

These minutes have not been approved and are subject to change or modification by the Mayor and Council at a public meeting.

**REORGANIZATION MEETING
JANUARY 2, 2014**

The Reorganization Meeting of the Mayor and Council was called to order at 7:00 pm by **Mayor Gregg A. Padovano** followed by invocation by Reverend Weddington, First Presbyterian Church and salute to the flag.

“On December 19, 2013 adequate notice of this meeting pursuant to the Open Public Meetings Act has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, The Community News and the County Seat newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

In case of an emergency or fire alarm you must evacuate the building by using any of the exit doors in the room. They are immediately to my right and the double doors at the rear of the room. Occupants must exit the building by using the staircase and not the elevator.

This meeting is being recorded by both video and audio and may be rebroadcast.

Mayor Padovano welcomed everyone and wished them a Happy New Year. He recognized County Executive Kathleen Donovan, former Council members Harry Hillenius and Roger Ludwig, and former Mayor and current Assemblyman Timothy J. Eustace who were present. He thanked former Council members Fleischmann and Meglio for their service on the council and wished them well.

Mayor Padovano reviewed the accomplishments of 2013 and spoke regarding the goals for 2014; adding this year we will be celebrating the 120th Anniversary of Maywood.

Mayor Padovano asked Council members Ballerini and Morrone to escort Council members-elect Febre and Lindenau to the Council table.

Honorable Kathleen A. Donovan, County Executive administered the Oath of Office to Council members-elect Febre and Lindenau.

Council members Febre and Lindenau said a few words.

Mayor Padovano introduced Assemblyman Eustace who presented a certificate to Council members Adrian Febre and Thomas Lindenau.

Roll call showed the following members present: Mayor Padovano, Council members Lindenau, Morrone, Eisenberg, Ballerini and Febre. Also present were Borough Clerk Jean M. Pelligra and Borough Administrator Roberta Stern.

Mayor Padovano appointed **Ronald A. Dario** as Borough Attorney for a one year term expiring 12/31/14 and asked for confirmation.

Council member Febre moved for confirmation of the appointment and adoption of Resolution #1-14 as distributed to the Mayor and Council; seconded by Council member Ballerini; and so carried by unanimous roll call vote.

RESOLUTION #1-14
APPOINTING RONALD A. DARIO, ESQ. AS BOROUGH ATTORNEY

WHEREAS, Article VI of Chapter 46 of the Code of the Borough of Maywood provides for the appointment of a Borough Attorney; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that Ronald A. Dario, Esq. of 345 Union Street, Hackensack, New Jersey, is hereby appointed as Borough Attorney for 2014, subject to the award and execution of a professional services contract outlining the terms and conditions of such position and the compensation therefore pursuant to N.J.S.A. 40A:11-1 et seq.

Mayor Padovano requested a motion to appoint Frank J. Messar as a member of the Maywood Council filling the unexpired term of Council member Frank Meglio through 12/31/2014.

Council member Febre moved the appointment, seconded by Council member Ballerini; and so carried by unanimous roll call vote.

The Oath of Office was administered by Honorable Kathleen A. Donovan, County Executive.

Kathleen Donovan wished everyone a Happy New Year and said a few words.

Mayor Padovano asked the pleasure of the Council regarding the By-Laws for the year 2014 as distributed to the Mayor and Council.

Council member Febre moved that they be approved in the form as distributed to the Mayor and Council; seconded by Council member Morrone; and so carried by unanimous roll call vote.

Mayor Padovano asked the pleasure of the Council regarding President of the Council.

Council member Febre nominated Council member Ballerini; seconded by Council member Lindenau.

Council member Eisenberg moved that the nominations be closed; seconded by Council member Lindenau.

Council member Febre moved that the Clerk cast one ballot electing Council member Ballerini as President of the Council; seconded by Council member Eisenberg; and so carried with Borough Clerk Pelligra voting yes.

Council member Febre moved for adoption of the Annual Schedule of Meetings, Resolution #2-14, as distributed to the Mayor and Council; seconded by Council member Ballerini; and so carried by unanimous roll call vote.

RESOLUTION # 2-14
2014 SCHEDULE OF MEETINGS

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey, pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq), that the following annual schedule of meetings of the Mayor and Council for the year 2014 be adopted:

ANNUAL SCHEDULE OF MEETINGS FOR 2014

WORK SESSIONS
2nd Tuesday - 7:30 pm

January	*2
February	11
March	11
April	8
May	13
June	10

COUNCIL MEETINGS
4th Tuesday – 7:30 pm

January	28
February	25
March	25
April	22
May	27
June	24

July 8
 August 12
 September 9
 October 14
 November *10
 December 9

July 22
 August 26
 September 23
 October 28
 November 25
 December 23

*Re-Organization Meeting – Thursday, 01-02-2014 at 7:00 pm

* November meeting will be held on Monday 11-10-14

WORK SESSIONS are scheduled to begin at 7:30 pm. except as otherwise noted. Formal action, when required, may be taken at Work Sessions. Work Sessions are conducted in the Council Chambers 2nd Floor, 15 Park Avenue, Maywood, New Jersey.

COUNCIL MEETINGS are scheduled to begin at 7:30 pm. Council Meetings are held in the Council Chambers, 2nd Floor, 15 Park Avenue, Maywood, New Jersey; and that the Borough Clerk is hereby authorized and directed to:

- 1) prominently post on a bulletin board at 15 Park Avenue, Maywood, New Jersey an annual schedule of regular and executive meetings of the Mayor and Council any revisions thereto, and such other notices as required by said Act;
- 2) maintain such notices on file in the Office of the Borough Clerk;
- 3) provide such notices to the newspaper hereinafter designated;
- 4) provide copies of said notices to all persons requesting such copies as provided by said Act; and

BE IT FURTHER RESOLVED, that the following newspapers be and they are hereby designated as the newspapers to receive notices of meetings as provided by law: the Our Town of Maywood, New Jersey, The Record of Hackensack, New Jersey, The Community News of Fair Lawn, New Jersey and the County Seat of Hackensack, New Jersey.

Council member Ballerini moved the following committee appointments for 2014 with the addition of Council member Messar as Liaison to Finance:

Council member Liaison Lindenau

DPW, BUILDINGS, GROUNDS

Department of Public Works, Streets & Roads, Gasoline and Oil, Maintenance of Vehicles, Public Buildings, Sanitation, Shade Tree Commission, Parks and Playgrounds

Council member Liaison Messar

FINANCE

Chief Financial Officer, Auditor, Insurance and Insurance Safety Committee, Borough Engineer, Borough Administrator & Clerk, Borough Attorney, Tax Assessor & Tax Collector, Liaison to Maywood Senior Citizen Housing Corp., Liaison to the Board of Education

Council member Liaison Febre

FIRE SERVICES

Fire Department, Board of Fire Officers, Fire Police, First Aid and Emergency Squad Fire Alarm Maintenance/ Fire Hydrants, Fire Prevention Bureau, Emergency Management, Library, Senior Citizen Clubs and Advisory Committee

Council member Liaison Eisenberg

GENERAL SERVICES

Administrative Code, Animal Warden, Telephones, Bureau of Consumer Affairs, Council on Affordable Housing, Street Lighting, Construction Code Official, Rent Monitoring

Council member Liaison Ballerini

PUBLIC SAFETY

Police Department, Police Dispatchers, Special Law Enforcement Officers, School Crossing Guards, Traffic Control, Radio Services, Municipal Court, Constables, Planning Board

Council member Liaison Morrone

RECREATION

Recreation Advisory Board, Celebrations, Clean Communities, Municipal Alliance/MAD/CAP, Historical Advisory Committee, Recycling Advisory Committee, Swim Pool Advisory Committee, Board of Health

Council member Febre seconded the committee appointments; and so carried by unanimous roll call vote.

Mayor Padovano asked Council President Ballerini to escort the Special Law Enforcement Officers to the Council table.

Mayor Padovano administered the Oath of Office to Special Law Enforcement Officers Kenneth Terzo and Kenneth Sinfield for 2014.

