

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

JANUARY 28, 2014

Prior to the Council Meeting an Executive Session was held. Mayor Padovano called the meeting to order at 7:30 P.M. The Clerk made the following announcement: "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.

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.

Reverend William Von Husen of the Summit Church was present to give the invocation.

Mayor Padovano asked for a moment of silence to remember Richard Neumann, father of Fire Chief Gary Neumann, who passed away this week.

WORK SESSION ITEMS – items on or off agenda

Council President Ballerini spoke regarding the police department's request for a pick-up truck and stated they are prioritizing projects, specifically the expansion of security camera locations, before this purchase and stated he spoke with Administrator Stern today about scoping out the security camera project.

Council President Ballerini suggested the council work on the ordinance regarding the installation of four-way stop signs at previously discussed locations and stated Chief Pegg is in agreement with those locations.

Council President Ballerini spoke regarding police department staffing issues.

PROCLAMATIONS, PRESENTATIONS, ETC.

NONE

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

Mayor Padovano opened the meeting to the public for any comments on or off the agenda.

John Brown – 41 Stelling Avenue – questioned the purchase of security cameras for the library as reported by Council President Ballerini since the library is also looking into the purchase of cameras.

Mayor Padovano responded there will be discussion between the library and the borough so there is no redundancy in the security camera system.

Frederick Hamza – B & V Towing – questioned why his towing company is not listed for approval or disapproval on tonight’s agenda.

Mayor Padovano responded Chief Pegg did not submit a recommendation for approval for B & V Towing at this time.

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

PUBLIC HEARING ON PENDING ORDINANCES - ADOPTION OF ORDINANCES

NONE

APPROVAL OF MINUTES

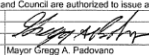
Council member Ballerini moved for approval of the December 10, 2013 Work Session and Closed Session minutes and the December 19, 2013 Council Meeting and Closed Session minutes; seconded by Council member Eisenberg; and so carried with the exception of Council member Ballerini abstaining to the December 19, 2013 Council Meeting and Closed Session minutes.

PRESENTATION OF BILLS AND CLAIMS AND REQUEST FOR PUBLIC COMMENT

The Clerk presented the bill resolution and supplemental bill resolution.

