

Mayor & Town Council
REGULAR MEETING AGENDA
March 21, 2022

Town of Boonton
 100 Washington Street
 Boonton, NJ 07005

Closed Session Meeting – 6:30 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:

You are invited to a Zoom webinar.

When: Mar 21, 2022 07:30 PM Eastern Time (US and Canada)
 Topic: Mayor and Town Council Meeting - Monday, March 21st, 2022

Please click the link below to join the webinar:
<https://us06web.zoom.us/j/85743280049?pwd=ZHR5Q1gvWktoVW9LRl9ldGpXLTJJOQT09>
 Passcode: 46Nqd7

Or Telephone:
 Dial(for higher quality, dial a number based on your current location):
 US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900
 6833 or +1 253 215 8782
 Webinar ID: 857 4328 0049
 Passcode: 774471
 International numbers available: <https://us06web.zoom.us/j/85743280049?pwd=ZHR5Q1gvWktoVW9LRl9ldGpXLTJJOQT09>

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.

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. Elizabeth Bonsiewich	Deputy Town Clerk		

CLOSED SESSION

RESOLUTION (22-98 if needed)

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:	

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. Elizabeth Bonsiewich	Deputy 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.

PROCLAMATIONS

1. Mayor Corcoran will be presenting a proclamation to Joe Fongaro upon his Wrestling Championship.
2. Mayor Corcoran will be presenting a proclamation to the Boonton Elks Lodge #1405 upon their celebration of 100 years.

PRESENTATIONS

1. Mr. Chris Colley, Topology, will make a presentation regarding the Plane Street Properties-Area in Need of Redevelopment Study
2. Special Projects Coordinator Laura Wagner will make a presentation on the Darress Theatre

DEPARTMENT REPORTS

OEM	Carl Wendt, Scott Bednar, Michael Gulla
Finance	Jen Muscara, Tax Collector/Mayor Corcoran 2020 1st quarter as of 3/15/2020 Total billed for 1st qtr. 2020 \$8,360,281.17 Total paid as of 3/15/2020 \$8,089,192.20 Balance as of 3/15/2020 \$ 271,088.97 Collection Percentage 96.76% 2021 1st quarter as of 3/15/2021 Total billed for 1st qtr. 2021 \$8,285,151.47 Total paid as of 3/15/2021 \$8,067,667.04 Balance as of 3/15/2021 \$ 217,484.43 Collection Percentage 97.38% 2022 1st quarter as of 3/15/2022 Total billed for 1st qtr. 2022 \$8,606,118.86 Total paid as of 3/15/2022 \$8,383,728.03 Balance as of 3/15/2022 \$ 222,390.83 Collection Percentage 97.42%
Administration/Health	Neil Henry

CONSENT AGENDA

Resolutions 22-91 through 22-96

RESOLUTION 22-91

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:

March 7, 2022 – Regular & Closed Session

RESOLUTION 22-92

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 22-93

RESOLUTION AWARDING CONTRACT FOR KANOUSE POCKET PARK PLAYGROUND RENOVATIONS TO CORBY ASSOCIATES, INC.

WHEREAS, the Kanouse Pocket Park Playground Renovation Project was awarded a 2019 Community Development Block Grant (CDBG) from the County of Morris in the amount of \$80,000 to fund the project; and

WHEREAS, the Mayor and Town Council of the Town of Boonton have heretofore received plans and specifications constituting a public bid package from the Town Engineer, Mott MacDonald for said project; and

WHEREAS, the Mayor and Town Council have heretofore approved said public bid package, as prepared by Town Engineer, and directed the Town Clerk to publicly advertise for bids; and

WHEREAS, the public bid package included both a base bid, and a supplemental bid option which was noted in the specifications that the Owner reserves the right to award a Contract for the work included in the Base Bid only or to award the Base Bid plus the Supplemental Bid Item(s); and

WHEREAS, the Town of Boonton received five (5) bids for said project on Wednesday, December 1, 2021 at the Town of Boonton Municipal Building; and

WHEREAS, the contract is being awarded through a fair and open process, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:20.4 et seq.; and

WHEREAS, review of the five (5) received bids identified Corby Associates, Inc. as the lowest apparent responsive, responsible bidder for the Base Bid only; and

WHEREAS, the Town Attorney has reviewed the bid from Corby Associates, Inc. and found it to be in proper form and in compliance with the requirements of the Local Public Contract Law, and has deemed it responsible and responsive; and

WHEREAS, the County of Morris increased the Community Development Block Grant (CDBG) to a maximum grant not to exceed \$118,600.00 to fund the project due to recent escalations in the cost of materials; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract.