The following Special Law Enforcement Officers were also appointed for the year 2014:

David Marotti
Franco Pucciarelli
Zoilo Gonzalez

Renato A. Maure
Bibiana A. Lopez
Renato Rodriguez

Nour A. Kanaan
Charles Kim
Mike Danho

Mayor Padovano asked Council member Febre to escort the Fire Police Officers to the Council table.

Mayor Padovano administered the Oath of Office to the Fire Police Officers for 2014:

Thomas Stavola, Captain
Maureen Paul, Lieutenant

Robert De Nuto, Sergeant was not present.

Mayor Padovano stated members of the Fire Department and First Aid Squad are not in attendance due a weather-related stand-by.

Gary Neumann, Chief
Anthony Scozzafava, Assistant Chief
Christopher Tuttle, Deputy Chief

Marc Pedone, Captain
Elyse Miller, 1st Lieutenant
Tiffany Rutledge, 2nd Lieutenant

Mayor Padovano recognized and congratulated all the volunteers who serve the borough and acknowledged Deputy Chief Christopher Tuttle for his life saving efforts at the scene of a recent house fire.

Mayor Padovano appointed **Neglia Engineering Associates** as Borough Engineer for a three year term expiring 12/31/2016 and asked for confirmation.

Council member Ballerini moved for confirmation of the appointment and adoption of Resolution # 3-14 authorizing award of contract for professional services as distributed to the Mayor and Council; seconded by Council member Eisenberg; and so carried with the exception of Council member Messar abstaining.

RESOLUTION # 3-14
APPOINTING MICHAEL J. NEGLIA OF NEGLIA ENGINEERING
ASSOCIATES AS BOROUGH ENGINEER

WHEREAS, Article V of Chapter 46 of the Code of the Borough of Maywood provides for the appointment of a Borough Engineer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that Michael J. Neglia of Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey 07071 be appointed as Borough Engineer for a 3 year term, subject to earlier termination, which term expires December 31, 2016, unless sooner terminated, subject to the award and execution of a professional services contract outlining the terms and conditions of such position and compensation therefor pursuant to N.J.S.A. 40:11-1, et seq.

Mayor Padovano appointed **Steven D. Wielkotz**, Registered Municipal Accountant, as Auditor for 2014, whose duties shall be to prepare financial statements, assist in preparation of the 2014 budget and make the compulsory audit report in accordance with the statutes so made and provided, and asked for confirmation.

Council member Eisenberg moved for confirmation of the appointment and adoption of Resolution #4-14 as distributed to the Mayor and Council; seconded by Council member Morrone; and so carried with the exception of Council member Messar abstaining.

RESOLUTION #4-14
APPOINTING STEVEN D. WIELKOTZ
FERRAIOLI, WIELKOTZ, CERULLO & CUVA

WHEREAS, N.J.S.A. 40A:5-4 provides that the governing body of every municipality shall employ a registered municipal accountant of New Jersey to prepare its annual audit;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that Steven D. Wielkotz, Registered Municipal Accountant, License #CR00413, of the firm Ferraioli, Wielkotz, Cerullo & Cuva, PO Box 259, Pompton Lakes, New Jersey be and hereby is appointed, subject to the award and execution of a professional services contract outlining the terms and conditions of such position and the compensation therefore pursuant to N.J.S.A. 40A:11-1 et seq.

Mayor Padovano appointed Steven L. Rogut, Esq. as Bond Counsel for the year 2014 and asked for confirmation.

Council member Ballerini moved for confirmation of the appointment and adoption of Resolution #5-14 as distributed to the Mayor and Council; seconded by Council member Messar; and so carried with the exception of Council member Messar abstaining.

RESOLUTION #5-14
APPOINTING STEVEN L. ROGUT, ESQ. AS BOND COUNSEL

WHEREAS, the Mayor and Council find that the best interests of the Borough of Maywood will be served by the appointment of Steven L. Rogut, Esq., of Rogut McCarthy LLC, 37 Alden Street, Cranford, New Jersey 07016 to serve as Bond Counsel for the year 2014; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that Steven L. Rogut, Esq. is appointed as Bond Counsel for the Borough for 2014 for a one year term effective January 1, 2014, subject to the award and execution of a professional services contract outlining the terms and conditions of such position and the compensation therefore pursuant to N.J.S.A. 40A:11-1 et seq.

Mayor Padovano appointed Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, PA as Labor Counsel for a one year term expiring 12/31/14 and asked for confirmation.

Council member Ballerini moved for confirmation of the appointment and adoption of Resolution #6-14 as distributed to the Mayor and Council; seconded by Council member Febre.

Council member Eisenberg stated after reviewing the Requests for Qualifications, all submissions included costs except for this one; however, I was assured by Mayor Padovano that this is not a requirement.

Mayor Padovano explained the borough will set the hourly rate and if they choose to reject it, they will not proceed as Labor Counsel.

Roll call vote was taken and so carried with the exception of Council member Messar abstaining.

RESOLUTION #6-14
APPOINTING RUBENSTEIN, MEYERSON, FOX, MANCINELLI,
CONTE & BERN, PA, AS LABOR COUNSEL

WHEREAS, the Mayor and Council find that the best interests of the Borough of Maywood will be served by the appointment of Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, PA, One Paragon Drive, Suite 420, Montvale, NJ 07645 to serve as Labor Counsel for the year 2014; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, PA, are appointed as Labor Counsel for the Borough for 2014 for a one year term effective January 1, 2014, subject to the award and execution of a professional services contract outlining the terms and conditions of such position and the compensation therefore pursuant to N.J.S.A. 40A:11-1 et seq.

Mayor Padovano appointed Thomas Tuttle as Fire Prevention Chief and Fire Official for a one year term expiring 12/31/14 and asked for confirmation.

Council member Ballerini moved for confirmation of the appointment and adoption of Resolution #7-14 as distributed to the Mayor and Council; seconded by Council member Lindenau; and so carried with the exception of Council member Febre abstaining.

RESOLUTION #7-14
APPOINTING THOMAS TUTTLE AS CHIEF OF THE FIRE PREVENTION
BUREAU AND AS FIRE OFFICIAL

WHEREAS, Section 179-6 of Chapter 179 of the code of the Borough of Maywood provides that the Chief of the Fire Prevention Bureau shall serve for a one year term expiring on December 31st of the year of the appointment; and

WHEREAS, said section further provides that the Chief of the Fire Prevention Bureau shall be designated as the Fire Official pursuant to the Uniform Safety Act (N.J.S.A. 52:2D-192 et seq.); and

WHEREAS, said section further provides that the Chief of the Fire Prevention Bureau shall be appointed by the Mayor with the advice and consent of the Borough Council; and

WHEREAS, the Mayor and Council find that it would be in the best interest of the citizens of the Borough of Maywood to appoint Thomas Tuttle, 579 Lincoln Avenue, Maywood, New Jersey as Chief of the Fire Prevention Bureau;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that Thomas Tuttle is appointed as Chief of the Fire Prevention Bureau and as Fire Official of the Borough of Maywood for a one year term expiring December 31, 2014; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a certified copy of the within resolution to the State of New Jersey, Department of Community Affairs, Bureau of Safety, Attention LEA Supervisor; and

BE IT FURTHER RESOLVED, that a copy of the within resolution be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours.

Mayor Padovano made the following appointments and asked for confirmation:

<u>George Leipsner, M.D.</u>	Physician to the Police Department, Fire Department and the First Aid & Emergency Squad
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Council member Lindenau moved for confirmation of the appointments and adoption of Resolution #8-14 as distributed to the Mayor and Council; seconded by Council member Morrone; and so carried by unanimous roll call vote.

RESOLUTION #8-14
MEDICAL SERVICES

WHEREAS, there exists a need for Medical Services; 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 a resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, the Borough Administrator has determined and certified, in writing, that the anticipated payments under said contracts are not expected to exceed \$17,500 and, accordingly, such contracts are not subject to P.L. 2004, c.19, as amended by P.L. 2005, c. 51;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that Dr. George Leipsner be appointed as Physician to the Police Department, Fire Department and the First Aid Squad for 2014.