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

JANUARY 28, 2014 BILL LIST							
DATE	PO#	VENDOR	DESCRIPTION	VENDOR #	DEPT.	ACCOUNT	AMOUNT
CURRENT ACCOUNT							
12/06/13	132382	BERGEN OVERHEAD COMPANY	REPAIR TO TRUCK #17	4349	PUBLIC BUILDINGS & GROUNDS O/E	01-2010-26-3112-132	2,296.00
12/17/13	132407	BERGEN OVERHEAD COMPANY	REPAIR TO DOOR #7	4349	PUBLIC BUILDINGS & GROUNDS O/E	01-2010-26-3112-132	405.00
01/10/14	141016	BMSD	1/14 EMPLOYEE INSURANCE			01-2010-23-2202-113	136,950.00
01/10/14	141015	BOLLINGER, INC.	PRESCRIPTION DRUG PLAN	6051	INSURANCE	01-2010-23-2202-113	29,200.59
01/23/14	141046	BOLLINGER, INC.	2/14 PRESCRIPTION DRUG INSURANCE	6051	INSURANCE	01-2010-23-2202-113	29,887.04
01/16/14	141034	CABLEVISION	12/16/13 TO 1/15/14 CABLE-15 PARK AVE	4108	TELEPHONE	01-2010-26-3102-197	112.42
01/16/14	141035	CABLEVISION	CABLEVISION	4108	TELEPHONE	01-2010-26-3102-197	55.98
01/24/14	141055	CABLEVISION	1/16/14 TO 2/15/14 CABLE	4108	TELEPHONE	01-2010-26-3102-197	55.87
01/22/14	141048	CLIFFSIDE BODY CORP	MONROE PREWET SYSTEM	3593	MAINT. OF VEHICLES	01-2010-26-3152-071	4,000.00
01/09/14	141012	COLI ELECTRICAL	CEILING CORD IN FIRE DEPT.		PUBLIC BUILDINGS & GROUNDS O/E	01-2030-26-3112-132	725.00
01/21/14	141038	COUNTY OF BERGEN/DIV. OF TREAS.	COUNTY TAXES & ADDED/OMITTED-2/15	70	COUNTY TAXES	01-2085-00-0000-001	707,769.89
01/21/14	141038	COUNTY OF BERGEN/DIV. OF TREAS.	OPEN SPACE & 2013 OMITTED	4781	COUNTY TAXES	01-2085-00-0000-001	8,033.52
07/30/13	131945	DARIO YACKER SUAREZ & ALBERT	TAX COUNSEL SERVICES	5666	LEGAL SERVICES & COSTS O/E	01-2010-20-1552-028	3,105.00
01/09/14	141011	DAVID PEGG - PETTY CASH	PETTY CASH - POLICE DEPT.		POLICE O/E	01-2010-25-2402-180	209.00
12/06/13	132384	DEFENDER EMERGENCY PRODUCTS	REPAIRS TO TRUCK #17	5625	MAINT. OF VEHICLES	01-2010-26-3152-147	1,007.50
01/09/14	141014	DONNY RUSSELL	REIMB. FOOD FOR 1/9/14 STORM	5355	STREETS & ROADS O/E	01-2010-26-2902-146	86.67
01/23/14	141050	E APPS	MAYWOOD WEBSITE	5906	ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-149	86.00
12/06/13	132383	ENVIRONMENTAL RENEWAL LLC	YARD DEBRIS DISPOSAL	5382	GARBAGE & TRASH REMOVAL	01-2010-26-3052-152	10,075.00
01/24/14	141066	FACILITY MAINTENANCE	1/14 HVAC REPAIR	5933	PUBLIC BUILDINGS & GROUNDS O/E	01-2010-26-3112-055	288.80
12/24/13	132452	FACILITY MAINTENANCE GROUP LLC	REPAIRED MOTORS AT DPW GARAGE	5933	PUBLIC BUILDINGS & GROUNDS O/E	01-2010-26-3112-055	865.52
01/15/14	141023	FIGLIA ELECTRIC	3RD & 4TH QTR 2013 MONITORING	1048	PUBLIC BUILDINGS & GROUNDS O/E	01-2030-26-3112-132	562.50
12/09/13	132392	FIRE & SAFETY SERVICES, LTD.	REPAIRS TO ENGINE 18	4497	P.S. FIRE DEPT. MISC. O/E	01-2010-26-2872-134	699.95
01/16/14	141032	FLEET ONE	12/13 FUEL CHARGES	5049	MAINT. OF VEHICLES	01-2030-26-3152-071	109.73
04/25/13	131504	GTBM	E-TICKET	4481	MUNICIPAL COURT O/E	01-2010-43-4602-165	1,264.00
09/27/13	132191	KML TECHNOLOGY	SMART DMS SYSTEM	1016	POLICE O/E	01-2010-25-2402-057	8,333.00
01/23/14	141044	MARIA REDA	12/31/13, 1/8/14 & 1/16/14	5028	TAX/FINANCE	01-2010-20-1452-078	585.60
01/23/14	141045	MAYWOOD BOARD OF EDUCATION	1/14 TAX PAYMENT & DEBT LEVY		SCHOOL TAXES	01-2070-00-0000-001	1,485,317.16
01/13/14	141020	MAYWOOD REALTY	REFUND FOR SEWER OVERPAYMENT		SEWER CHARGES	01-1920-08-1650	1,476.89
01/23/14	141052	MBI GLUCK SHAW	12/13 GRANT WRITING SERVICES	5614	ADMINISTRATIVE & EXECUTIVE O/E	01-2030-20-1002-149	12,400.00
01/15/14	141025	MUNIDEX	2014 SOFTWARE AGREEMENT	2188	VARIOUS	01-2010-VARIOUS	4,100.05
