

Mayor & Town Council
PUBLIC MEETING MINUTES
February 6, 2023

Town of Boonton
100 Washington Street
Boonton, NJ 07005

Closed Session Meeting – 6:00 p.m.
Open Public Meeting – 7:00 p.m.

You are invited to a Zoom webinar.
 When: Feb 6, 2023 07:00 PM Eastern Time (US and Canada)
 Topic: Mayor and Council Regular Meeting - February 6th, 2023

Please click the link below to join the webinar:
<https://us06web.zoom.us/j/84259198834>

Or iPhone one-tap :

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

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FLAG SALUTE AND ROLL CALL VOTE

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

CLOSED SESSION

RESOLUTION 23-64

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: Pending contract negotiations – 10:4-12(b)7.
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: WEKILSKY		SECONDED: WADE	
VOICE VOTE:	IN FAVOR: X	AGAINST:	

OPEN PUBLIC SESSION – 7:00 P.M.

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

**ADEQUATE NOTICE
MAYOR'S STATEMENT**

Pursuant to the requirements of R.S. 10:4-10, the clerk is directed to enter into the minutes of this meeting an accurate statement to the effect that:

1. Notice of the meeting was posted at Town Hall on December 28, 2022 and this agenda was posted on February 2, 2023.
2. Notice of the meeting was published in the Citizen of Morris County and the Daily Record Newspapers on Wednesday, December 28, 2022 and a copy of this agenda was forwarded to each of the Town's official newspapers on February 2, 2023.

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 speak.
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 comment

MAYOR'S APPOINTMENT

I, Richard Corcoran, Mayor of the Town of Boonton, hereby appoint Christine Ferguson to the Board of Health to fulfill a Class 1 term, expiring December 31, 2023.

CORRESPONDENCE

1. Correspondence from Tri-Town Little League:



Tri-Town Little League
PO Box 495
Boonton, NJ 07005

January 17, 2023

Town of Boonton
Attn: Cynthia Oravits, Town Clerk
Mayor, Town of Boonton
100 Washington Street
Boonton NJ 07005

RE: Street Closure Request - Tri-Town LL Opening Day Parade

Dear Ms. Oravits,

The Tri-Town Little League is requesting to have Main St closed on Saturday April 22, 2023 for our annual Opening Day Parade. The parade will once again kickoff at 10:00am from the Upper Plane Street Parking lot, proceed down Main Street, turn left onto Monroe St, left onto Old Boonton Road cross Lathrop Ave and enter the Boonton High School parking lot.

There are approximately 300 children who participate in our league from Boonton, Mountain Lakes, Boonton Township and Lincoln Park. This is a great community event and a tremendous way to kick off the season. Please let me know if this can be arranged. If there are any questions, my contact information is below.

Thank you for your consideration.

Sincerely,

John P. Meehan
Tri-Town Little League, VP

MOVED: WEKILSKY	SECONDED: DeVENEZIA	
TOWN COUNCIL DISCUSSION: Various members of the Town Council voiced their approval and support		
VOICE VOTE:	IN FAVOR: <input checked="" type="checkbox"/>	AGAINST: <input type="checkbox"/>

2. Correspondence from Parks & Recreation Re: Bed Races

Dear Mayor Corcoran and Town Council,

As Director of Boonton Parks and Recreation, I would like to ask permission to hold our 2nd Annual Bed Races event on Saturday April 29th between the hours of 12:00 PM – 3:00 PM.

I am requesting to close North Main Street between Hillside Avenue and Highland Avenue between 10 AM and 4:00 PM, or as needed by The Boonton Police Department or DPW, to set up and disassemble the event. In the event of inclement weather, the event will be held on Sunday April 30th at the same times.

In addition, I am seeking the Mayor and Council’s approval of alcohol on the premises for this event. The Boonton PBA has graciously agreed to take care of the necessary social affairs permit. Thank you for your consideration and I hope you will join us at this wonderful event.