A notice of the appointment shall be published in the OUR TOWN newspaper as required by law within 10 days of its passage.

Mayor Padovano made the following appointments as stated on the agenda and asked for confirmation:

FIRE INSPECTORS - for a one year term expiring 12/31/14

Thomas Kavanagh

Joseph Mellone

Brian Rubio

Rev. Lawrence Fama

Chaplain to the Maywood Police Department and Fire Department for a one year term expiring 12/31/14

Local Emergency Management Organization - for a one year term expiring 12/31/14

Gregg A. Padovano	Mayor
Marc Pedone	First Aid & Emergency Squad
Charles Cuccia	Finance
Gary Neumann	Fire Department
Thomas Stavola	Fire Police
James Mazzer	Damage Assessment
Steven Geydoshek	Sara Site
Camille Hornes and Lauren Zisa Samulka	Media
David Pegg	Deputy Director
Christopher Tuttle	Deputy Director
Lynn Gargagliano	Board of Health
Kenneth Terzo	Special Law Enforcement Officer
Al Foster	Radiological
Thomas Kavanagh	Shelter
William Colacurcio	Resource Management
Thomas Tuttle	Communications
Donald Russell	Public Works

John S. Gargagliano

Director Local Emergency Management Organization for a three year term expiring 12/31/16

Jean M. Pelligra

Official Search for Municipal Improvements for a one year term expiring 12/31/14

Police Matrons - for a one year term expiring 12/31/14

Sally Miller

Linda Kieferle

Felicia Benson-Kraft

Diane Morrell

Kaitlin Cofone

Bibiana Lopez

Crossing Guards – for a one year term expiring 12/31/14

Full-Time personnel – Cesar Sottile, Heriberto Velazquez, Nic Tsamasiotis, Patricia Korn
George Rocco, Marie Ross, Dominic Romano, Virginia Doring, James Smith

Substitute personnel – William Leaver, Robert McIntyre, Zia Hasan, John Taylor

Historical Advisory Committee - for a one year term expiring 12/31/14

Carol Dass	Charlotte Panny	Henry Miller	Richard Henion
	Harry Hillenius	Mary Boggia	

Insurance Safety Committee for a one year term expiring 12/31/14

Jean M. Pelligra	Roberta Stern	George Steger
Lynn Gargagliano	Captain Steven Hoffman	Frank Lichtenberger
Donald Russell	Rita Ludwig	
Charles Cuccia	Lisa Schieli	

Green Team Committee for a one year term expiring 12/31/14

Arlene Formisano	Stephen Mosca	Georgia Piekart	Catherine Messar
Jennifer Febre	Tara Grunstra	Kristine Koenig	Kristen Panos
Aaron Schrager	Tammy Valentine	Donna Duardo	

Recycling Advisory Committee for a one year term expiring 12/31/14

Erica King	Charlotte Panny	Michael Trainer	Susan Preziosi	Joan Rivera
Arlene Formisano	Lisa Schieli – Coordinator		Donald Russell – DPW Liaison	

Donald Carton Member - Board of Health
3 year term expiring 12/31/16

Theresa DeLorenzo Member – Board of Health
3 year term expiring 12/31/16

Anne Lalumia Member – Board of Health
3 year term expiring 12/31/16

Erin Natale Member – Board of Health
3 year term expiring 12/31/16

Theresa Reiner Member – Board of Health
3 year term expiring 12/31/16

Gary DiZenzo Member - Clean Communities Committee
2 year term expiring 12/31/15

Charlotte Panny Member – Clean Communities Committee
2 year term expiring 12/31/15

<u>Charlotte Panny</u>	Resident Member - District Management Corporation 1 year term expiring 12/31/14
<u>Angelo Bondi</u>	Merchant Member - District Management Corporation 1 year term expiring 12/31/14
<u>John Ciravolo</u>	Merchant Member - District Management Corporation 1 year term expiring 12/31/14
<u>Paul Padro</u>	Merchant Member - District Management Corporation 1 year term expiring 12/31/14
<u>David Wiseman</u>	Resident Member - District Management Corporation 1 year term expiring 12/31/14
<u>William Jerlinski</u>	Director – Consumer Affairs 1 year term expiring 12/31/14
<u>Nadine Shea</u>	Trustee - Library Board 5 year term expiring 12/31/18
<u>Carol Dass</u>	Member – Recreation Advisory Board 3 year term expiring 12/31/16
<u>Linda McManus</u>	Member- Recreation Advisory Board 1 year term expiring 12/31/14
<u>Matthew Gehrig</u>	Member – Recreation Advisory Board 1 year term expiring 12/31/14
<u>Patricia Donovan</u>	Member – Recreation Advisory Board 3 year term expiring 12/31/16
<u>Nadine Shea</u>	Member – Recreation Advisory Board 3 year term expiring 12/31/16
<u>Matthew Reiner</u>	Member – Recreation Advisory Board 1 year term expiring 12/31/14
<u>Thomas Gaffney</u>	Member – Senior Citizen Advisory Committee 1 year term expiring 12/31/14
<u>Joan Winnie</u>	Member – Senior Citizen Advisory Committee 1 year term expiring 12/31/14
<u>Louis Pandolfi</u>	Member - Shade Tree Commission 5 year term expiring 12/31/18
<u>Barbara Farrell</u>	Member - Swim Pool Advisory Committee 2 year term expiring 12/31/15
<u>Patricia Gallagher</u>	Member - Swim Pool Advisory Committee 2 year term expiring 12/31/15
<u>Susanne Teklits Jobst</u>	Member – Swim Pool Advisory Committee 2 year term expiring 12/31/15

Mayor Gregg Padovano

Liaison - Bergen County Economic
Development Corporation
1 year term expiring 12/31/14

Council member Ballerini moved for confirmation of the appointments; seconded by Council member Eisenberg; and so carried with the exception of Council member Febre abstaining to the appointment of Fire Inspectors.

Mayor Padovano made the following appointments to the Planning Board:

<u>Harry Hillenius</u>	Member Alt #1 2 Year term expiring – 12/31/15
<u>Frank Lichtenberger</u>	Member Class IV 4 Year term expiring – 12/31/17
<u>Charlotte Panny</u>	Member Class IV 4 Year term expiring – 12/31/17
<u>James Panos</u>	Member Alt #2 2 Year term expiring – 12/31/15
<u>David Pegg</u>	Member Class II 1 year term expiring - 12/31/14

Council member Eisenberg so moved; seconded by Council member Lindenau; and so carried by unanimous roll call vote.

Mayor Padovano asked the pleasure of the Council regarding the appointment of a Council Member as Class III Member of the Planning Board.

Council member Febre nominated Council member Ballerini for a one year term expiring 12/31/14; seconded by Council member Lindenau; and so carried by unanimous roll call vote.

Mayor Padovano entertained a motion that Sally J. Miller, Deputy Borough Clerk, be and she is hereby authorized to sign documents in the absence of the Borough Clerk.

Council member Ballerini so moved; seconded by Council member Febre; and so carried by unanimous roll call vote.

Mayor Padovano entertained a motion that Donna DeGregorio be appointed as Treasurer and she is hereby authorized to sign documents.

Council member Eisenberg so moved; seconded by Council member Lindenau; and so carried by unanimous roll call vote.

Mayor Padovano asked the pleasure of the Council regarding the membership in the New Jersey League of Municipalities.

Council member Ballerini moved that the Mayor and Borough Clerk be authorized to issue and sign warrants for this membership; seconded by Council member Lindenau; and so carried by unanimous roll call vote.

Mayor Padovano asked the pleasure of the Council regarding bulletins from the Division of Local Government.

Council member Ballerini moved that the Mayor and Borough Clerk be authorized to issue and sign warrants covering the cost of these bulletins; seconded by Council member Lindenau; and so carried by unanimous roll call vote.

