

## **WORK SESSION**

**JULY 8, 2014**

“On January 2, 2014, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2014, which 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.

### **SALUTE TO THE FLAG**

Mayor Padovano spoke in remembrance and asked for a moment of silence for Helen Price.

**Members of the Governing Body present:** Mayor Padovano, Council members Lindenau, Morrone, Eisenberg, Messar, Febre, and Ballerini. Also present were Borough Attorney Ronald A. Dario, Borough Clerk Jean M. Pelligra, and Borough Administrator Roberta Stern.

### **PROCLAMATIONS, PRESENTATIONS, ETC.**

Mayor Padovano introduced a special guest, Ashraf Qusous, Deputy Mayor of Mataba Al-Kobra'a, the second largest city in Western Jordan. He thanked Mr. Qusous for his gift to the borough and welcomed him to the United States and Maywood.

### **MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)**

Rachel Sang – 665 Jersey Avenue – spoke regarding the Maywood swim pool rules and proposed rule changes for use of the main pool by younger children.

Mayor Padovano and Administrator Stern spoke regarding the modifications the pool committee agreed to for the remainder of this season; adding these modifications will be posted at the pool and fliers will be distributed.

Rachel Sang explained there are five and six year olds that are not required to take the deep water test using the main pool who are not very good swimmers.

Administrator Stern responded there are rules to be adhered to; therefore if parents allow their children in the pool, and they are not good swimmers, it is their responsibility to watch them.

Amela Radoncic - 61 East Central Avenue – stated she feels the criteria for the deep water test is too excessive and commented on the lifeguard staff.

Mayor Padovano explained this is a work in progress and the primary concern is the safety of everyone who uses the pool.

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

**PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES**

NONE

**CORRESPONDENCE AND REPORT OF BOROUGH CLERK**

Borough Clerk Pelligra stated she has no report this evening.

**REPORT OF ADMINISTRATOR**

Administrator Stern reported on the following:

1. She reported everyone had a great time at the parade and the fireworks.

**REPORT OF ATTORNEY**

Attorney Dario stated he has no report this evening.

**COMMITTEE REPORTS**

Council member Lindenau reported on the following:

1. He thanked Administrator Stern and the DPW for their work on the Fourth of July festivities.
2. He commented on the lifeguards and stated they take their jobs seriously.

Council member Eisenberg reported on the following:

1. He thanked Administrator Stern and Mayor Padovano for their work rescheduling the Fourth of July parade to Saturday.

Council member Morrone reported on the following:

1. He reported a shredding event will be held Saturday, July 12, 2014 from 9:00 am to 12:00 pm at Maywood Avenue School.
2. He stated there will be a tire recycling event at Bergen Community College on Saturday, August 16, 2014.

3. He reminded everyone of the new ordinance that is in effect prohibiting smoking in all parks and recreational areas.

Council member Messar reported on the following:

1. He read an email from Superintendent Michael Jordan thanking the Mayor and Council for a great parade and fireworks presentation; adding he is proud to live and work in such a great community.

Council member Febre reported on the following:

1. He thanked the members of the fire department, fire police, EMS, OEM, police department, Cert Team, fire prevention, and all mutual aid fire and ambulance squads for their excellent work during the parade and fireworks display, adding only one minor injury was reported.
2. He thanked Administrator Stern on behalf of the fire department for the food and water provided for all the volunteers at the fireworks.
3. He thanked Administrator Stern and her staff for following through on every detail of the holiday events.

Council President Ballerini reported on the following:

1. He echoed the comments by the council for a job well done by Administrator Stern for her work on moving the parade.
2. He stated Chief Pegg reported there were no major incidents over the holiday weekend.
3. He stated he had reported at the last meeting the new police vehicles had been received; however, he was incorrect and they are expected Friday.
4. He spoke regarding the public comments about the lifeguards and stated they are great kids who are there to protect and help you.

## **REPORT OF MAYOR**

Mayor Padovano reported on the following:

1. He thanked everyone who was involved in the Fourth of July parade and fireworks as well as our mutual aid towns who assisted; adding moving the parade was not an easy task and he appreciates the effort that went into it. He especially thanked Roy DeYoung and the DPW staff for their hard work.
2. He stated the fireworks display went very well and it was probably one of the largest crowds we have hosted.
3. He stated we will be gearing up for our Fall Festival on Sunday, October 5, 2014 which will coincide with the running of the Maywood Hawks 5K in the morning.
4. He reported PSE&G is running a new conduit from Rochelle Park, down Central Avenue into Hackensack which will result in the closure of sections of Central Avenue at various times through August.

**ACTION LIST ITEMS**

1. **Riparian/Steep Slope Ordinance:** Mayor Padovano stated we are still waiting for a proposal from the Planning Board; adding they have not had a meeting due to a lack of agenda items.
2. **Amend 263-2 Hours of Operation for THO, TH, OR, PC and GA Zones:** Mayor Padovano stated we are still waiting for a proposal from the Planning Board.
3. **Zoning Map / Tax Map Update:** He stated the zoning map has been revised but we are also looking to update the tax map; adding the engineer will discuss the proposals at our next meeting.