Regards,

Tracy Pryer
Director
Boonton Parks and Recreation

MOVED: WEISMAN	SECONDED: WEKILSKY	
TOWN COUNCIL DISCUSSION: Town Council members voiced their support		
VOICE VOTE:	IN FAVOR: <input checked="" type="checkbox"/>	AGAINST: <input type="checkbox"/>

3. Correspondence from Parks & Recreation Director Re: Car Show 2023:

Dear Mayor Corcoran and Town Council,

As Director of Boonton Parks and Recreation, I would like to ask permission to hold our 2nd Annual Car, Truck and Bike Show on Sunday May 7, 2023 between the hours of 10:00 AM – 3:00 PM.

I am requesting permission to close Main Street between the West Main and Highland Avenue intersection to Mechanic Street as well as Main Street and Boonton Avenue intersection to Birch Street between 8 AM and 4:00 PM, to set up and disassemble the event. In the event of inclement weather, the event will be held on Sunday, May 21, 2023 at the same time and location. I have already obtained the necessary approvals from the Morris County Board of Commissioners.

Thank you for your consideration.

Regards,
Tracy Pryer

Tracy Pryer
Director
Boonton Parks and Recreation

MOVED: WEKILSKY	SECONDED: WADE	
TOWN COUNCIL DISCUSSION: None		
VOICE VOTE:	IN FAVOR: <input checked="" type="checkbox"/>	AGAINST: <input type="checkbox"/>

BOONTON HEALTH AND ADMINISTRATOR'S REPORT

Health/Administration	<p><i>Neil Henry reported the following:</i></p> <ul style="list-style-type: none">• Town of Boonton COVID-19 numbers from January 1-January 31st, 2023<ul style="list-style-type: none">○ 78 cases from December 2022 compared to 44 cases from December of 2021.○ 317 cases from January of 2022 compared to 51 cases in the month of January 2023• Communicable disease and childhood lead investigations are ongoing• Edge Outreach 2/8/23 at Gateway Community Resource Center- Free HIV testing and other services from 3pm-6pm (Walk-ins Welcome)• Heart Health Program 2/24/23 at Boonton Library from 11:30-12:30 pm.• Child Health Clinics are held monthly in Rockaway Township, please have those interested in immunizations call the nurse's line for the nurse to check eligibility. <p>Please e-mail additional questions/concerns and I will address as soon as possible. My e-mail address is mogalo-lebron@rockawaytownship.org</p> <p><i>Mr. Henry also reported that the Town will be offering free In-Home COVID tests to Boonton residents on Friday, February 10 from 8:30-12:00 noon in the Town Hall lobby. Each box contains two tests and one per household will be distributed.</i></p> <p><i>Mr. Henry also reported that work continues on the budget, and at the next work session meeting, there will be options for this council to consider. Mr. Weiner from the Town's Risk Management Company Acruisure, will be giving information on health programs.</i></p> <p><i>Mr. Henry is also working on a contract with Morris Council 6 (which consists of four employees). They will be moving over to the Union Council 8. He continues to put together a Health Services Program because our contract expires with Rockaway Township in March. Also, he and Patrick Laverty have begun working on some ordinance amendments.</i></p> <p><i>Our new phone system has been installed and we are still working with Verizon until their services have ended, but things are moving along.</i></p> <p><i>As previously reported, 250 seedlings have been obtained and Tracy Pryer, Parks & Recreation Director has recommended they be distributed during the Boonton Clean Up Day.</i></p> <p><i>Mr. Weisman and Mr. Balan thanked Mr. Henry for the meeting he set with the Staff at town hall.</i></p> <p><i>Ms. DeVenezia asked if the Town can contact residents through NIXEL that those COVID tests will be available on Friday. Dr. Renfro-Michel also asked if some of the testes could be given to the senior bus driver, Geri Carcich to distribute to the homebound. Mr. Henry confirmed.</i></p>
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CONSENT AGENDA
Resolutions 23-65 through 23-78

RESOLUTION 23-65
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:

- January 17, 2023 – Closed Session
- January 17, 2023 – Regular Meeting
- January 23, 2023 – Closed Session
- January 23, 2023 - Work Session Meeting

RESOLUTION 23-66
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 Administrator be and are hereby ordered paid.