REQUEST FOR PUBLIC COMMENT ON RESOLUTIONS AND CONSIDERATION THEREON

RESOLUTION #9-14
DESIGNATING DEPOSITORIES FOR 2014

RESOLVED that Wells Fargo Bank, NA, 1 Johnson Avenue, Hackensack, NJ; TD Bank, 560 Maywood Avenue, Maywood, NJ; Community Bank of Bergen County, 125 W. Pleasant Avenue, Maywood, NJ, Capital One Bank, 184 Essex Street, Lodi, NJ, Freedom Bank, 99 Essex Street, Maywood, NJ and the State of New Jersey Cash Management Fund are designated as depositories of the Borough of Maywood for the year 2014 and that the Mayor, Borough Clerk, and Treasurer are authorized to sign all checks; and

BE IT FURTHER RESOLVED that the Accounting and Fiscal Policies and Procedures, as approved by the Borough Council for the year 2014 by Resolution #23-14, a copy of which is on file in the Office of the Borough Clerk.

RESOLUTION #10-14
OVERPAYMENT OF TAXES

WHEREAS, from time to time the Borough of Maywood is required to repay certain monies which represent overpayment of taxes, or taxes or similar monies collected by error; and

WHEREAS, the approval of such payments do not require the exercise of discretion but are in fact mandatory payments required to be made by the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Treasurer be authorized to disburse payments required to be made by the Borough respecting the remitting of overpayment by the Treasurer without prior approval by the Mayor and Council provided that no such payment shall exceed the sum of \$5,000.00 and provided that the Treasurer shall report all such payments to the Mayor and Council by not later than the next Council Meeting following the making of such payment. In addition, explanation of all payments in excess of \$1,000.00 shall be included.

RESOLUTION #11-14
INVESTMENT OF IDLE FUNDS

WHEREAS, there are certain times when idle monies are available for investment purposes; and

WHEREAS, it is the desire of the Governing Body to give full authority to invest Borough idle funds and make a semi-monthly report on all investments;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer of the Borough of Maywood is hereby authorized and directed to use her judgment in making investments in the Borough idle funds with the banks designated as depositories; and

BE IT FURTHER RESOLVED by the Governing Body that the Treasurer is hereby authorized to purchase Certificates of Deposit from any bank within the State of New Jersey offering the best competitive rates; and

BE IT FURTHER RESOLVED that where such investments require the drawing of the check that the Mayor, Borough Clerk and Treasurer be authorized to sign checks in the same manner as provided for all other checks of the Borough of Maywood; and

BE IT FURTHER RESOLVED that the Treasurer be given full authority to request all banks designated as depositories to wire and receive money from such banks by telephone instructions through Federal Reserve or the best possible method in the amounts given and to charge and credit the Borough account so stated.

RESOLUTION #12-14
DUE DATE ON TAXES

RESOLVED, by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that taxes due the Borough shall be payable February 1st, May 1st, August 1st and November 1st each year, after which dates, if unpaid, shall become delinquent and from and after the respective dates hereinbefore providing for taxes to become delinquent, the taxpayer on property assessed shall be subject to interest at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and

ALSO, BE IT RESOLVED, that in the event said taxes shall be paid within ten days from due date the interest shall be waived except if the Office of the Tax Collector is closed on the tenth day of February, May, August, or November, then the grace period shall be extended to include the first business day thereafter; and

BE IT FURTHER RESOLVED, that the interest so stated will revert back to the due date on any installment of taxes or assessments received after the expiration of the ten day grace period or as otherwise provided in this resolution.

RESOLUTION #13-14
APPOINTING CHARLES S. CUCCIA AS COMMISSIONER TO THE SOUTH BERGEN MUNICIPAL JOINT INSURANCE FUND, THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND, AND THE BERGEN MUNICIPAL EMPLOYEES FUND

WHEREAS, the Borough of Maywood has resolved to join the South Bergen Municipal Joint Insurance Fund, the Municipal Excess Joint Insurance Fund, and the Bergen Municipal Employees Fund; and

WHEREAS, the By-Laws of said Funds require that a Commissioner to said Funds be appointed by the Mayor and Council; and

WHEREAS, said Commissioner is a volunteer position; and

WHEREAS, the Borough has recommended the appointment of Charles S. Cuccia as Commissioner to said Funds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that Charles S. Cuccia is hereby appointed as Commissioner to the South Bergen Municipal Joint Insurance Fund, the Municipal Excess Liability Joint Insurance Fund, and the Bergen Municipal Employees Fund.

RESOLUTION #14-14
2014 TEMPORARY BUDGET

WHEREAS, N.J.S.A.40:4-19 provides that, where any contracts, commitments or payments are to be made prior to the adoption of the 2014 budget, temporary appropriations are to be made prior to the end of the first month of the fiscal year for the purposes and amounts required and in a manner and time therein provided; and

WHEREAS, the total appropriations as made shall not exceed 1/4th of the total appropriations made for all purposes in the budget of the preceding fiscal year excluding in both instances, appropriations made for debt service, capital improvement fund and public assistance; and

WHEREAS, the 2013 Current budget appropriations adopted by the Borough of Maywood total, exclusive of any appropriations for debt service, capital improvement fund and public assistance amounted to \$14,550,570.12 and Swim Pool Appropriations excluding capital improvement fund amounted to \$292,468.00; and

WHEREAS, 26.25 percent of the total Current appropriations of the 2013 budget as calculated in accordance with N.J.S.A 40A:4-19 and the Division of Local Government directives amount to \$3,819,524.66 and Swim Pool appropriations amount to \$76,772.85.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Maywood, County of Bergen, State of New Jersey, that the following temporary appropriations for 2014 are hereby made:

BOROUGH OF MAYWOOD			
2014 TEMPORARY BUDGET			
APPROPRIATIONS:			AMOUNT
GENERAL GOVERNMENT:			
General Administration		\$	
Salaries and wages			75,000.00
Other expenses			60,000.00
Municipal Clerk			
Salaries and Wages			45,000.00
Other expenses			20,000.00
Financial Administration:			
Salaries and wages			65,000.00
Other expenses			8,000.00
Audit Services			
Other expenses			25,000.00
Assessment of Taxes:			
Salaries and wages			2,800.00
Other expenses			1,500.00
Legal Services and Costs:			
Other expenses			30,000.00
Engineering Services and Costs:			
Other expenses			25,000.00
Historical Sites Office			
Salaries and wages			100.00
Other expenses			500.00
Public Buildings and Grounds:			
Other expenses			55,000.00
LAND USE ADMINISTRATION:			
Planning Board:			
Salaries and wages			2,500.00
Other expenses			2,000.00

Planning Board:			
Other expenses	miscellaneous		1,000.00
INSURANCE:			
Liability Insurance			95,000.00
Workers Compensation Insurance			95,000.00
Group Insurance for Employees			400,000.00
PUBLIC SAFETY:			
Police:			
Salaries and wages			777,019.00
Other expenses			25,000.00
Office of Emergency Management			
Other expenses			2,000.00
auxiliary police			2,000.00
Aid to Volunteer Fire Company			
Other expenses			10,000.00
Fire Department			
Salaries and wages			500.00
Other expenses			15,000.00
fire police other expenses			1,000.00
hydrant service			10,000.00
Municipal Prosecutor			
Other expenses			4,600.00
PUBLIC WORKS FUNCTION:			
Road repairs and maintenance:			
Salaries and wages			240,000.00
Other expenses			55,000.00
Recycling Committee			
Salaries and wages			800.00
Other expenses			5,000.00
Radio Service			
Other expenses			3,000.00
Other expenses			15,000.00
Vehicle Maintenance			
Salaries and wages			15,000.00
Other expenses			25,000.00
Shade Tree			
Other expenses			5,000.00
HEALTH AND HUMAN SERVICES FUNCTION			
Public Health Services			
Salaries and wages	Secretary to the Board		1,375.00
Other expenses			4,000.00
EMT Salaries and Wages			25,000.00

