

**Mayor & Town Council**  
**REGULAR MEETING AGENDA**  
**February 22, 2022**

Town of Boonton  
 100 Washington Street  
 Boonton, NJ 07005

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

**FLAG SALUTE AND ROLL CALL VOTE**

COUNCIL MEMBER	TITLE	PRESENT	ABSENT
Mr. John Meehan	1 <sup>st</sup> Ward Council Member		
Mr. Cyril Wekilsky	1 <sup>st</sup> Ward Council Member		
Ms. Marie DeVenezia	2 <sup>nd</sup> Ward Council Member		
Dr. Edina Renfro-Michel	2 <sup>nd</sup> Ward Council Member		
Mr. Joseph Bock	3 <sup>rd</sup> Ward Council Member		
Mr. Joseph Fenske	3 <sup>rd</sup> Ward Council Member		
Mr. James Lynch	4 <sup>th</sup> Ward Council Member-Board President		
Mr. Michael Wade	4 <sup>th</sup> 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 22-72**

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

MOVED:		SECONDED:	
VOICE VOTE:	IN FAVOR	AGAINST:	

**OPEN PUBLIC SESSION – 7:30 P.M.**

<b>FLAG SALUTE AND ROLL CALL VOTE:</b>			
<b>COUNCIL MEMBER</b>	<b>TITLE</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mr. John Meehan	1 <sup>st</sup> Ward Council Member		
Mr. Cyril Wekiisky	1 <sup>st</sup> Ward Council Member		
Ms. Marie DeVenezia	2 <sup>nd</sup> Ward Council Member		
Dr. Edina Renfro-Michel	2 <sup>nd</sup> Ward Council Member		
Mr. Joseph Bock	3 <sup>rd</sup> Ward Council Member		
Mr. Joseph Fenske	3 <sup>rd</sup> Ward Council Member		
Mr. James Lynch	4 <sup>th</sup> Ward Council Member-Board President		
Mr. Michael Wade	4 <sup>th</sup> 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 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 HEALTH DEPARTMENT/OEM/FINANCE**

Health Department	Public Health Nurse Justina Haasz
OEM	Carl Wendt, Scott Bednar, Michael Gulla
Finance	Jen Muscara, Tax Collector/Mayor Corcoran
	2020 1st quarter as of 2/15/2020
	Total billed for 1st qtr. 2020      \$ 8,358,356.99
	Total paid as of 2/15/2020      \$ 7,826,196.37
	Balance as of 2/15/2020      \$ 532,160.62
	Collection Percentage 93.63%
	2021 1st quarter as of 2/15/2021
	Total billed for 1st qtr. 2021      \$ 8,285,151.47
	Total paid as of 12/13/2021      \$ 7,630,419.99
	Balance as of 12/13/2021      \$ 654,731.48
	Collection Percentage 92.10%
	2022 1st quarter as of 2/15/2022
	Total billed for 1st qtr. 2022      \$ 8,606,118.86
	Total paid as of 2/15/2022      \$ 8,115,273.30
	Balance as of 2/15/2022      \$ 490,845.56
	Collection Percentage 94.30%
Administration	Neil Henry

**CONSENT AGENDA**  
**Resolutions 22-73 through 22-80**

**RESOLUTION 22-73**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY, APPOINTING MICHAEL YAZDI AS CHIEF FINANCIAL OFFICER FOR A FOUR-YEAR TERM**

**WHEREAS**, N.J.S.A. 40A:9-140.10a. requires that the governing body of every municipality in New Jersey appoint a chief financial officer (“CFO”) with a term of four years; and

**WHEREAS**, the Town of Boonton (“Town”) has a need to appoint a CFO to such a term; and

**WHEREAS**, Michael Yazdi has agreed to accept such appointment, effective March 14, 2022; and

**WHEREAS**, Mr. Yazdi meets the statutory qualifications to hold the position; and

**WHEREAS**, the appointment of Mr. Michael Yazdi as CFO shall be at a salary of \$100,000 per year.

**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 appointment of Michael Yazdi as CFO as described above is hereby authorized.

**BE IT FURTHER RESOLVED** that the Mayor and Town Clerk are hereby authorized to take all such actions necessary to finalize the appointment of Michael Yazdi as CFO.

**RESOLUTION 22-74**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR 2022 PROFESSIONAL SERVICES**

**WHEREAS**, the Town of Boonton has a need to acquire professional services as a non-fair and open contract; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of these acquisitions will exceed \$17,500.00; and

**WHEREAS**, the following Professional (Contracting Entities) has submitted a proposal indicating their services and they are on file in the Clerk’s office; and

**WHEREAS**, the Contracting Entities have completed and submitted their Business Entity Disclosure Certifications which certify that the Contracting Entities have not made any reportable contributions to a political or candidate committee in the Town of Boonton in the previous one year; and that the contract will prohibit the Contracting Entity from making any reportable contributions through the term of the contract; and

**NOW THEREFORE, BE IT RESOLVED** that the Council of the Town of Boonton hereby authorizes the Mayor to enter into contracts with the Contracting Entities as described herein.