RESOLUTION 23-67

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON AUTHORIZING AN APPLICATION TO THE MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR THE PURCHASE OF A NEW SENIOR BUS VEHICLE

WHEREAS, The Town of Boonton desires to purchase a new senior bus vehicle; and

WHEREAS, the Town is seeking funding from Morris County Community Development Block Grant Program to offset the cost of such a vehicle; and

WHEREAS, the County has deemed this project to fall under the eligibility category of "services" which is capped at a \$50,000 grant award; and

WHEREAS, the remaining necessary funds have been requested to be included in the proposed municipal budget for 2023, pending Council approval.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Boonton authorize the application for such grant in the amount of \$50,000; and

BE IT FURTHER RESOLVED that, if awarded CDBG funding, the Town of Boonton shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

RESOLUTION 23-68

RESOLUTION AUTHORIZING THE TOWN OF BOONTON TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2022 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE

WHEREAS, the Town of Boonton Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY22-EMPG-EMAA-1401 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the town's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies: and

WHEREAS, the Town of Boonton will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2022, to June 30, 2023; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Town of Boonton Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Boonton, in the County of Morris, State of New Jersey:

1. That the Council accepts the award of the FFY22 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
 2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
 3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.
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RESOLUTION 23-69

RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE CONTRACTING TO PRIMEPOINT LLC TO PROVIDE TIMEKEEPING SERVICES

WHEREAS, the Town of Boonton (hereinafter also "the Town") has a need to engage a provider for employee timekeeping services; and

WHEREAS, the Town had previously solicited Request for Proposals pursuant to RFP #03-2022, in an effort to bring both the Administration and the Police Department into one system, but did not select any contractor due to budgetary considerations; and

WHEREAS, the Town wishes to award a professional services contract to Primepoint LLC., with a business address of 2 Springside Rd., Westhampton NJ 08060, for all Town timekeeping services with the exception of the Police Department, as it has the qualifications and experience necessary to provide such services; and

WHEREAS, in accordance with its proposal dated January 26, 2023, and herein attached as "Exhibit A", there will be an annualized fee of \$2,214 for each year from 2023 through 2027, plus a monthly service fee of \$184.50, but no implementation fee nor any cost for Time and Labor hardware, as the Town is currently using the Primepoint LLC system; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive contracting, and the contract itself, must be made available for public inspection.

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

1. The Town of Boonton hereby awards and authorizes the Mayor and Clerk to execute an agreement with Primepoint LLC., located at 2 Springside Rd., Westhampton NJ 08060 for professional services in accordance with its proposal of January 26, 2023 which is attached hereto as "Exhibit A."
2. This contract is awarded without competitive contracting as a professional service, in accordance with the provisions of the Local Public Contracts Law, and such services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract is subject to the terms of the proposal and Agreement.
4. Notice of this action shall be published once in the Town's official newspaper, as required by law.
5. A copy of this resolution shall be provided to the Treasurer and/or Chief Financial Officer of the Town of Boonton and to Primepoint LLC., located at of 2 Springside Rd., Westhampton NJ 08060 for their information and guidance.

This Resolution shall take effect immediately.

<p>I hereby certify that funds are available in Account #3-01-20-100-224 Not to exceed \$5,000.00</p> <hr/> <p>Michael Yazdi, CFO</p>

RESOLUTION 23-70

RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE CONTRACTING TO VCS INTELLIGENT WORKFORCE MANAGEMENT TO PROVIDE TIMEKEEPING SERVICES

WHEREAS, the Town of Boonton (hereinafter also "the Town") has a need to engage a provider for employee timekeeping services; and

WHEREAS, the Town had previously solicited Request for Proposals pursuant to RFP #03-2022, in an effort to bring both the Administration and the Police Department into one system, but did not select any contractor due to budgetary considerations; and

WHEREAS, the Town wishes to award a professional services contract to VCS Intelligent Workforce Management, with a business address of 4400 US Highway 9, #3500, Freehold NJ 07728, for all Town of Boonton Police Department timekeeping services, as it has the qualifications and experience necessary to provide such services; and

WHEREAS, in accordance with its proposal dated January 27, 2023, and herein attached as "Exhibit A", there will be a flat rate of \$3,513.32 per year for 2023 through 2027, for its services exclusively within the Town of Boonton Police Department; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive contract, and the contract itself, must be made available for public inspection.