Council member Eisenberg questioned if any grants were available for the tax map update.

Mayor Padovano responded he asked the borough engineer but he was not aware of any such grants, adding perhaps we can check with the grant writer.

4. **Fee Ordinance:** Borough Clerk Pelligra stated we are still waiting for updates from a few departments; adding all proposed changes will be indicated in red when copies are distributed.
5. **2014 Stormwater Coordinator:** Mayor Padovano stated Neglia Engineering submitted a proposal for \$3,300.00 to be designated as the coordinator and they would oversee and file all the necessary reports. He stated we can direct any questions to the borough engineer at our next meeting.
6. **Memorial Park Improvements:** He stated last year the council passed a bond ordinance and this year we received an additional \$83,000.00 in grant funding for park improvements.

Administrator Stern spoke about a proposal for a lightning detection system through a cooperative agreement with Bergen County to cover the swim pool, Memorial and Coaches Park at a cost of \$16,000.00 to \$18,000.00; adding she will speak with the Borough Engineer.

Mayor Padovano stated the engineer is working on quotations for the retaining wall at Field #3 in Memorial Park.

Mayor Padovano discussed his concerns for a major overhaul of Field #1 to correct drainage issues; adding we should coordinate the work to be done at both Fields #1 and #3.

Council member Messar explained the scope of the work listed in the proposal for Field #1 includes the leveling of the playing field which should correct the majority of the drainage issues.

Administrator Stern responded it was never our intention to do significant drainage work.

Mayor Padovano stated he would like to move forward with the handicap accessible water fountains and spoke regarding the park bench sponsorship program; adding the cost per bench will be \$500.00.

Mayor Padovano stated no-smoking signage will be placed in all parks and recreational areas.

Administrator Stern stated another fifteen street signs were stolen over the weekend.

Mayor Padovano stated the Monument Committee will be meeting again soon and the American Legion and VFW have suggested the possible addition of a Gulf War Memorial.

Mayor Padovano stated now that the Fourth of July holiday is over, the DPW needs to address the following:

- Re-painting of arrows on West Pleasant Avenue
- Complete the installation of four-way stop signs
- Painting of stop lines on Golf Avenue
- No left turn sign by Fairmount and Grant Avenues
- Sign at the end of Lenox Avenue posting directions to Coaches Park

Administrator Stern stated we need to look into an ordinance prohibiting thru-traffic through the pool parking lot.

Council member Febre questioned what we can do with the area where the handball court was located in Memorial Park.

Administrator Stern responded the grant writer is looking into the possibility of a gazebo being placed in that location.

### **RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING**

NONE

### **APPOINTMENTS – APPROVAL OF THE FOLLOWING**

NONE

### **COUNCIL APPROVAL OF THE FOLLOWING**

1. Block Party on Oak Avenue from Mendez Avenue to West Fairmount Avenue to be held on July 26, 2014 from 3:00 pm to 9:00 pm with a rain date of August 2, 2014.
2. From Oak Ale House request for an outdoor dining permit.
3. From Oak Ale House application to extend licensed premises for 5<sup>th</sup> Anniversary Party 7/27/14 with a rain date of 8/3/14.

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

**RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING**

**RESOLUTION # 118-14**  
**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND FINAL FOR**  
**THE MUNICIPAL SWIMMING POOL BATHROOMS/ LOCKER ROOMS**  
**RENOVATIONS PROJECT**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood of Bergen County, New Jersey upon the recommendation of the Borough Administrator that Change Order #1 and final payment less 5% until all punch list items are complete for the contract listed below that shall be and is hereby approved.

TITLE OF JOB            Municipal Swimming Pool Bathrooms/Locker Rooms Renovation Project

CONTRACTOR           B. Puntasecca Contractors, Inc.  
210 Willow Avenue, Hackensack, NJ 07601

CHANGE ORDER NUMBER   1 (one) and Final – less 5% (- \$4,300.00)

AMOUNT OF CHANGE THIS RESOLUTION   \$ 17,410.00 (+12.00% Increase)

**RESOLUTION # 119-14**  
**A RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF**  
**LIGHTS AND INSTALLATION FOR POLICE VEHICLES WITH FUNDS**  
**FROM THE D.E.A. ACCOUNT**

**WHEREAS**, a need exists within the Borough to purchase lights, accessories and the installation of onto the newly acquired police vehicles for the Maywood Police Department; and

**WHEREAS**, the Police Chief has indicated the purchase will be made fully with funds from the D.E.A. account; and

**WHEREAS**, pursuant to Resolution # 31-14, purchases in excess of \$1,000 require Mayor and Council approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue a purchase order for the Police Chief to purchase lights, accessories and the installation of onto the newly acquired police vehicles for the Maywood Police Department in the sum of \$ 5,589.00 payable to East Coast Emergency Lighting, 200 Meco Drive, Millstone Twp, NJ 08535.