Other expenses			3,000.00
Interlocal County of Bergen- Health			15,000.00
Parks and Recreation Functions:			
Recreation Services and Programs			
Salaries and wages			10,000.00
Other expenses			7,000.00
OTHER COMMON OPERATING FUNCTIONS			
Celebration of public events, anniversary or holiday			
Other expenses			2,000.00
Senior Citizens Club -1			500.00
Senior Citizens Club -2			500.00
CODE ENFORCEMENT:			
Uniform Construction Code Official:			
Salaries and wages			35,000.00
Other expenses			5,000.00
UTILITY EXPENSES AND BULK PURCHASES:			
Electricity			15,000.00
Street Lighting			5,000.00
Sewer Testing			1,300.00
Telephone			15,000.00
BCUA share of costs			60,000.00
Interlocal Bergen County Health			40,000.00
Interlocal Fuel Paramus			1,000.00
Interlocal Fuel Rochelle Park			37,000.00
LANDFILL DISPOSAL COSTS:			
Landfill Tipping Fees			99,307.96
Pick Up Contract	Interlocal Hackensack		50,000.00
Statutory Expenditures:			
Social security system			40,000.00
Unemployment Compensation			10,000.00
Public Employees Retirement System			255,684.00
Police and Firemens Retirement System			676,038.00
Consolidated Police and Fire Pension			36,000.00
APPROPRIATIONS EXCLUDED FROM CAPS			
Municipal Court:			
Salaries and wages			35,000.00
Other expenses			3,000.00
Public Defender			
Other expenses			500.00
Maintenance of Free Public Library			112,000.00
Total Temporary Appropriations	\$		3,819,523.96

DEBT SERVICE:			
Principal on Notes		\$	-
Interest on Notes			-
Total Debt Service		\$	-
SWIM POOL UTILITY BUDGET:			
Operating:			
Other expenses			76,772.85
Capital Outlay			
Total Temporary Appropriations		\$	76,772.85

RESOLUTION # 15-14
AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES FOR RONALD A. DARIO, ESQ., BOROUGH ATTORNEY

WHEREAS, the Mayor and Council of the Borough of Maywood had appointed Ronald A. Dario, Esq., of the firm Dario Yacker Suarez & Albert of 345 Union Street, Hackensack, New Jersey 07601 as Borough Attorney for the year 2014 effective January 1, 2014 pursuant to N.J.S.A. 19:44A-20.5 as a “Fair and Open” contract as defined therein, following publication of a notice for Requests for Qualifications and receipt of responses thereto, on the basis of his qualifications, cost and other factors; and

WHEREAS, the parties wish to mutually set forth the compensation and terms and conditions regarding such appointment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the execution of such professional services contract without competitive bidding; and

WHEREAS, sufficient funds are available for this purpose pursuant to the 2014 temporary budget of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Maywood and Ronald A. Dario, Esq., Borough Attorney, for a term of one year effective January 1, 2014 and setting forth the compensation, terms and conditions respecting the appointment of the Borough Attorney; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to cause a brief notice to be published once in the OUR TOWN stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

ADDENDUM – FEE SCHEDULE

- a) The BOROUGH agrees to pay the ATTORNEY an annual retainer in the sum of \$50,000 for the performance of all legal services except as detailed below.

The annual retainer shall be payable in equal monthly installments during the term of this Agreement.

- b) In addition to the annual retainer, the BOROUGH shall pay the ATTORNEY the sum of One Hundred Forty Dollars (\$140.00) for each hour for legal services rendered in connection with litigation, labor matters and matters chargeable to capital and escrows. In addition, the BOROUGH shall pay the ATTORNEY the sum of One Hundred Fifteen Dollars (\$115.00) for each hour for legal services rendered in connection with tax appeals. The ATTORNEY will submit vouchers in the form provided by the BOROUGH on a monthly basis. Vouchers shall include a detailed statement of services rendered, the date of such service and the amount of time expended thereon, all charged on an hourly basis, divided by one-tenth (1/10th) of an hour intervals.
- c) In addition to the foregoing fees, the BOROUGH shall reimburse the ATTORNEY for actual and reasonable out-of-pocket expenses and costs incurred in connection with performing the aforesaid legal services on a monthly basis. Postage, routine photocopying, and telephone shall be reimbursed in an amount of 6% of the amount of the retainer and the hourly billing.

RESOLUTION # 16-14

AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES FOR MICHAEL J. NEGLIA OF NEGLIA ENGINEERING ASSOCIATES AS BOROUGH ENGINEER

WHEREAS, the Mayor and Council of the Borough of Maywood had appointed Michael J. Neglia of Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey 07071 as Borough Engineer for a three year term, effective January 1, 2014, subject to earlier termination, pursuant to N.J.S.A. 19:44A-20.5 as a "Fair and Open" contract as defined therein, following publication of a notice for Requests for Qualifications and receipt of responses thereto, on the basis of his qualifications, cost and other factors; and

WHEREAS, the parties wish to mutually set forth the compensation and terms and conditions regarding such appointment; and

WHEREAS, the Borough Administrator has determined and certified in writing that the anticipated payments under said contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the execution of such professional services contract without competitive bidding; and

WHEREAS, sufficient funds are available for this purpose pursuant to the 2014 temporary budget of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Maywood and Michael J. Neglia of Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey 07071 as Borough Engineer for a three year term, effective January 1, 2014, subject to earlier termination, and setting forth the compensation, terms and conditions respecting the appointment of the Borough Engineer; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to cause a brief notice to be published once in the OUR TOWN stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

HOURLY BILLING RATES

PRINCIPAL	\$165.00
PRINCIPAL ENGINEER / PRINCIPAL MANAGER	\$155.00
DIRECTOR/SENIOR PROJECT MANAGER	\$150.00
PROFESSIONAL ENGINEER / PROJECT MANAGER	\$145.00
SENIOR ENGINEER	\$140.00
DESIGN ENGINEER	\$105.00
ENGINEERING ASSISTANT	\$ 85.00

PROFESSIONAL PLANNER	\$150.00
PROFESSIONAL LANDSCAPE ARCHITECT	\$120.00
LANDSCAPE DESIGN	\$ 95.00
COMPUTER AIDED DESIGNER	\$ 85.00

CONSTRUCTION MGMT / PROJECT COORDINATOR	\$115.00
TECHNICAL OBSERVATION LEVEL 1	\$ 95.00
TECHNICAL OBSERVATION LEVEL 2	\$ 90.00

PRINCIPAL SURVEYOR	\$150.00
PROFESSIONAL SURVEYOR / PROJECT MANAGER	\$145.00
SURVEY ANALYST	\$125.00
3 MAN SURVEY CREW	\$190.00
2 MAN SURVEY CREW	\$155.00
1 MAN SURVEY CREW (GPS)	\$135.00
CERTIFIED WETLAND DELINEATOR	\$140.00
LICENSED COLLECTION SYSTEM OPERATOR	\$115.00

REIMBURSABLE EXPENSES

PAPER PRINTS (All Sizes)	\$ 2.00/sheet
COLOR PRINTS	\$53.00/sheet
PHOTOCOPIES (Black & White)	\$.15/page
PHOTOCOPIES (Color)	\$.25/page
MILEAGE	\$.55/mile
SUB-CONSULTANTS	10% administrative fee

Rates Effective January 01, 2014

RESOLUTION #17-14
AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE
BOROUGH OF MAYWOOD AND STEVEN D. WIELKOTZ OF
FERRAIOLI, WIELKOTZ, CERULLO & CUVA

WHEREAS, the Mayor and Council of the Borough of Maywood had, by Resolution #4-14, appointed Steven D. Wielkocz, Registered Municipal Accountant, License #CR00413, of Ferraioli, Wielkocz, Cerullo & Cuva, PO Box 259, Pompton Lakes, New Jersey as Borough Auditor pursuant to N.J.S.A. 19:44A-20.5 as a "Fair and Open" contract as defined therein, following publication of a notice for Requests for Qualifications and receipt of responses thereto, on the basis of his qualifications, cost and other factors; and