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certifications and the Determination of Value be placed on file with this resolution.

Professional Service	Name	Address	Term
Labor Counsel	Matthew J. Giacobbe, Esq. Cleary Giacobbe Alfieri Jacobs, LLC	169 Ramapo Valley Road Oakland, NJ 07436-2509	01/01/22 –12/31/2022

**RESOLUTION 22-75**

**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:

February 7, 2022 – Regular and Closed Session

**RESOLUTION 22-76**

**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 22-77**

**RESOLUTION TO CANCEL WATER/SEWER CHARGES**

**BE IT RESOLVED** by the Mayor and Town Council 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
3626-0	890 Boonton Avenue	Clerical Error	\$ 62.38

**RESOLUTION 22-78**

**RESOLUTION TO REFUND WATER CHARGES**

**WHEREAS**, on February 7, 2022, Resolution 22-68 was approved cancelling water charges in the amount of \$910.96 for property located at 234 Old Boonton Road; and

**WHEREAS**, the former owners of the property already paid the billed amount for water charges.

**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 following water charges be and are hereby refunded to the former property owner, Estate of Adeline Sabatino c/o Charley Sabatino, 27-18 200<sup>th</sup> Street, Bayside, NY 11360 in the amount of \$910.96.

Account	Address	Reason	Amount
1755-0	234 Old Boonton Road	Over-billing/Reading adjustment	\$ 910.96

**RESOLUTION 22-79**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF BOONTON AND STATE OF NEW JERSEY APPROVING AN INTERLOCAL AGREEMENT WITH BARRISTER LAND DEVELOPMENT CORPORATION**

**WHEREAS**, each of the municipalities hereto is authorized pursuant to the Uniform Share Services and Consolidation Act, *N.J.S.A. 40:65-01 et seq.*, to enter into an agreement with other municipalities and/or local units to jointly provide for any lawful service; and

**WHEREAS**, pursuant to the approvals received by Barrister Land Development Corp. (hereinafter “Developer”) from the Town and the Township, Developer is in the process of negotiating Developer’s Agreements to construct a residential development consisting of 38 units in Boonton Township and 33 units in the Town of Boonton (32 age restricted units and one unit located on 162 Chestnut Street), collectively to be known as the Barrister Complex; and

**WHEREAS**, the Barrister Complex as approved and detailed in the Developer’s Agreements with each municipality will be in a location which encompasses property in both municipalities as follows:

Town of Boonton  
Block 118, Lots 1.01, 2, 10.04  
Chestnut Street

Boonton Township  
Block 40702, Lot 2  
120 Powerville Road

(hereinafter “Properties”); and

**WHEREAS**, the Town and the Township have negotiated the provision of water and sewer services to the residents who will reside in the completed development.

**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 Municipal Clerk are hereby authorized to execute an Interlocal Agreement for the provision of water and sewer services to the Barrister Residential Development Corp. between the Township of Boonton and the Town of Boonton.

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**RESOLUTION 22-80**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON APPROVING TERMINAL LEAVE AND NOTICE OF RETIREMENT FOR ROYCE STAFFORD**

**WHEREAS**, Royce Stafford has attained twenty-five (25) years of pensionable service, rising to his rank and position of Lieutenant; and

**WHEREAS**, Mr. Stafford has indicated that he seeks to retire, effective January 3, 2023, and after his final day of work on February 17, 2022, his active service ends and he shall utilize terminal leave until the date of his retirement.

**WHEREAS**, the terminal leave provision of the Collective Negotiations’ Agreement between the Superior Officer Association of Boonton Local #212 and the Town of Boonton, is the basis for determining the amount of terminal leave to which Mr. Stafford shall be entitled.

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

1. The Town of Boonton hereby accepts notice of retirement from Royce Stafford who is seeking to retire from the Town of Boonton Police Department.
2. Effective January 3, 2023, Royce Stafford shall be retired from his position as Lieutenant from the Town of Boonton Police Department.
3. Royce Stafford has requested to be placed on terminal leave prior to his retirement date of January 3, 2023.
4. The retirement of Royce Stafford is hereby irrevocable as Mr. Stafford is only afforded terminal leave upon retiring from service with the Town of Boonton as set forth in the Superior Officers Association collective negotiations agreement.
5. Effective February 18, 2022 through January 2, 2023, Mr. Stafford shall be placed on terminal leave in accordance with the Superior Officers Association collective negotiations agreement.
6. Mr. Stafford’s salary shall be paid through Monday, January 2, 2023, at his rate of pay according to the Superior Officer Association of Boonton Local #212 and the Town of Boonton (2022-2029) collective

negotiations agreement in effect as of January 1, 2022 (including holiday pay, stipend, and longevity pay) and continue his medical benefits until January 2, 2023.

7. This resolution puts the Town Administrator and CFO on notice to immediately process any and all requests from the State of New Jersey, Division of Pensions and Benefits regarding the retirement of Royce Stafford.
8. This resolution shall take effect immediately.
9. Upon passage of this resolution, a copy shall be provided to Royce Stafford via certified mail return receipt requested.