01/13/14	141018	NATHAN P. WOLF & LONEGAN	TAX COURT JUDGEMENT		TAX COURT JUDGEMENTS	01-2050-00-0000-001	4,100.05
11/18/13	132339	NEGIA ENGINEERING	10/13 GENERAL ENGINEERING	3972	ENGINEERING SERV. & COSTS O/E	01-2010-20-1652-162	9,537.81
01/23/14	141042	NJ DEPT. OF COMMUNITY AFFAIRS	4TH QTR 2013 STATE PERMIT SURCHARGE	144	BUDGET OPERATIONS	01-4010-00-0000-001	2,687.52
01/09/14	141005	NULM	ELECTED OFF. - ORIENTATION	1369	ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-149	230.00
01/23/14	141043	NY SUSQUEHANNA & WESTERN RAIL	2014 SEWER LINE LICENSE FEE	1863	ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-149	304.98
12/04/13	132373	OUR TOWN NEWSPAPER	10/13 & 11/13 LEGAL ADS	51	COLLECTOR OF TAXES O/E	01-2010-26-1452-258	144.20
01/15/14	141026	PAETEC	1/14 TELEPHONE	5612	TELEPHONE	01-2010-26-3102-197	1,888.47
01/16/14	141031	PETER'S CAMERA	ENLARGEMENT-TRUCK #17	NEW	ADMINISTRATIVE & EXECUTIVE O/E	01-2030-20-1002-146	235.00
01/09/14	141009	PETTY CASH - A & E	PETTY CASH		ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-149	250.00
01/09/14	141010	PETTY CASH - DPW	PETTY CASH		STREETS & ROADS O/E	01-2010-26-2902-146	200.00
01/15/14	141024	PRICOOPY	2014 MAINT AGREEMENT-COPY MACHINE	5542	ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-059	1,372.00
01/15/14	141022	PROFESSIONAL INSURANCE ASSOC.	FIREMENS INSURANCE	3453	INSURANCE	01-2010-23-2102-124	8,710.00
12/09/13	132391	REGIONAL COMMUNICATIONS INC.	REPLACED RADIO IN ENGINE 19	4464	RADIO SERVICE & MAINT. O/E	01-2010-25-2762-063	330.88
12/17/13	132404	REGIONAL COMMUNICATIONS INC.	REPAIR 2 CHARGERS	4464	RADIO SERVICE & MAINT. O/E	01-2010-25-2762-063	80.00
01/21/14	141036	REVENUE GUARD	10/13, 11/13 & 12/13-10% AMB. COLLECT.	5487	BD. OF HEALTH	01-2030-27-3302-146	1,688.83
02/01/13	131108	SIRCHIE FINGER PRINT LABS	MISC. SUPPLIES	445	POLICE O/E	01-2010-25-2402-114	24.12
09/11/13	132125	SIRCHIE FINGER PRINT LABS	MISC. SUPPLIES	445	POLICE O/E	01-2010-25-2402-114	32.86
01/13/14	141019	SIWOOD LLC BERGMAN REALTY	TAX COURT JUDGEMENT		TAX COURT JUDGEMENTS	01-2050-00-0000-001	41,881.43
01/23/14	141041	SO BERGEN MUN. JOINT INS. FUND	WORKERS COMP & LIABILITY INSURANCE	131	INSURANCE	01-2010-23-2202-124	211,026.18
01/15/14	141021	STANDARD INSURANCE CO	DECEMBER 2013 DISABILITY INS.	5035	INSURANCE	01-2030-23-2202-069	1,353.46
01/24/14	141057	STANDARD INSURANCE CO	1/14 EMPLOYEE INSURANCE	5035	INSURANCE	01-2010-23-2203-066	1,353.46
04/09/13	131442	STEADYFLOW SERVICES INC.	2013 FLOW METER CALIBRATIONS	5122	SEWER TESTING	01-2010-31-4292-041	1,536.00
01/15/14	141027	TOWNSHIP OF ROCHELLE PARK	INTERLOCAL-FUEL	5292	12/13 FUEL CHARGES	01-2010-31-4622-144	9,618.91
12/24/13	132431	TOWNSHIP OF ROCHELLE PARK	1/1/13 FUEL CHARGES	5292	INTERLOCAL AGREEMENT-FUEL	01-2010-31-4622-144	7,650.99
12/06/13	132396	UNITED COMPUTER	9/13 & 10/13 SYSTEM ADMIN VISITS	3913	ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-133	2,562.50
12/17/13	132406	UNITED COMPUTER	11/13 SYSTEM ADMIN VISITS	3913	ADMINISTRATIVE & EXECUTIVE O/E	01-2010-20-1002-133	750.00
01/23/14	141047	IVAN DINE'S FWD CENTER INC.	LIQUID CALCIUM	1042	MAINT. OF VEHICLES	01-2010-26-3152-071	5,790.00
01/16/14	141033	VERIZON	1/14 FEELESS & DPW PHONE	3502	TELEPHONE	01-2010-26-3102-197	130.87
01/24/14	141056	VERIZON	1/14 BILLING	3506	TELEPHONE	01-2010-26-3102-197	1,507.77
01/21/14	141037	VERIZON WIRELESS	1/7-20/14 CELL PHONES	3514	TELEPHONE	01-2010-26-3102-197	159.78