BE IT RESOLVED The Mayor and Town Council of the Town of Boonton, upon the recommendation of the Town Engineer and as reviewed by the Town Attorney, hereby award a contract for the Kanouse Pocket Park Playground Renovations to the lowest responsible bidder, Corby Associates, Inc., PO Box 496, Ridgefield, NJ 07657, for the Base Bid only for a sum of one hundred and four thousand, five hundred and fifty-three dollars (\$104,553.00).

I hereby certify that funds are available in
Account # C-04-55-999-001

Michael Yazdi, CFO

RESOLUTION 22-94

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON AUTHORIZING THE GRANT APPLICATION TO MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND FOR A PRESERVATION PLAN FOR THE DR. JOHN TAYLOR HOUSE (PHASE I)

WHEREAS, the Town of Boonton is interested in preserving the Dr. John Taylor House (Phase I), located at 210 Main Street, Boonton, NJ; and

WHEREAS, the Mayor and Town Council fully support this effort and authorize an application to the Morris County Historic Preservation Trust Fund, as follows:

GRANT DESCRIPTION	TOTAL PROJECT COST	FUNDING REQUEST	MATCH
Preservation Plan for Dr. John Taylor House (Phase I)	\$ 30,000.00	\$ 24,000.00	\$ 6,000.00

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, County of Morris and State of New Jersey authorize said application.

RESOLUTION 22-95

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY ENDORSING THE COMPREHENSIVE “BAG UP NJ” CAMPAIGN

WHEREAS, Gov. Phil Murphy and the New Jersey State Legislature enacted the most progressive disposable bag law in the country, with a bill signed Nov. 4, 2020, phasing out single use plastic and paper bags and encouraging the use of reusable bags throughout New Jersey.

WHEREAS, New Jersey is working to reduce reliance on single-use products to ensure that future generations have a clean and healthy environment to live, work, and recreate in.

WHEREAS, banning or limiting the use of single-use plastic and paper carryout bags is a significant step in this effort.

WHEREAS, the New Jersey Clean Communities Council, the New Jersey Department of Environmental Protection, the New Jersey Department of State, policymakers, environmental and business groups, as well as other stakeholders, are working together to educate consumers, businesses, and communities about the new law and encouraging residents to "Bag Up" before the ban goes into effect.

WHEREAS, the comprehensive "Bag Up NJ" campaign will include educational programs, public and media engagement and reusable bag distribution programs throughout the state, with an emphasis on underserved communities.

WHEREAS, this statewide public education campaign will provide residents, businesses and visitors with information about the types of reusable and sustainable bags and containers that they may use and where to access these products.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Boonton that it is critical to begin educating the public about this new law, which will have a significant environmental benefit when the ban takes effect on May 4, 2022.

BE IT FURTHER RESOLVED that one way to gain important recognition is to deem the month of May each year as “Bag Up NJ” month in the Town of Boonton, a further reminder that residents should bring their own reusable bags to the store.

RESOLUTION 22-96

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON AUTHORIZING THE GRANT APPLICATION TO MORRIS COUNTY HISTORIC PRESERVATION TRUST FUND FOR A PRESERVATION PLAN FOR THE CIVIL WAR MONUMENT CONDITION ASSESSMENT

WHEREAS, the Town of Boonton is interested in preserving the Civil War Monument located on Main Street, Boonton, NJ; and

WHEREAS, the Mayor and Town Council fully support this effort and authorize an application to the Morris County Historic Preservation Trust Fund, as follows:

GRANT DESCRIPTION	TOTAL PROJECT COST	FUNDING REQUEST	MATCH
Civil War Monument Condition Assessment	\$ 4,950.00	\$ 4,950.00	0.00

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Boonton, County of Morris and State of New Jersey authorize said application.

