

WORK SESSION

SEPTEMBER 9, 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 asked for a moment of silence to recognize and remember Maywood residents Tom Naughton and Lil Rubin, co-founder of the Our Town Newspaper.

Mayor Padovano asked that we also keep Police Officer Glenn Tutschek, who was involved in a motor vehicle accident while responding to a call, in our thoughts.

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.

Gregory Polyniak of Neglia Engineering was present to give the monthly report.

1. 2009 NJDEP ECONOMIC RECOVERY PROGRAM

Scope: This project consists of improvements to the Lincoln / Mendez Intersection Drainage and the cleaning, televising, and lining of the Westerly Brook (see revised scope below).

Advertise Date:

Bid Date: 7/20/2011

Awarded: 8/4/2011

Start of Work: 10/17/2011

Projected Completion Date: 12/13/2012 (Phase #1)

Status: This project was awarded to Montana Construction in the amount of \$602,201.72 which was NJDEP - approved. In mid-April 2012, our office submitted a project revision plan package to the NJDEP that was approved in July 2012. This project was closed out by the Borough in March 2013.

The Spring Valley Avenue Pump Station project requires two separate legal tasks to be performed prior to project bidding. The first, the interlocal sanitary connection agreement is being addressed by legal counsel for both the Borough of Maywood and Paramus. The second is the easement purchases from the Spring Valley Avenue, Maywood office building property and the Hanjin, Paramus property

The Borough's conflict attorney forwarded a final draft agreement to the Borough of Paramus' conflict attorney in mid-July 2013. Negotiations were ongoing between both municipalities. At the Borough of Paramus' July 09, 2014 Mayor and Council meeting, the Borough of Paramus executed the Interlocal Agreement. We understand that the Borough of Maywood has executed the said Interlocal Agreement at the July 22, 2014 Mayor and Council Meeting.

At this time, the Borough would pursue the easement purchases for the Spring Valley Avenue, Maywood office building property and the Hanjin, Paramus property. After both of these items are completed by the Borough's conflict attorney, the project would be bid. It shall be noted that this project cannot proceed until these legal tasks are completed.

Following the easement purchases, an NJDEP TWA Application package would be submitted to the NJDEP for the project. Subsequent to the anticipated acquisition of this said permit, the project would be publically bid. We would anticipate the project bidding to occur in Spring 2015.

2. **YEAR 2013 ROAD PROGRAM – EAST HUNTER AVENUE (NJDOT FUNDED), SPRING VALLEY ROAD, AND WEST FAIRMOUNT AVENUE PARKING LOT**

Scope: The project consists of roadway improvements along East Hunter Avenue and Spring Valley Road along with parking improvements at the West Fairmount Avenue Parking Lot. The Borough acquired an NJDOT Municipal Aid Grant in the amount of \$150,000.00 for the East Hunter Avenue improvements.

Advertise Date:	9/16/2013
Bid Date:	10/03/2013
Award Date:	10/08/2013
Start of Work:	11/18/13
Anticipated Projected Completion Date:	Fall 2014

Status: Per the direction of the Governing Body at the August 27, 2013 Mayor and Council meeting, the Borough authorized the bid of construction documents for roadway improvements including but not limited to milling, paving, roadway reconstruction, curbing, ADA accessible ramps, and striping as follows:

1. Base Bid - East Hunter Avenue from Maywood Avenue to Van Cleve Street
2. Alternate Bid A – Spring Valley Road from approximately two hundred feet south of Cumming Avenue to eighty feet south of Sanzari Place (middle section to complete roadway)
3. Alternate Bid B – West Fairmount Avenue Parking Lot

The bid opening for this project occurred on October 03, 2013 at 11AM at Borough Hall. On October 08, 2013, the Borough awarded the project to the lowest responsible, AJM Contractors, Inc., 300 Kuller Road, Clifton, New Jersey 07011 for the Base Bid, Alternate Bid A, and Alternate Bid B in the amount of \$445,384.40.

Subsequent to the project award, a pre-construction meeting was held at Borough Hall on October 29, 2013 at Borough Hall. After the meeting, our office issued a Notice to Proceed. In mid-November 2013 and mid-April 2014, the project contractor began construction activities on Spring Valley Road and East Hunter Avenue, respectfully. At this time, construction on both roadways is substantially completed other than punch list items.

Per the request of the Borough, Neglia Engineering Associates has acquired a construction budget from the project contractor to address Spring Valley Avenue from its intersection with Spring Valley Road to the Borough of Paramus / Borough of Maywood municipal boundary near the pump station. The budget provided by the contractor was \$40,000.00 excluding police traffic directors which would need to be addressed / funded by the Borough.