**CONSENT AGENDA VOTE**

**Roll Call Vote for Resolutions 22-73 through 22-80**

<b>MOVED:</b>			<b>SECOND:</b>		
Mayor & Town Council Discussion					
<b>MOVED:</b>			<b>SECOND:</b>		
<b>BOARD MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>RECUSE</b>	<b>ABSENT</b>
			Means "NO" Vote		
Mr. Bock					
Ms. DeVenezia					
Mr. Fenske					
Mr. Lynch					
Mr. Meehan					
Dr. Renfro-Michel					
Mr. Wade					
Mr. Wekilsky					
Mayor Corcoran					

**UNFINISHED BUSINESS**

**ORDINANCE 01-22** (Public Hearing)

**AN ORDINANCE OF THE TOWN OF BOONTON, REPEALING AND REPLACING A SECTION WITHIN PART II, GENERAL LEGISLATION, CHAPTER 216-3 D. (217) ONLY, RECYCLING TO UPDATE FEES**

**WHEREAS**, and in regard to the fees currently charged by the Town of Boonton to recycle vehicle tires, depending on size; and

**WHEREAS**, the costs of such disposal have increased, and the Town of Boonton wishes to update its Town Code to take into consideration such increased costs.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, THAT THE TOWN OF BOONTON CODE, AND ONLY AS TO SECTION 216-3 D. (17), BE REPEALED AND REPLACED, AS FOLLOWS:**

**SECTION 1.**

**THAT CHAPTER 216-3 D. (17) RECYCLING, BE REPEALED AND REPLACED WITH THE FOLLOWING:**

**(17)** Motor vehicle tires from passenger automobiles and light trucks shall be taken to the Recycling Center at designated times and in accordance with the fee schedule. Tires from vehicles with a load capacity exceeding 1 1/2 tons are not accepted; \$5.00 per tire not to exceed 75 inches by 17 inches in size; tires with rims are \$8.00 per tire.

**SECTION 2.** All ordinances or parts of ordinances of the Town of Boonton inconsistent with

the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 4.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

**SECTION 5.** This Ordinance may be renumbered for purposes of codification

**SECTION 6.** This Ordinance shall take effect upon final passage, approval, and publication as required by law.

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

**ORDINANCE 02-22** (Public Hearing)

**AN ORDINANCE RECHARACTERIZING AND RE-TITLING BOONTON POLICE DEPARTMENT CAPITAL EXPENSE ITEMS**

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

**SECTION 1.** Pursuant to N.J.S.A-40A:2-39, it is hereby determined that \$47,928 is no longer necessary for the purposes for which obligations previously authorized pursuant to Bond Ordinance No. 13-2021, No. 10-2018, and No. 05-2019.; and

**SECTION 2.** The \$47,928 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby re-appropriated for the acquisition of eight replacement-in car video systems in the patrol vehicles of the Boonton Police Department; and

**SECTION 3.** The capital budget or temporary capital budget, as applicable, of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in f the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection; and

**SECTION 4.** All ordinances or parts of ordinances of the Town of Boonton inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 5.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

**SECTION 6.** This Ordinance may be renumbered for purposes of codification

**SECTION 7.** This Ordinance shall take effect upon final passage, approval, and publication as required by law.

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

**RESOLUTION 22-81**

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF SIX REPLACEMENT IN-CAR VIDEO SYSTEMS FOR PATROL VEHICLES**

**WHEREAS**, the Town of Boonton Police Department has in-car video systems in its patrol vehicles, as required by N.J.S.A. 40A:14-118.1; and

**WHEREAS**, six of the current in-car video systems have reached the end of life expectancy; and

**WHEREAS**, the Mayor and Town Council desire to replace the in-car video systems, at a cost of \$76,623.00, including related software and installation fees; and

**WHEREAS**, there are sufficient funds in the Police Department’s Capital Budget accounts to pay for this expenditure.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Boonton, County of Morris, State of New Jersey, that the Police Department is hereby authorized to purchase six replacement in-car video systems, including related software and installation fees, at a cost of \$76,623.00.

MOVED:			SECOND:		
Town Council Discussion					
MOVED:			SECOND:		
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
			Means "NO" Vote		
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**

**ORDINANCE 03-22** (Introduction/Title Only)  
**AN ORDINANCE, AMENDING THE TOWN CODE OF BOONTON BY REPEALING, IN ITS ENTIRETY, CHAPTER 214 ENTITLED "PROPERTY MAINTENANCE" AND REPLACING IT, IN ITS ENTIRETY, WITH CHAPTER 214 TO BE ENTITLED, "PROPERTY MAINTENANCE"**

MOVED:			SECOND:		
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
			Means "NO" Vote		
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.

<b>MOVED:</b>	<b>SECONDED:</b>	<b>TIME:</b>
VOICE VOTE:	IN FAVOR: ____	AGAINST: ____