DATE	PO#	VENDOR	DESCRIPTION	VENDOR #	DEPT.	ACCOUNT	AMOUNT
CURRENT ACCOUNT							
05/03/13	131502	VERIZON WIRELESS	11/13 CELL PHONE-POLICE	3514	POLICE O/E	01-2010-25-2402-057	316.20
05/03/13	131503	VERIZON WIRELESS	11/13 CELL PHONE-POLICE	3514	POLICE O/E	01-2010-25-2402-057	244.50
06/20/13	131794	VINDIAN, INC.	TELECOMMUNICATOR UNIFORMS	1513	POLICE O/E	01-2010-25-2402-274	160.00
07/08/13	131841	VINDIAN, INC.	POLICE SPECIALS UNIFORMS	1513	POLICE O/E	01-2010-25-2522-011	52.05
10/15/13	132261	VINDIAN, INC.	CROSSING GUARD UNIFORMS	1513	POLICE O/E	01-2010-25-2402-274	3,493.35
01/10/14	141017	WILLIAM PHAYRE	REIMB. - WWW.MAYWOODPD.ORD	5420	POLICE O/E	01-2010-25-2402-146	143.40
		CURRENT ACCOUNT TOTAL					2,781,907.38
CAPITAL ACCOUNT							
01/06/14	141007	AAA EMERGENCY SUPPLY	EQUIP. FOR FIRE DEPT.	4273	ORD. 9-13 - VARIOUS PUBLIC IMP.	04-2150-55-9325-006	43,840.30
01/23/14	141049	AJM CONTRACTORS	E HUNTER & SP. VALLEY RD	3046	VARIOUS PUBLIC IMPROVEMENTS	04-2150-55-9625-012	92,543.65
11/18/13	132335	BRAIN SUPPLY INC.	PAVERS FOR DOG & MEMORIAL PARK	5346	9-13 VAR. PUBLIC IMPROVEMENTS	04-2150-55-9625-005	3,554.74
01/08/14	141008	RAINBOW CLEANERS	GEAR CLEANING & REPAIR-FIRE DEPT.	5917	ORD. 9-13 - VARIOUS PUBLIC IMP.	04-2150-55-9325-006	2,000.00
		CAPITAL ACCOUNT TOTAL					139,938.73
01/08/14	141006	RAINBOW CLEANERS	GEAR CLEANING & REPAIR-FIRE DEPT.	5917	ORD. 9-13 - VARIOUS PUBLIC IMP.	04-2150-55-9325-006	-2,000.00
		ADJUSTED CAPITAL ACCOUNT TOTAL					137,938.73
SWIM POOL ACCOUNT							
01/31/13	131089	FIGLIA ELECTRIC	3RD & 4TH QTR 2013 MONITORING	1048	SWIM POOL O/E	05-2010-55-5020-005	375.00
Be it resolved, Mayor and Council are authorized to issue and sign warrants in payment of vouchers of				2,922,221.11			
							