**RESOLUTION # 120-14**  
**A RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF TACTICAL AND TRAINING EQUIPMENT FOR THE MAYWOOD POLICE DEPARTMENT WITH FUNDS FROM THE D.E.A. ACCOUNT**

**WHEREAS**, a need exists within the Borough to purchase tactical and training equipment for the Maywood Police Department; and

**WHEREAS**, the Police Chief has indicated the purchase will be made fully with funds from the D.E.A. account; and

**WHEREAS**, pursuant to Resolution # 31-14, purchases in excess of \$1,000 require Mayor and Council approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue a purchase order for the Police Chief to purchase the tactical and training equipment for use by the Maywood Police Department in the sum of \$3,176.00, payable to Lawman Supply Company of NJ, 7115 Airport Highway, Pennsauken, NJ 08109, pursuant to the price quotations received from Lawman Supply Company, whose response was most advantageous to the Borough, price and other factors considered.

Council member Febre moved for the adoptions, seconded by Council member Messar.

Council member Ballerini requested the D.E.A. account balance be included in the resolution.

Mayor Padovano responded regardless if a resolution is done, we should receive balance updates.

Roll call vote was taken and so carried by unanimous roll call vote.

**INTRODUCTION OF ORDINANCES**

Mayor Padovano asked Attorney Dario to explain Ordinance #11-14.

Attorney Dario explained we needed to update our current ordinance in order to be in compliance.

**ORDINANCE # 11-14**

**AN ORDINANCE TO AMEND CHAPTER 52 SUBSECTION 55 ENTITLED “EMPLOYEE’S RETIREMENT HEALTH AND INSURANCE BENEFITS PROGRAMS” OF THE BOROUGH OF MAYWOOD CODE IN THE BOROUGH OF MAYWOOD, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

**WHEREAS**, Maywood employees that are eligible are provided retirement benefits through the Public Employee's Retirement System (PERS). PERS is controlled and managed by the State of New Jersey and as such provides its own rules, procedures and regulations; and

**WHEREAS**, Borough of Maywood Code Chapter 52 subsection 55 entitled "Employee's retirement health and insurance benefits programs" section B is obsolete to current PERS regulations; and

**WHEREAS**, it is the intent of the Mayor and Council of the Borough of Maywood to revise and update this section so as to place all eligible employees on notice that any retirement benefits available are subject to the rules, procedurals and regulations of PERS;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, as follows:

**Section 1.** Chapter 52 subsection 55 section B is amended and shall read as follows:

B. All eligible employees of the Borough are provided retirement benefits through the Public Employee's Retirement System (PERS) which is controlled and managed by the State of New Jersey. PERS members are subject to the rules, procedures and regulations there to which include but are not limited to eligibility. The various types of retirement, requirements for same, and contributions required are described and elaborated upon in the New Jersey Public Employee Benefit Manual, the PERS website, or available by contacting PERS directly.

Council member Eisenberg moved for the introduction, seconded by Council member Messar; and so carried by unanimous roll call vote.

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance #11-14, pass on first reading and that said Ordinance will be further considered for final passage at a meeting of the Mayor and Council to be held on August 12, 2014 at 7:30 pm at the Borough Hall, 15 Park Avenue, Maywood, New Jersey at which time and place all persons interested therein will be given an opportunity to be heard concerning the same, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

**NEW BUSINESS**

Council member Eisenberg spoke regarding block party permit requirements.

Mayor Padovano asked Attorney Dario to review the ordinance.



**OLD BUSINESS**

**MISCELLANEOUS BUSINESS**

Mayor Padovano stated the trivia of the day in honor of the Borough's 120<sup>th</sup> Anniversary is the first Fourth of July parade was held in 1909 and \$500.00 was raised to fund the parade and fireworks by going door to door for donations. He stated our borough seal was created as a result of a contest hosted by the American Legion in June 1950 and features the eagle and the old town hall.

**CLOSED SESSION – IF APPLICABLE**

Council member Ballerini made a motion to go into closed session; seconded by Council member Lindenau - All in favor.

**BOROUGH OF MAYWOOD**  
**Closed Session Resolution # 121-14**

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Mayor and Council meet in closed session to discuss the following subject matter(s):

**Personnel; Contract Negotiations**

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- ( ) Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- ( ) Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest

( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law

(X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege

(X) Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof

( ) Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

( ) Will return to open session after this meeting.

(X) Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 07-08-2014 Time: 8:30 pm

**ADJOURNMENT**

Council member Febre moved the meeting be adjourned; seconded by Council member Morrone and so carried at 9:15 p.m.

Borough Clerk