WHEREAS, the parties wish to mutually set forth the compensation and terms and conditions regarding such appointment; and

WHEREAS, the Borough Administrator has determined and certified in writing that the anticipated payments under said contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) authorized the execution of such professional services contract without competitive bidding; and

WHEREAS, sufficient funds are available for this purpose pursuant to the 2014 temporary budget of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Maywood and Steven D. Wielkotz of Ferraioli, Wielkotz, Cerullo & Cuva setting forth the duties, compensation as per attached agreement and terms and conditions respecting the appointment of the Borough Auditor for a term of one year effective January 1, 2014;

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to cause a brief notice to be published once in the OUR TOWN newspaper stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

ADDENDUM – FEE SCHEDULE

Assuming we do not encounter extraordinary problems, we agree to perform the foregoing services for the following fees

Any additional services, such as attendance at budget meetings would be at our regular government hourly rates as follows:

Partner	\$140.00 - 175.00
Manager	100.00 - 135.00
Senior	80.00 – 95.00
Staff	60.00 – 75.00
Administrative	55.00

Our fees for assistance in preparation of official statements will be \$22,000 for bond sales and \$10,000 for note sales. Our fees for preparing secondary Market Disclosure documents will be \$3,500. Our fees for assistance in preparing the Annual Financial and Debt Statements will be \$2,500 and our fee for budget assistance will be \$6,000.

RESOLUTION #18-14 **AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES FOR** **STEVEN L. ROGUT, ESQ. BOND COUNSEL**

WHEREAS, the Mayor and Council of the Borough of Maywood had, by Resolution #5-14, appointed Steven L. Rogut, Esq. of Rogut McCarthy Troy LLC, 37 Alden Street, Cranford, New Jersey 07016 as Bond Counsel for the year 2014 pursuant to N.J.S.A. 19:44A-20.5 as a “Fair and Open” contract as defined therein, following publication of a notice for Requests for Qualifications and receipt of responses thereto, on the basis of his qualifications, cost and other factors; and

WHEREAS, the parties wish to mutually set forth the compensation and terms and conditions regarding such appointment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the execution of such professional services contract without competitive bidding; and

WHEREAS, sufficient funds are available for this purpose pursuant to the 2014 temporary budget of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Maywood and Steven L. Rogut, Esq., Bond Counsel, setting forth the compensation as per attached schedule and terms and conditions respecting the appointment of Bond Counsel for a term of one year effective January 1, 2014; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to cause a brief notice to be published once in the OUR TOWN newspaper stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

ADDENDUM – FEE SCHEDULE

Our general fee schedule for the approval of general obligation bonds at public sale is as follows:

On issues up to \$5 million there is a base fee of \$1,000 plus a fee of \$2.00 per \$1,000 of bonds approved.

For issues over \$5 million the fee would be \$2.00 per \$1,000 of bonds approved up to \$5 million plus \$1.50 per \$1,000 of bonds approved up to \$10 million and \$1.00 per \$1,000 of bonds approved over \$10 million.

All issues of bonds regardless of dollar amount require an additional \$1,000 charge for each issue more than one. Bond ordinances and other capital ordinances will be billed on the basis of \$400 per ordinance prepared or reviewed. Multipurpose ordinances will be a minimum of \$750.

Issues of notes in anticipation of the issuance of bonds are based on a charge of \$50 per \$100,000 of notes prepared or fraction thereof with a minimum of \$500 for each issue of notes.

Disbursements are added separately as part of any billing.

The fee schedule does not cover matters requiring more than ordinary time and travel. Such schedule also does not apply to general obligation refunding issues or to revenue bond issues. Additional charges would be made for the public offering of bond of the municipality and for an offering of notes of the municipality involving the preparation of an offering statement to accompany the Notice of Sale and the preparation of multiple notes. Responses to inquiries involving research on complicated questions of law, special tax counsel opinions, and attendance at meetings would also be charged separately at the firm's then current hourly rate.

RESOLUTION #19-14 **AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES FOR** **RUBENSTEIN, MEYERSON, FOX, MANCINELLI, CONTE & BERN, PA,** **AS LABOR COUNSEL**

WHEREAS, the Mayor and Council of the Borough of Maywood had, by Resolution #6-14, appointed Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, PA, One Paragon Drive, Suite 420, Montvale, NJ 07645 as Labor Counsel for the year 2014 pursuant to N.J.S.A. 19:44A-20.5 as a "Fair and Open" contract as defined therein, following publication of a notice for Requests for Qualifications and receipt of responses thereto, on the basis of his qualifications, cost and other factors; and

WHEREAS, the parties wish to mutually set forth the compensation and terms and conditions regarding such appointment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the execution of such professional services contract without competitive bidding; and

WHEREAS, sufficient funds are available for this purpose pursuant to the 2014 temporary budget of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Maywood and Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, PA., Labor Counsel, setting forth the compensation as per attached schedule and terms and conditions respecting the appointment of Labor Counsel for a term of one year effective January 1, 2014; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to cause a brief notice to be published once in the OUR TOWN newspaper stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION #20-14
AUTHORIZING SIGNATURES ON BOROUGH DRAFTS/CHECKS

WHEREAS, the Mayor and Council of the Borough of Maywood have designated as our depository Wells Fargo Bank, N.A., Hackensack, New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that all drafts, checks, etc. shall be signed by the following officers/employees:

Gregg A. Padovano, Mayor, or in his absence
Alfred M. Ballerini, Council President
and
Jean M. Pelligra, Borough Clerk, or in her absence
Sally J. Miller, Deputy Borough Clerk
and
Donna De Gregorio, Treasurer, or in her absence
Celina Tineo, Administrative Assistant

BE IT FURTHER RESOLVED that the above named officers/employees are authorized to endorse all drafts, checks, etc. deposited to our account; and

BE IT FURTHER RESOLVED that the above named persons are the officers/employees in the capacities set opposite their respective names and that the signatures on the bankcards thereon are genuine.

RESOLUTION #21-14
AUTHORIZING CHANGE FUNDS AND PETTY CASH
FUNDS FOR THE YEAR 2014

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the following change funds and petty cash funds are hereby authorized for the year 2014:

CHANGE FUND

Finance	400.00
Swim Pool	200.00

PETTY CASH

Police	200.00
Swim Pool	120.00
Department of Public Works	200.00
Administrative/Executive	250.00

RESOLUTION #22-14
AUTHORIZING ISSUANCE AND RE-ISSUANCE OF
BOND ANTICIPATION NOTES

BE IT RESOLVED that the Chief Financial Officer of the Borough of Maywood is hereby authorized to issue and renew duly authorized Bond Anticipation Notes for the Borough of Maywood, County of Bergen New Jersey as required; and

BE IT FURTHER RESOLVED, that the Borough Attorney, Borough Auditor, Borough Clerk, Bond Counsel, Chief Financial Officer, and Mayor are hereby authorized to act on behalf of the Borough of Maywood in the issuance or the re-issuance of authorized debt in the Borough.

RESOLUTION #23-14
ACCOUNTING AND FISCAL POLICIES AND PROCEDURES

WHEREAS, the Borough of Maywood is required to maintain an accounting and fiscal policy which comply with the requirements established by the New Jersey Department of Community Affairs- Division of Local Government; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Maywood that the attached policies and plans are hereby adopted and shall constitute the basis of the Borough's fiscal and accounting policy for the operational year 2014:

- Accounting Policies and Procedures
- Cash Management Plan
- Fund Balance Target and Re-generation Policy
- Borough Purchasing Procedures
- Escrow Fund Procedures

RESOLUTION #24-14
DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, the State of New Jersey, Division of Contract Compliance and Equal Employment Opportunity, in accordance with N.J.A.C. 17:27-3.5, requires that each public agency annually designate an officer or employee to serve as its public agency compliance officer by January 10th of each year;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey hereby designates Jean M. Pelligra, Borough Clerk as the Public Agency Compliance Officer for the year 2014; and

BE IT FURTHER RESOLVED, that the Borough Clerk be authorized and directed to forward a copy of the within resolution to the State of New Jersey, Division of Contract Compliance and Equal Employment Opportunity for their records.