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

1. The Town of Boonton hereby awards and authorizes the Mayor and Clerk to execute an agreement with VCS Intelligent Workforce Management, with a business address of 4400 US Highway 9, #3500, Freehold NJ

07728 for professional services in accordance with its proposal of January 27, 2023 which is attached hereto as "Exhibit A."

2. This contract is awarded without competitive contracting as a professional service, in accordance with the provisions of the Local Public Contracts Law, and such services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract is subject to the terms of the proposal and Agreement.
4. Notice of this action shall be published once in the Town's official newspaper, as required by law.
5. A copy of this resolution shall be provided to the Treasurer and/or Chief Financial Officer of the Town of Boonton and to VCS Intelligent Workforce Management, with a business address of 4400 US Highway 9, #3500, Freehold NJ 07728 for their information and guidance.

This Resolution shall take effect immediately.

<p>I hereby certify that funds are available in Account #3-01-25-240-226 Not to exceed \$3,600.00</p> <hr/> <p>Michael Yazdi, CFO</p>

RESOLUTION 23-71

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDED A PROFESSIONAL SERVICES CONTRACT TO PHELPS CONSTRUCTION GROUP FOR PROFESSIONAL SERVICES RELATIVE TO THE DARRESS THEATRE WESTERLY STAIRWELL PROJECT

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to the Darress Theatre Westerly Stairwell 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 Phelps Construction Group, a corporation in the State of New Jersey having its principal offices at 315 Wootton Street, Unit K, Boonton, NJ; and

WHEREAS, although the Local Public Contracts Law, NJSA 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, RFP's were advertised for this project and Phelps Construction Group was the only responding applicant; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Town Council as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract on the Darress Theatre Westerly Stairwell project.
2. 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 \$38,440.00, in accordance with the proposal submitted by Phelps Construction Group for said project, dated January 24, 2023.
3. Funds available for this project are the result of insurance payment received from storm damages.
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.

<p>I hereby certify that funds are available in Account # 3-01-55-910-059 Not to Exceed \$38,440.00</p> <hr/> <p>Michael Yazdi, CFO</p>

RESOLUTION 23-72

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 GEOTECHNICAL STUDY OF BLOCK 34, LOT 1

WHEREAS, the Town of Boonton is desirous of obtaining professional services relative to a Geotechnical Study of Block 34, Lot 1; 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 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, NJSA 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 Town Council as follows:

1. That the Administrator and Clerk be and are hereby authorized to execute a contract for a Geotechnical Study of Block 34, Lot 1.
2. 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 \$27,200.00, in accordance with the proposal submitted by Samantha Anello, PE, CME, CFM, Project Engineer and John K. Ruschke, PE, CME, CFM, Vice President, Municipal & County Services of Mott MacDonald dated December 2, 2022.
3. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
4. 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 #2-01-20-100-228
Not to Exceed \$27,200.00

Michael Yazdi, CFO

RESOLUTION 23-73

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON, NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT TO ACRISURE, LLC FOR PROFESSIONAL SERVICES RELATIVE TO THE TOWN OF BOONTON RISK MANAGEMENT SERVICES

WHEREAS, the Town of Boonton is desirous of obtaining professional services; 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 Acrisure, LLC, a corporation in the State of New Jersey, having its principal offices at 1460 Route 9 North, Ste. 310, Woodbridge, NJ 07095.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town 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 Acrisure, LLC for professional services to the Risk Management Services.
2. 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 December 31, 2023, in full accord with the terms and conditions thereof.
4. The Consultant shall be paid by the Town of Boonton a fee as compensation for services rendered in an amount equal to five percent (5%) of the Municipality's annual assessment as promulgated by the Funds of the Morris County Joint Insurance Fund.
5. This award is contingent upon certification by the Chief Financial Officer that sufficient funding exists therefore.
6. 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
#'s 3-01-23-210-294, 3-01-23-210-294 and 3-07-55-502-295
Not to exceed the amount noted in Paragraph 4 above