We would respectfully request that the Governing Body inform if it would like our office to authorize the contractor to proceed and to prepare a change order for the Spring Valley Avenue improvements. Per a conversation with the contractor, if authorized by September 10, 2014, AJM Contractors would anticipate starting at the end of September 2014.

Neglia Engineering Associates informed the project contractor that the Borough wanted to delay parking lot improvements at the West Fairmount Avenue parking lot until school was out and after the July 4th Fireworks Celebration (July 06, 2014) per the direction of the Borough. On July 14, 2014, construction activities began. On August 31, 2014 the parking lot was striped. At this time, construction is substantially completed pending punch list items.

3. PSE&G IMPROVEMENTS (CENTRAL AVENUE)

Scope: PSE&G will be constructed utility improvements within Central Avenue from the coincident municipal boundaries with the Borough of Rochelle Park and City of Hackensack.

Status: On April 02, 2014, Neglia Engineering Associates attended a meeting with Ms. Roberta Stern, Bergen County, AECOM (PSE&G's Engineer), Kemsco, Inc. (Project Contractor), and PSE&G on Central Avenue to review the utility improvement project. An overall project review letter was prepared and submitted to the Borough, PSE&G and its consultants on April 25, 2014.

Neglia Engineering Associates understands that public notices were to be distributed by PSE&G to residents on May 28, 2014. During the week of September 01, 2014, PSE&G was not performing construction activities within the Borough of Maywood.

4. MAYWOOD AVENUE STREETScape (NJDOT FUNDED)

Scope: Per a correspondence produced by the Governor's Office on May 06, 2014, Neglia Engineering Associates understands that the Borough is to receive an NJDOT Municipal Aid Grant in the amount of \$149,000 for the Maywood Avenue Streetscape.

Status: Per the request of the Borough, Neglia Engineering Associates issued a proposal, dated May 14, 2014 for surveying, engineering, and construction management services for this project for review and consideration by the Governing Body.

5. BERGEN COUNTY OPEN SPACE – MEMORIAL PARK

Scope: The Borough filed a Year 2013 Bergen County Open Space Grant package for improvements to Memorial Park.

Status: Per a June 12, 2014 correspondence from Bergen County, Neglia Engineering Associates understands that the Bergen County Freeholders awarded grant funding in the amount of \$82,302.00 for Memorial Park improvements. Should the Borough require our office to prepare construction documents related to this project, please inform.

We understand at this time that the Borough would like our office to prepare a solicitation to repair the existing retaining wall located at the Memorial Park Little League Field. In addition, the Borough would like to prepare a solicitation to address the lighting located within the Spring Valley Road parking lot. We will prepare and issue the solicitations as directed.

6. BERGEN COUNTY OPEN SPACE GRANT – CALL FOR YEAR 2014 PROJECTS

Neglia Engineering Associates received correspondence from Bergen County concerning a call for Year 2014 Bergen County Open Space Grant submissions. The grant submission packages are due on October 31, 2014 with a public hearing with newspaper notification required. We would be glad to aid the Borough in the preparation of this grant submission package. If the Borough would like us to prepare the application, we respectfully request that a park project be selected at one of the September 2014 Mayor and Council meetings.

In addition, a public hearing would need to be scheduled at one of the October 2014 Mayor and Council meetings to present the proposed park improvements. The notice for the public meeting must be placed in the official newspaper of the municipality. The hearing must be advertised as a display ad at least 15 days prior to the hearing. The hearing notice must specifically reference the proposed Bergen County Open Space Trust Fund Municipal Program Park Improvement application. The public hearing must be held in the evening and may be held as part of a public meeting as long as the hearing is properly advertised.

7. NJDOT MUNICIPAL AID GRANT – CALL FOR YEAR 2014 PROJECTS

Neglia Engineering Associates received correspondence from NJDOT concerning a call for Year 2015 Project Municipal Aid Grant applications. The grant submission package is due on October 14, 2014. We would be glad to aid the Borough in the preparation of this grant submission package. If the Borough would like us to prepare the application, we respectfully request that a project roadway be selected at one of the September 2014 Mayor and Council meetings.

8. WEST PLEASANT AVENUE – TRAFFIC CIRCULATION (NJDOT DISCRETIONARY AID GRANT)

Neglia Engineering Associates understands that the Borough of Maywood has received an NJDOT Discretionary Aid Grant funding in the approximate amount of \$30,000. Per the request of the Governing Body, Neglia Engineering Associates issued design sketches, details, and cut sheets for review by the Borough and its Police Department for the traffic circle intersection locations on September 02, 2014. Please understand that bidding / solicitations should not occur until the signed grant agreement is received from the State of New Jersey.