RESOLUTION # 25-14
RESOLUTION ESTABLISHING FEDERALLY MANDATED
ANTI-DRUG / ALCOHOL PLAN FOR ALL EMPLOYEES REQUIRED TO HAVE A
COMMERCIAL DRIVER'S LICENSE

WHEREAS, the Borough of Maywood has been mandated, by Federal Regulation, to implement and maintain a program of substance abuse testing on all employees required to have a commercial driver's license and whose jobs are covered under the Federal Department of Transportation Regulation 49 CFR Parts 40, 199, 382 and 391; and

WHEREAS, federal regulations mandate that each municipality have an alcohol and drug policy in effect by January 1, 1996; and

WHEREAS, the State of New Jersey has heretofore adopted the New Jersey commercial drugs license act (*N.J.S.A 39:3-10.9 et seq.*) in response to the enactment of the Federal "Commercial Motor Vehicle Safety Act of 1986" (*49 USC Section 2701 et seq.*) and in conformity with the regulations promulgated thereunder; and

WHEREAS, the Borough of Maywood, through its membership in the Joint Insurance Fund, has arranged for random selection, random drug and alcohol testing, post accident testing, record keeping, access to a medical review officer and driver and supervisor training;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Mayor and Council hereby adopt the following Drug/Alcohol Abuse Policy in compliance with the Federally mandated drug/alcohol plan, *49 CFR Parts 40, 199, 382 and 391*:

I. Policy Statement:

- A. The Borough of Maywood will provide an "Employee Assistance Program" for its employees and supervisory personnel which will include a program of education and training on the effects of drug abuse. We will make available to all employees informational material related to the cause and effects of substance abuse and additionally will provide a community service hotline telephone number, which can be used by our employees whenever assistance is required. Supervisory personnel who will be in a position to determine whether an employee must be drug/alcohol tested based on "reasonable cause" will receive a minimum of one (1) hour training on the specific physical, behavioral and performance indicators of probable drug/alcohol abuse.
- B. Additionally, the Borough of Maywood has been mandated, by Federal Regulation, to implement and maintain a program of substance abuse testing on all employees whose jobs are covered under the Federal Department of Transportation regulation *49 CFR Parts 40, 199, 382 and 391*.
- C. The Borough of Maywood further has determined to take action against employees who unlawfully use, distribute or possess alcohol, drugs or controlled substances during or outside assigned working hours in order to prevent illegal activities and to protect employees, the public and the Borough of Maywood property from danger which may result from the illegal use of alcohol, drugs or controlled substances. The objective of the policy is to provide and maintain a safe, drug/alcohol-free work environment.
- D. The Borough of Maywood has further determined that (it will not employ or use) the services of any employee who refuses to be tested for drugs/alcohol, and will discipline any employee who fails a drug/alcohol test which may include termination of services.

II. Definitions.

"Employee" means a person employed by the Borough of Maywood in a capability which requires a commercial driver's license to be maintained including all

Department of Public Works Sanitation workers, roadmen, mechanics building and ground workers, foremen and supervisors all of whom shall be included in the test pool.

“Fail a drug/alcohol test” means that the confirmation test result shows a positive evidence of the presence of a prohibited drug/alcohol in an employee’s system.

“Pass a drug/alcohol test” means that initial testing or confirmation testing does not show evidence of the presence of prohibited drug/alcohol in an employee’s system.

“Prohibited drug” means any of the following substances specified in the Schedule I or Schedule II of the Controlled Substances Act, (*21 USC 801.812 1981 and 187 CUM.P.P.*): Marijuana, Cocaine, Opiates, Amphetamines and Phencyclidine “PCP”.

III. Drug/Alcohol Tests Requested.

A. Pre-employment Testing.

No employee will be hired unless that person passes a drug/alcohol test or is covered by a recognized anti-drug/alcohol program, documentation of which must be supplied to the Borough of Maywood Superintendent of Public Works and presented to the Mayor and Council.

B. Post-accident Testing.

As soon as possible but no later than 2 – 8 hours after an accident occurs during employment hours, any employee whose performance either contributed to the accident or whose performance cannot be completely discounted as a contributing factor to the accident shall be drug/alcohol tested. The decision to test or not to test shall be in the sole discretion of the employer in consultation with the Borough Attorney when time permits, based upon the base information available immediately after the accident. The supervisor in conjunction with any other investigative personnel shall fully document the basis upon which a decision to test or not to test is made. In the case of an accident involving a fatality or involving the issuance of a citation to a Borough of Maywood employee, the involved employee shall automatically be tested. All covered employees shall immediately report all accidents or citations issued during the employee’s course of his/her shift regardless of the type or ownership of vehicle involved in the accident or the citation.

C. Random Testing.

At least 50% of all employees shall be drug tested and 25% of all employees shall be alcohol tested every 12 months. The employees for testing shall be selected by using a random number table that is matched with an employee’s identification number. During the first 12 months following the institution of random drug/alcohol testing, the total number of tests conducted shall include at least 25% of the employees required to be tested.

D. Testing based on reasonable cause.

Whenever there is reasonable cause to believe that an employee is using a prohibited drug or alcohol, such employee shall be drug/alcohol tested. The decision to test will be based on a reasonable belief that the employee is using a prohibited drug or alcohol on the basis of the specific contemporaneous, physical, behavioral or performance indicators of probable drug/alcohol use. One supervisor of the employee trained in detecting possible drug/alcohol use symptoms shall substantiate the decision to test in consultation with the Borough Attorney.

E. Rehabilitation.

All employees are entitled to voluntarily participate in the "Employee Assistance Program" regardless of a positive test result being received. However, if there is a positive test result, participation in the "Employee Assistance Program" or an alternate program approved by the Mayor and Council of the Borough of Maywood shall be a prerequisite to continued employment. Refusal to enroll in a program or to complete a full course of rehabilitation shall be cause for immediate termination of services. A positive alcohol test is one with a level of .040 or greater. Employees with a pattern of reading between .020 and .039 will also be subjected to enrolling in a mandatory counseling program.

F. Discipline.

In addition to completing a required course of rehabilitation, employees shall be subject to the following discipline:

1. Following confirmation of a positive test, there shall be a minimum five (5) day suspension. The suspension shall remain in full force until there is a negative retest provided to the Borough of Maywood through a certified laboratory (all costs of testing to be borne by the employee) but failure on the part of the employee to present a positive test result within six (6) weeks from the original incident date shall automatically result in termination of services. After two weeks the Borough of Maywood reserves the right, for reasons of operational efficiency, to fill the suspended employee's position and in such case, the suspended employee would be entitled to the next available opening providing all other conditions (rehabilitation and positive test result) are met.
2. In the case of an alcohol test result between .020 and .039, the penalty would be limited to a suspension for the remainder of that day's work shift unless a pattern developed.
3. Employees found to be in violation of this policy (confirmation of positive drug/alcohol test) on a second occasion will be immediately dismissed.
4. Employees who have been found to have refused a drug/alcohol test in violation of this policy will be immediately dismissed.

A. Testing after rehabilitation.

A person who returns to duty as an employee after rehabilitation shall be subject to a reasonable program of follow-up drug/alcohol testing without prior notice for not more than sixty (60) months after his or her return to duty.

B. Administration.

The Borough of Maywood had designated its Joint Insurance Fund to administer the Borough's anti-drug/alcohol program.