Michael Yazdi, CFO

(Various amendments were made by Motion of Council Member J. Bock; The following is the amended version)

RESOLUTION 23-74

A RESOLUTION OF TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY SUPPORTING BOONE TOWN PROVISIONS LLC, A NEW JERSEY CORPORATION'S BUSINESS ENTERPRISE APPLICATION TO THE CANNABIS REGULATORY COMMISSION, FOR A CLASS 5 RETAILER CANNABIS LICENSE

WHEREAS, the State of New Jersey legalized the cultivation, manufacturing, sale and distribution of recreational cannabis pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act; and

WHEREAS, the legalization of cannabis for recreational use will likely spawn a significant industry throughout the State of New Jersey; and

WHEREAS, the new industry can provide substantial financial and social benefits to the Town of Boonton (the "Town"); and

WHEREAS, this new industry will create employment opportunities through its four sectors of growers, processors, wholesalers and retailers; and

WHEREAS, the Town is in position to benefit from the industry; and

WHEREAS the Town passed Ordinance Nos.: 20-21 and 25-21 (collectively, the "Ordinances") and as amended, which, in part, permit licensed Cannabis businesses to operate in specific zones within the Town; and

WHEREAS, Boone Town Provisions LLC, ("Boone Town") has submitted its business plan to the Town's governing body and demonstrated proof that it has secured a location for its proposed operations at 677 Myrtle Avenue, within the Town (the "Location"); and

WHEREAS, the Town has authorized the type of cannabis business license being sought by Boone Town within its jurisdiction, namely a Class 5 Retailer Cannabis License; and

WHEREAS, the Town has imposed a limit on the number of licensed cannabis businesses, and the issuance of a license to Boone Town by the State of New Jersey Cannabis Regulatory Commission ("CRC") would not exceed that limit; and

WHEREAS, the Town Council is satisfied that Boone Town will have a positive impact on the Town's community, and, subject to Boone Town's receipt of a Class 5 Cannabis Retailer License from the CRC, Planning Board site plan approval or Board of Adjustment approval, and its receipt of a municipal permit from the Town in accordance with all applicable Town Ordinances, will satisfy all applicable requirements to engage in cannabis operations in the Town;

WHEREAS, the zoning officer has issued a letter dated January 30, 2023 indicating that the location will conform to municipal zoning requirements, allowing for activities related to the operation of the proposed cannabis cultivator as required by N.J. Admin. Code § 17:30-7.8(a)4.

NOW THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Boonton, in the County of Morris and State of New Jersey, that the Town supports Boone Town Provision's Class 5 Cannabis Retailer License application to the CRC, and is satisfied that Boone Town Provision's business location is suitable for its proposed cannabis retailing activities, subject to its compliance with Ordinance and obtaining all necessary state, municipal and planning board or zoning approvals to conduct operations.

BE IT FURTHER RESOLVED, that Boone Town Provisions' ability to operate its proposed business in the Town of Boonton is subject to: (1) Boone Town Provisions' receipt of a Class 5 Cannabis Retailer License from the CRC; and (2) Boone Town Provisions' compliance with all local Ordinances and receipt of all necessary state, municipal and planning board or zoning approvals to conduct operations.

RESOLUTION 23-75

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, INCREASING SALARY OF MICHAEL YAZDI, CFO

BE IT RESOLVED because of additional duties associated with the position of CFO, the Town Council hereby authorizes a salary increase for Michael Yazdi to the amount of \$120,000.00, and 15 work days of vacation time.

RESOLUTION 23-76

RESOLUTION APPOINTING JOHN T. WEBBER AS PART-TIME CODE ENFORCEMENT OFFICER AND FIRE INSPECTOR.

BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, County of Morris and State of New Jersey, that the appointment of John T. Webber be and is hereby employed by the Town of Boonton, as part-time Code Enforcement Officer and Fire Inspector at an annual salary of \$15,000, not to exceed twelve and one half (12.5) hours per week, effective February 20, 2023.

RESOLUTION 23-77

RESOLUTION OF THE TOWN OF BOONTON AUTHORIZING COMPENSATORY TIME FOR EMPLOYEES

WHEREAS, the Mayor and Town Council of the Town of Boonton desire to hold Workshop Meetings on the second and fourth Monday of the month; and

WHEREAS, the Mayor and Town Council of the Town of Boonton wish to allow the awarding of compensatory time for employees who are directed to staff such work sessions; and

WHEREAS, such compensatory time as awarded and used will be subject to the approval of the Town Business Administrator and records kept; and

WHEREAS, compensatory time shall be afforded in accordance with the Town of Boonton Personnel Policy Manual, and pursuant to any collective bargaining agreement, if applicable.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Town of Boonton, County of Morris, State of New Jersey that it hereby authorizes compensatory time for Town of Boonton employees directed to staff Town of Boonton Workshop Meeting, subject to the approval of the Town Business Administrator, as described herein.

This Resolution shall take effect immediately.

RESOLUTION 23-78

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BOONTON APPROVING TERMINAL LEAVE AND NOTICE OF RETIREMENT FOR GEORGE JOHNSON

WHEREAS, George Johnson has attained twenty-five (25) years of pensionable service, in the position of Patrol Officer; and

WHEREAS, Mr. Johnson has indicated that he seeks to retire, effective June 1, 2023, and after his final day of work on May 5, 2023 his active service ends and he shall utilize terminal leave until the date of his retirement; and

WHEREAS, the terminal leave provision of the Collective Negotiations' Agreement between the Boonton PBA Local #212 and the Town of Boonton, is the basis for determining the amount of terminal leave to which Mr. Johnson 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 George Johnson who is seeking to retire from the Town of Boonton Police Department.
2. Effective June 1, 2023, George Johnson shall be retired from his position as Patrol Officer from the Town of Boonton Police Department.
3. George Johnson has requested to be placed on terminal leave prior to his retirement date of June 1, 2023.
4. The retirement of George Johnson is hereby irrevocable as Mr. Johnson is only afforded terminal leave upon retiring from service with the Town of Boonton as set forth in the Boonton PBA Local #212 collective negotiations agreement.
5. Effective May 5, 2023 through May 31, 2023, Mr. Johnson shall be placed on terminal leave in accordance with the Boonton PBA Local #212 negotiations agreement.
6. Mr. Johnson's salary shall be paid through May 31, 2023, at his rate of pay according to the Boonton PBA Local #212 contract) and the Town of Boonton (2022-2029) collective negotiations agreement (including holiday pay, stipend, and longevity pay) and continue his medical benefits until May 31, 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 George Johnson.
8. This resolution shall take effect immediately.

CONSENT AGENDA VOTE
Roll Call Vote for Resolutions 23-65 through 23-78

MOVED: DeVENEZIA	SECOND: MEEHAN
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Mayor & Town Council Discussion

Council Member Balan asked to discuss Resolutions 23-72 and 23-74:

23-72 – Mr. Henry advised this was needed to determine if a parking deck was feasible in the Plane Street Lot. This was approved last year, however, no funding was available at that time. Mr. Balan addressed the condition of the retaining wall adjacent to the Plane Street Lot and was advised this is owned by the County of Morris, not the Town. Mr. Henry indicated that he could request Mott MacDonald supply us with a second proposal of that wall. Mr. Bock wanted confirmation there would be no soil testing (environmental). Mr. Henry confirmed.

23-74 - J. Bock made a motion to make amendments to Resolution 23-74. Motion carried, and the amended Resolution 23-74, as published in these Minutes was approved.

23-69 and 23-70– Council Member Wade asked for clarification of the need two contracts and Mr. Henry advised one is for administration and the other for police – it would be too costly to combine both.

