONSULTING ENGINEERS, INC. FOR PROFESSIONAL SERVICES RELATIVE TO THE REMEDIAL ACTION WORK PLAN FOR PROJECT SITE CLOSEOUT – FINAL CAP & COVER SOIL EROSION AND STABILIZATION SERVICES (GREEN STREET WATER TANK)

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the Remedial Action Work Plan for Projected Site Closeout – Final Cap & Cover Soil Erosion and Stabilization Services 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 US 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 \$39,982.00, in accordance with the proposal submitted by Andrew S. Holt, PE, PP, CME, Executive Vice President, Suburban Consulting Engineers, Inc. for said project, dated October 31, 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 aCCOUNT # h-06-55-588-001
 Not to Exceed \$ 39,982.00

Michael Yazdi, CFO

RESOLUTION 22-273

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

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to additional Monitoring Well Sampling; 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 US 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 \$3,980.00, in accordance with the proposal submitted by Andrew S. Holt, PE, PP, CME, Executive Vice President, Suburban Consulting Engineers, Inc. for said project, dated October 31, 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 Account # 2-01-20-165-228
Not to Exceed \$ 3,980.00

Michael Yazdi, CFO

RESOLUTION 22-274

RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A FIRE TRUCK UNDER STATE CONTRACT FS12-19

WHEREAS, the Town of Boonton, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey, Help Governments Across the Country (HGAC) Cooperative Purchasing Program for any contracts entered into; and

WHEREAS, the Town of Boonton has a need for, and desires to purchase a Fire Truck from the HGAC program, under Contract #FS12-19; and

WHEREAS, the specifications with respect to said vehicle are available in the Town Clerk's office; and

WHEREAS, the cost to purchase the said vehicle shall not exceed \$ 1,042,267.39; and

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

1. The Town of Boonton hereby authorizes the Town Administration to proceed with the purchase of a Fire Truck from the HGAC Cooperative Purchasing Program.
2. The vehicle shall include the specifications which are available in the Town Clerk's office for the fee not to exceed \$ 1,042,267.39.
3. A copy of this Resolution shall be provided to Michael Yazdi, Chief Financial Officer.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

I hereby certify that funds are available in
Accounts # C-04-55-103-001 (\$950,000) and C-04-55-100-043 (\$92,267.39)
Not to Exceed \$ 1,042,267.39

Michael Yazdi, CFO

CONSENT AGENDA VOTE

Roll Call Vote for Resolutions 22-257 through 22-274

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

NONE

GENERAL DISCUSSION & COMMITTEE REPORTS

1. Darress Capital Expense of \$100K
2. Cannabis Discussion
4. Best Practices – Annual Discussion
5. Citizen of the Year Nominations – Mayor Corcoran will ask the council to submit nominations, no later than 12:00 noon on Wednesday, November 16, 2022, to the Town Clerk for vote at November 21, 2022 meeting.
6. Committee Report

COMMITTEE	CHAIR
DPW	Edina Renfro-Michel

NEW BUSINESS

**RESOLUTION 22-275
RESOLUTION ACKNOWLEDGING THE BEST PRACTICES INVENTORY**

BE IT RESOLVED by the Mayor and Council of the Town of Boonton, that the CY 2022 Best Practice Inventory Program has been reviewed and discussed.

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

ORDINANCE 24-22 (Introduction/Title Only)

AN ORDINANCE, UPDATING IN PART THE TOWN CODE OF THE TOWN OF BOONTON, AMENDING SECTION 130-12, FIRE PREVENTION

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					

ORDINANCE 25-22 (Introduction/Title Only)

AN ORDINANCE OF THE TOWN OF BOONTON, AMENDING THE TOWN CODE TO ADD, WITHIN PART II, GENERAL LEGISLATION, A NEW CHAPTER 88 TO BE ENTITLED "BUSINESS INSURANCE REGISTRATION"

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: _____	