RESOLUTION #26-14
2013 TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Maywood Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual, Lisa Schieli, Recycling Coordinator, who is authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION # 27-14
RESOLUTION TEMPORARILY AUTHORIZING LEASHED DOGS IN
THE PARKS AND STAYING ENFORCEMENT OF 233-4 OF THE CODE
OF THE BOROUGH OF MAYWOOD UPON CERTAIN CONDITIONS

WHEREAS, Section 161-16 of Chapter 161 and Section 233-4 of Chapter 233 of the Code of the Borough of Maywood provide, in part, that “no person owning, keeping or harboring a dog shall permit or suffer it to enter upon or remain in any public park...;” and

WHEREAS, the Mayor and Council have determined to permit the walking of dogs on leashes within certain designated areas of the parks and upon certain conditions, and to stay, on a temporary basis, enforcement of Sections 161-16 and 233-4 prohibiting dogs within the parks,

WHEREAS, the Mayor and Council have heretofore established a dog park in Memorial Park and have permitted the walking of leashed dogs in Memorial Park; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY, as follows:

1. Notwithstanding the provisions of Section 161-16 of Chapter 161 and Section 233-4 of Chapter 233 of the Code of the Borough of Maywood, the Mayor and Council of the Borough of Maywood hereby establish, on an experimental basis, a temporary program permitting persons to walk dogs within the parks and to walk, run and exercise unleashed dogs within a designated portion of Memorial Park subject to, and conditioned upon, the following expressed terms and conditions:

a. All dogs must be securely leashed on a leash not in excess of six (6) feet in length, which leash shall at all times while the dog is in the park be securely held by the person walking, owning, keeping or harboring such dog.

b. No dog shall be permitted beyond an area extending more than six (6) feet from paved pathways within the park.

c. All dogs shall be securely held by the person walking, owning, keeping or harboring such dog until entering the designated dog park area.

d. Any person walking, owning, keeping or harboring a dog shall comply with the requirements of Chapter 161, Article III of the Code of the Borough of Maywood with respect to the collection and disposal of dog litter.

2. Subject to compliance with the foregoing terms and conditions, enforcement of the provisions of Section 161-16 of Chapter 161 and Section 233-4 of Chapter 233 of the Code of the Borough

of Maywood is hereby temporarily stayed. In the event any person fails to comply with the foregoing terms and conditions, the provisions of Sections 161-16 and 233-4 may be enforced against such persons.

3. The provisions of this resolution shall expire on December 31, 2014, at 11:59 p.m. unless otherwise extended or repealed by resolution or ordinance adopted by the Mayor and Council.

RESOLUTION #28-14
AUTHORIZATION OF CERTAIN BILLS

WHEREAS, the Borough of Maywood has entered into certain contracts and has certain other obligations for which the required payments are fixed; and

WHEREAS, the scheduled dates of the regular meetings of the Mayor and Council do not permit timely approval and payment of the amounts due under said obligations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that the Treasurer be and is hereby authorized to make payroll transfers and payments in settlement of the following obligations, upon presentation of appropriate vouchers, without further approval of the Mayor and Council:

1. Maywood Board of Education
2. County of Bergen – County Tax
3. South Bergen Municipal Joint Insurance Fund
4. New Jersey Municipal Excess Liability Joint Insurance Fund
5. Bergen Municipal Employee Benefits Fund
6. Solid Waste Cost
7. Utility charges i.e.: telephone, gas, electric etc.
8. Payments required to be made in between Council Meetings to accommodate sound business practices, approved by the Mayor and Chief Financial Officer, not to exceed \$5,000.00; payments to be ratified at the subsequent Council Meeting.

RESOLUTION # 29-14
AUTHORIZING SERVICE AGREEMENT WITH MUNIDEX FOR
SOFTWARE MAINTENANCE

WHEREAS, the Borough of Maywood is in need of a service agreement for the Software Maintenance of the Munidex Computer Software Systems for the year 2014; and

WHEREAS, the agreement provides for a one (1) year service with fees as noted in the Software Maintenance Agreement and listed as \$160.00 per hour for Support / Consulting, \$195.00 per hour for Programming Services, \$135.00 per hour for Additional Training and \$125.00 per hour for Data Conversion/Data Entry; Finance Package \$6,271; Site Service \$3,506; Tax Package \$3,182; Utility Billing \$969.00; Boards and Appointments \$282; Pets \$409 and Vital Statistics \$573 for a total of \$ 15,500 less 20% for payment prior to February 1, 2014 leaving a balance due of \$12,400.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, a service agreement between the Borough of Maywood and Munidex, Inc. for the maintenance of the Munidex Software Systems..

RESOLUTION #30-14
SOUTH BERGEN MUNICIPAL JOINT INSURANCE
FUND RISK MANAGEMENT CONSULTANT'S AGREEMENT

WHEREAS, the Consultant has offered to the Municipality professional risk management consulting services as required in the bylaws of the South Bergen Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds; and

WHEREAS, the Municipality desires to award these professional services and enter into a contract therefor pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Borough Administrator has determined and certified in writing that the anticipated payments under said contract may exceed \$17,500; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) authorized the execution of such professional services contract without competitive bidding; and

WHEREAS, Professional Insurance Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Professional Insurance Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Maywood pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c.19, as amended by P.L. 2005, c.51, would bar the award of this contract in the previous one year period preceding the award of this contract, and that the contract will prohibit Professional Insurance Associates, Inc. from making any reportable contributions during the term of the contract; and

WHEREAS, sufficient funds are available for this purpose pursuant to the 2014 temporary budget of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Maywood and Professional Insurance Associates, Inc. for professional risk management consulting services as required in the bylaws of the South Bergen Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds; and

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to cause a brief notice to be published once in the OUR TOWN newspaper stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION # 31-14
RESOLUTION REQUIRING COUNCIL APPROVAL PRIOR TO EXPENDING OF
DEA/ASSET FORFEITURE PROGRAM FUNDS IN THE BOROUGH OF MAYWOOD,
COUNTY OF BERGEN, NEW JERSEY

WHEREAS, the Borough of Maywood takes part in equitable sharing of the Asset Forfeiture Program ("Program") offered by the United States Government by way of the Drug Enforcement Agency; and

WHEREAS, the Program provides monies to and for the benefit of the Maywood Police Department; and

WHEREAS, said monies are allocated for expenditure by the Chief of the Maywood Police Department; and

WHEREAS, the program rules require the Council to approve the Chief of Police's allocation before spending; and

WHEREAS, the Mayor and Council of the Borough of Maywood desire to memorialize the rules requiring review and consent regarding expending of Program funds exceeding \$1,000.00 and require monthly accounting reports be submitted to the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that pursuant to the rules of the Asset Forfeiture Program, the Chief of the Maywood Police Department shall submit to the Mayor and Council for their review and approval any expenditures made from funds provided by this Program. No funds shall be released or contracts entered into without said approval.

RESOLUTION # 32-14
RESOLUTION AUTHORIZING THE CONTINUED SUSPENSION OF
LONGEVITY FOR BOROUGH PERSONNEL AS OF JANUARY 1, 2013
STAYING THE POLICY OF 52-57 OF THE CODE OF THE BOROUGH
OF MAYWOOD

WHEREAS, Section 52-57 entitled "Longevity" of Chapter 52 of the Code of the Borough of Maywood provides that "it is the policy of the Borough of Maywood to pay each employee for his or her long and continued service by additional salary to each employee's paycheck based upon a percentage of the base salary and step increments for years of service, for the Borough office personnel," and

WHEREAS, the Mayor and Council have determined to suspend longevity effective January 1, 2013 to Borough personnel not otherwise included within collective negotiation agreements, and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY, the Mayor and Council of the Borough of Maywood hereby authorize the suspension of longevity as of January 1, 2013 for borough personnel, who are not included within collective negotiation and hereby authorize the Borough Attorney to prepare the amending ordinance removing said policy from Chapter 52 of the code of the Borough of Maywood

The provisions of this resolution shall expire on December 31, 2014, at 11:59 p.m. unless otherwise extended or repealed by resolution or ordinance adopted by the Mayor and Council.

Mayor Padovano opened the meeting to the public for any comments or questions relative to the foregoing resolutions.

There being no comments, Mayor Padovano closed this portion of the meeting.

Council member Morrone moved for adoption; seconded by Council member Eisenberg; and so carried by unanimous roll call vote.

Council member Ballerini moved to adjourn; seconded by Council member Eisenberg and so carried at 7:55 p.m.