23-67 – Council Member Meehan was advised that the Town would be responsible for the balance of the vehicle after receiving the grant. CDBG limits the amount to \$50K.

MOVED: DeVENEZIA			SECOND: WEKILSKY		
BOARD MEMBER	YES	NO	ABSTAIN	RECUSE	ABSENT
Mr. Balan	X				
Mr. Bock	X				
Ms. DeVenezia	X				
Mr. Meehan	X				
Dr. Renfro-Michel	X				
Mr. Wade	X				
Mr. Weisman	X				
Mr. Wekilsky	X	x-23-74			
Mayor Corcoran	X				

TOWN COUNCIL MEMBER COMMENTS

“Items required to be placed on any Town of Boonton Regular or Workshop Public Council Meeting Agenda”

Any topic related to the business of the Town timely requested by at least two (2) Town of Boonton Council members shall be listed on such Meeting Agenda.

The request must be submitted four (4) business days prior to the established meeting date to the Town of Boonton Administrator or designee.”

1. River Walk LLC (Comments from Council Members regarding updates and future meetings)

Council Member Bock advised the public that a presentation regarding Riverwalk has been postponed but anyone who would like to speak may do so during the public comments section of this meeting. Mayor Corcoran indicated that when Riverwalk does come in to speak, it will be sent through NIXEL in order to notify the public on February 21, 2023.

2. Fake Instagram Page (Mr. Bock deferred to the town attorney for an update)

Town Attorney Ed Pasternak spoke about a social media page (Instagram) using the name “Boonton” saying that this should not occur because the public would get confused with official town business, and urged the public to not use the name Boonton on their sites. He is also kindly asking those who are to please take that information down from the internet.

MEETING OPEN TO THE PUBLIC

Mayor Corcoran opened the meeting to the public for comment:

1. Irene LaFavre, Boonton Board of Education President spoke in opposition of PILOT programs and would like to see the Board of Education get paid the costs of each child living in those units who attend Boonton schools, which is approximately \$18,000-\$20,000 each.

2. Brian Vint, 217 Crown Road: Questioned what recourse does the Town have if there is a traffic problem with the cannabis business on Myrtle Avenue; would they be required to pay for police coverage?

Mr. Vint also asked what is being done about recent car break-ins and Lt. LiMandri spoke on behalf of the Police Department that they are a very proactive agency. Approximately 80% of the time, arrests are made.

Mr. Vint asked what happens if the Friends of the Darress Theatre do not come up with the promised \$2M. Mayor Corcoran indicated if that is not done, the project does not move forward.

Mr. Vint also spoke against PILOT programs saying they are unfair to schools.

3. Lauren Mills, 707 Birch Street: Resident of Birch Street near School St. School and indicates she contends with the nightmare of traffic from School St. School, Our Lady of Mt. Carmel and the Luman School every day. She also spoke about the one-way sign on Birch Street saying nobody follows it. Mr. Henry advised that the Town engineering firm, Mott MacDonald, is conducting a traffic study to alleviate that problem.

A review of the zoning ordinances will be taking place and safety issues will be looked into.

Council Member Weisman congratulated Lauren Mills for her performance over the weekend in a production called "The Boys", raising money for the Boonton Fire Department.

- 4. Loren Katsakos, Board of Education Board Member raised concern about the PILOT program. She also stated that there is a trailer in the Kiwanis Parking Lot that is blocking traffic and would like to see it moved. Lt. LiMandri indicated this will be done.
- 5. Marie DeVenezia, Council Member and resident of Lathrop Avenue also spoke about the tremendous amount of traffic on Lathrop Avenue indicated there is a need for safety.

ADJOURN

There being no further business, the meeting adjourned.

MOVED: WEKILSKY	SECONDED: DeVENEZIA	TIME: 8:20 P.M.
VOICE VOTE:	IN FAVOR: <u>X</u>	AGAINST: _____

Cynthia A. Oravits, RMC/CMR
Town Clerk

Date Approved: _____