CONSENT AGENDA VOTE

Roll Call Vote for Resolutions 22-91 through 22-96

VED:			SECOND:		
Mayor & 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					

UNFINISHED BUSINESS

ORDINANCE 03-22 (Public Meeting/Adoption)

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"

WHEREAS, the Town Council desires to protect the public health, safety, and welfare of the citizens of the incorporated area of Town and maintain a high quality of life for the citizens of the Town through the maintenance of structures and properties in the Town; and

WHEREAS, the Town Council wishes to amend the current property maintenance code to incorporate a more inclusive Property Maintenance Code, attached at Exhibit A, to better regulate building standards for the exterior of structures and the condition of the property as a whole, and to ensure that an electronically searchable document is available to the public on line as an attachment within the Code, in addition to copies being made available to the public within the office of the Municipal Clerk; and

WHEREAS, the Town Council recognizes in the best interest of the public health, safety, and welfare a more regulated method is desired to address neglected properties, and to that end, wishes to adopt the aforementioned and electronically searchable Property Maintenance Code; and

WHEREAS, the Town Council has a vested interest in protecting neighborhoods against decay and concludes that it is in the best interest of the health, safety, and welfare of its citizens and residents to amend the current code.

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 FOLLOWING SECTIONS ONLY ARE REPEALED AND REPLACED, WITHIN THE TOWN OF BOONTON CODE, PART II, GENERAL LEGISLATION, CHAPTER 214, AS FOLLOWS:

SECTION 1.

Chapter 214, PROPERTY MAINTENANCE

SECTION I.

§ 214-1. Adoption of standards; availability of code as searchable; availability of copies.

The Town of Boonton hereby adopts the provisions of the attached Town of Boonton Property Maintenance Code, herein also referred to as "the Property Maintenance Code." This chapter, along with the Property Maintenance Code, shall be made available online to the public in an electronic format, and as a term-searchable document (eCode 360), and in addition, shall also be available for review and to remain on file in the office of the Municipal Clerk of the Town of Boonton, and be marked and designated as "§ 214" and the "Property Maintenance Code." This chapter and Property Maintenance Code are hereby adopted for the control of buildings and structures as therein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code.

§214-2. Effect on existing proceedings.

Nothing in this chapter or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired or liability incurred or any cause or causes of action acquired or existing under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.

214-3. Violations and penalties; repeat offender

A. Any person, firm or corporation who or which shall violate any of the provisions of this chapter shall be subject to one or more of the following: a fine not exceeding \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days.

B. Any person who is convicted of violating this chapter within one year of the date of a previous violation of this chapter and who was fined for the previous violation, shall be sentenced to an additional fine as a repeat violator. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum nor exceed the maximum fine fixed for a violation of this chapter, but shall be calculated separately for the fine imposed for the violation of this chapter.

C. The Mayor and Town Council may waive the imposition of an additional fine upon a person for a repeated violation of the provisions of this chapter by a duly adopted resolution of the Mayor and Town Council.

§ 214-4. The Property and Maintenance Code of the Town of Boonton (Attached)

The Property and Maintenance Code of the Town of Boonton is hereby adopted, and attached as Exhibit A.

SECTION 2.

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 4.

This Ordinance may be renumbered for purposes of codification.

SECTION 5.

This Ordinance shall take effect upon final passage, approval and publication in accordance with applicable law.

MOVED:			SECOND:		
Public Hearing					
MOVED:			SECOND:		
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
<small>Means "NO" Vote</small>					
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 22-97

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, SELECTING A DESIGN OPTION FOR THE DARRESS THEATRE MASTER PLAN AND DESIGN CONCEPT

WHEREAS, the Town of Boonton obtained professional services relative to Architectural Services for the Darress Theatre, Main Street, Boonton, NJ by resolution 21-334 on September 7, 2021; and

WHEREAS, Mills and Schnoering Architects, LLC have submitted a Draft Concept Design and Master plan, and;

WHEREAS, Mills and Schnoering Architects requested feedback and a Design Choice from the Town, and;

WHEREAS, the Mayor and Town Council have reviewed this report and design options presented within, and;

WHEREAS, a presentation of the Darress Theatre Committee’s recommendation of design choice was presented to the governing body on March 21, 2022 by Special Projects Coordinator Laura Wagner, and;

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

The Design choice for the Darress Theatre Design Concept and Master Plan is the design choice 2a as labeled in the report, including one elevator outside the footprint of the theatre, with approximately 489 fixed seats, and a rooftop bar.

MOVED:			SECOND:		
Mayor & 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					

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: ____