9. YEAR 2014 SANITARY SEWER SERVICE CHARGES

On August 19, 2014, Neglia Engineering Associates was provided with the United Water water usage table from the Borough. Per the Borough's request and for its use, Neglia Engineering Associates prepared and issued the Year 2014 Sanitary Sewer Service Charges list on August 20, 2014 for significant commercial and industrial users.

Our office is prepared to prepare a Year 2014 Sanitary Sewer Service Charge list for the significant commercial and industrial users for Borough of Lodi properties which connect to the Borough of Maywood sanitary sewer system once provided the United Water water usage table by the Borough of Maywood.

Council member Eisenberg questioned the cost for the West Pleasant Avenue traffic circulation project.

Mr. Polyniak explained we will tailor a design to fit within the allotted grant money.

Council President Ballerini asked Mr. Polyniak to explain the colorized material to be used in the roadway for the turn-arounds.

Mr. Polyniak explained it would be similar to the West Pleasant Avenue crosswalks and would not impact the snow plows. He stated this is a state funded project; therefore we do not anticipate the borough expending any funds.

Council member Eisenberg questioned why we are using this material in lieu of paint.

Mr. Polyniak responded for esthetic reasons and this material is more visual and durable than paint.

PROCLAMATIONS, PRESENTATIONS, ETC.

NONE

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

There being no comments from the public, 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 reported on the following:

1. She stated she received correspondence from the American Legion requesting the Mayor and Council to place an ad in their annual journal at a cost of \$100.00.

Mayor Padovano asked if the council was in agreement to purchase an ad in the American Legion Annual Journal at a cost of \$100.00 - All in Favor.

REPORT OF ADMINISTRATOR

Administrator Stern reported on the following:

1. She stated we are preparing for the Fall Festival and are notifying the organizations who participated in the past, adding we will begin decorating Pleasant Avenue the last week of September.

REPORT OF ATTORNEY

Attorney Dario stated he has a brief report for closed session.

COMMITTEE REPORTS

Council member Lindenau stated he has no report this evening.

Council member Morrone reported on the following:

1. He stated the town-wide garage sale is scheduled for Saturday, October 18, 2014.
2. He stated the Recreation Department has trips planned to Caesar's Palace in Atlantic City on Tuesday, October 28, 2014 and to the Radio City Christmas Show on Tuesday, December 2, 2014.
3. He stated the annual flu clinic for residents age 65 and over is scheduled for Thursday, October 23, 2014 from 9:30 to 10:30 am at the Senior Recreation Center.
4. He stated the Swim Pool Committee met last night and some families attended; adding the meeting went well and some potential changes to the pool guidelines were discussed.
5. He thanked members of the police and fire departments for their response to a recent emergency at his neighbor's home and stated he is appreciative of the amount of time they spent at the scene.

Council member Eisenberg stated he has no report this evening.

Council member Messar reported on the following:

1. He stated the next Board of Education meeting is scheduled for September 17, 2014.
2. He stated September 18, 2014 is Back to School Night for Maywood Avenue School and September 23, 2014 for Memorial School.
3. He stated Saturday, September 27, 2014, is the eighth grade car wash.

Council member Febre reported on the following:

1. He reported Truck 17 failed its required ladder inspection and is out of service until repairs can be completed, adding we are being covered by Rochelle Park and other mutual aid towns.
2. He asked Administrator Stern to contact the County to see if their new Pet Adoption trailer is available for the Fall Festival.

Council member Ballerini reported on the following:

1. He reported the stop signs were installed at the intersection of Parkway and Mendez Avenue and he has received positive feedback from area residents.
2. He stated Chief Pegg advised police officers were on hand to assist with traffic during the opening of school last week.

3. He spoke regarding the motor vehicle accident involving Police Officer Glenn Tutschek, adding our officers put their lives on the line every day and wished him a speedy recovery.
4. He stated per Chief Pegg, Officer Phil will be visiting the Maywood Schools on September 16, 2014, to speak to the students about safety at home and school.
5. He encouraged everyone to support the MPOA Beefsteak / Comedy Show fundraiser on Thursday, October 2, 2014, at the Brownstone in Paterson; adding this event benefits the entire town.

REPORT OF MAYOR

Mayor Padovano reported on the following:

1. He stated the third annual Fall Festival will be held Sunday, October 5, 2014 from 12:00 noon to 5:00 pm and the Hawks 5K will be run at 9:00 am the same day.
2. He echoed Council member Morrone's comments that the Swim Pool meeting was very productive and he expects good results.
3. He stated PSE&G is still working along Central Avenue in Rochelle Park and will be coming into Maywood shortly; adding you can expect partial road closures and detours in the coming weeks.
4. He stated on Thursday, September 11, 2014 we will be marking the remembrance of 9/11 at 8:40 am in Veterans Memorial Park and dedicating our new monument. He stated a service will also be held at 7:30 pm at the First Presbyterian Church.

ACTION LIST ITEMS

Zoning Map / Tax Map Update: He stated the engineer has revised the zoning map; however, the underlying tax map must also be updated. He asked Mr. Polyniak to explain the four proposals for the tax map revisions.

Mayor Padovano asked if grant funding was available for this type of service.

Mr. Polyniak responded he will look into it.

Discussion ensued regarding the GIS system.

Council President Ballerini requested Mr. Polyniak contact Bergen County to ask if they have plans to have this GIS mapping done county wide.

Fee Ordinance: Council member Messar believes the fees for field use can be placed in a separate ordinance for introduction at another date. Administrator Stern spoke regarding swim pool fees. A discussion ensued and it was agreed to introduce the fee ordinance at the next meeting.

Street Paving Program: Mayor Padovano stated the borough engineer's estimate to pave all streets currently in need of repair would be \$4 million; however, we will work towards prioritizing which streets will be paved as funds are available. He asked Administrator Stern to meet with CFO Cuccia

prior to the next meeting to determine if a change order can be done to pave the section of Spring Valley Avenue in front of the pump house.

Administrator Stern responded CFO Cuccia has advised this will be possible.

Mayor Padovano explained we did not receive our last grant submission for the paving of Jersey Avenue and Parkway and suggested Neglia Engineering move forward with the resubmission of this grant application.

Mayor Padovano asked Mr. Polyniak if he had an update from the County regarding the paving of Maywood Avenue.

Mr. Polyniak responded spring or summer of 2015; however, the drainage issue from East Magnolia Avenue to the railroad tracks will be addressed first.

Council member Messar questioned if the storm drain on Jersey Avenue that does not lead to anywhere should be removed when the roadway is repaved as a cost saving measure.

Mayor Padovano asked Mr. Polyniak to look into that.

Regulating the care of vacant properties in foreclosure: Council member Eisenberg spoke regarding new legislation relating to property maintenance on foreclosed properties.

Attorney Dario stated he will draft an ordinance for further discussion at the next meeting.

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

NONE

APPOINTMENTS – APPROVAL OF THE FOLLOWING

1. Zachariah Riehle as employee for the Department of Public Works effective September 16, 2014 at an annual salary of \$45,500.00
2. Jaspreet Singh as a regular member of Peerless Engine Company effective September 9, 2014.

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

COUNCIL APPROVAL OF THE FOLLOWING

1. From Elite Softball Organization permission to hold an On-Premise 50/50 raffle at their Casino Night Event to be held on September 26, 2014 from 7:00 pm to 10:00 pm at the Knights of Columbus, 105 Grove Avenue, Maywood, NJ.

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

Council member Ballerini made a motion to move the September 23, 2014 Council Meeting to September 30, 2014, seconded by Council member Eisenberg; and so carried by unanimous roll call vote.

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING

RESOLUTION # 135-14

RESOLUTION AUTHORIZING EXECUTION OF EQUITABLE SHARING AGREEMENT FOR PARTICIPATION IN THE UNITED STATES DEPARTMENT OF JUSTICE EQUITABLE SHARING PROGRAM

WHEREAS, the Comprehensive Crime Control Act of 1984 authorized the Federal Government to implement a national asset forfeiture program to target criminals, including drug dealers and white collar criminals; and

WHEREAS, the Borough of Maywood has the opportunity to continue participation in the United States Department of Justice Equitable Sharing Program; and

WHEREAS, the Chief of Police has recommended continued participation in said program; and

WHEREAS, the Borough of Maywood may participate in said program by designating a police officer to participate with the U.S. Drug Enforcement Agency in drug enforcement activities; and

WHEREAS, in addition to receiving training in drug enforcement activities, the Borough of Maywood will be eligible to receive a share of forfeited assets.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Chief of Police are hereby authorized to execute and file an Equitable Sharing Agreement and Affidavit, of a form on file in the office of the Borough Clerk and to perform such other activities as may be required to implement said agreement

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

INTRODUCTION OF ORDINANCES

NONE

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

Mayor Padovano stated in honor of the 120th Anniversary of the Borough of Maywood, he encourages everyone to learn about the history of Maywood by visiting the Historical Committee’s website and read old copies of the Our Town Newspaper.

Mayor Padovano stated the trivia of the day is the highest point in the Borough of Maywood is located at the intersection of Parkway and Oak Avenue.

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 #136-14

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):

Contract and Litigation

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
- () 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: 9-9-2014 Time: 8:33 pm

ADJOURNMENT

Council member Ballerini moved the meeting be adjourned; seconded by Council member Morrone and so carried at 9:05 p.m.

Borough Clerk