		Mayor Gregg A. Padovano					

CORRESPONDENCE AND REPORT OF THE BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She stated the agenda was revised and an updated copy was distributed to the council file boxes.
2. She stated the audit is on for approval on tonight's agenda, adding a group affidavit must be signed and submitted to the State.
3. She reported we received our annual franchise fee from Cablevision and Verizon.

REPORT OF ADMINISTRATOR

Administrator Stern reported on the following:

1. She reported we are in the midst of the 2013 – 2014 budget roll over which should be completed within another week or so.
2. She stated we have received the Hazard Mitigation Grant we applied for in the amount of \$142,080.00, adding we applied for generators at the DPW, Senior Center and Maywood Avenue School and a lightning detection system at Memorial Park and the swim pool.
3. She stated she met with Neglia Engineering regarding the sewer emergency that occurred on Christmas Day, adding we are going to review and videotape several streets in the borough each year to identify problems and hopefully prevent these types of emergencies.

REPORT OF THE ATTORNEY

Attorney Dario stated he has a report for Closed Session.

COMMITTEE REPORTS

Council member Lindenau reported on the following:

1. He reported the following from the DPW:
 - He gave an overview of the resources used for the January 21 – 24, 2014 snow storm.
 - He stated another one hundred tons of salt has been ordered of which seventy-five tons will be paid for by the County.

- He stated they had difficulty plowing some streets due to parked vehicles and will discuss this further with the police department.
- He stated purchase orders have been submitted for calcium chloride tanks to be retrofitted onto our salt trucks which will enable the salt to be effective for a greater range of temperatures in lieu of the brine system.

Administrator Stern advised the brine system is effective under certain conditions and will still be used.

- He stated in the spring the DPW will be making improvements to the dog park and will remove tree stumps throughout town when the weather breaks.
 - He stated they are putting together a list of equipment the department would like replaced.
2. He stated last week Mayor Padovano, Council member Morrone and he met with the MYAA and girls' softball for their input on improvements to the Memorial Park fields, adding improvements to the war monuments and surrounding landscaping are also needed.

Council member Morrone reported on the following:

1. He stated the March 4, 2014 trip to the Philadelphia Flower show sponsored by the Recreation Department has been sold out.

Council member Eisenberg reported on the following:

1. He stated he attended last Friday's court session with the building inspector where three cases were scheduled and reported the case involving the East Pleasant Avenue property is being resolved, an adjournment was granted for the East Hunter Avenue property and the case regarding the Esplanade property was rescheduled until March 9, 2014.
2. He spoke regarding the amount of time the building inspector spends at the court session and suggested he is called just prior to the case being heard.

Mayor Padovano responded we will speak to the Prosecutor to see if that can be addressed.

Council member Messar reported on the following:

1. He reported the Board of Education work session was cancelled on January 22, 2014 due to a weather emergency and has been rescheduled to January 29, 2014 at 7:00 pm.
2. He reported a School Traffic Safety Meeting was held on January 23, 2014 and was attended by representatives of the Maywood School districts, Police Department and Mayor and Council for the purpose of addressing traffic concerns at both schools.
3. He stated he will be setting up a meeting with the CFO and Auditor in the near future together with all department heads to discuss the upcoming budget.
4. He recognized Administrator Stern for the outstanding job she had done facing this winter's weather challenges.

Administrator Stern reported she has submitted requisitions to repair all six heating units which require re-piping to function properly.

Council member Febre reported on the following:

1. He spoke regarding the importance of keeping fire hydrants clear during and after a snow storm and stated the fire department is asking residents to help keep them accessible. He suggested we include a requirement in our ordinance that homeowners are responsible to keep fire hydrants clear.

A brief discussion ensued amongst the council. Mayor Padovano stated perhaps in conjunction with the fire department we could start an "adopt-a-hydrant" program.

2. He spoke regarding a guest speaker that recently addressed the fire department who suggested placards be placed on new construction buildings to identify lightweight construction which utilizes laminate beams; adding River Edge recently introduced such an ordinance.
3. He spoke regarding an accident that occurred on Saturday involving a pedestrian that was struck while crossing at West Pleasant and Maywood Avenues and recognized Fire Police Captain Thomas Stavola who was first on scene to assist the victim and render first aid.
4. He advised the funeral arrangements for Fire Chief Neumann's will be at Trinka Faustini Funeral Home with visiting hours Wednesday, January 29, 2014 from 2:00 – 4:00 pm and 7:00 to 9:00 pm and the mass will be held at Our Lady Queen of Peace Church on Thursday, January 30, 2014 at 9:30 am followed by burial at Mary Rest Cemetery in Mahwah.
5. He thanked the members of the fire department, fire police and first aid squad for standing by at headquarters during last week's snow emergency.
6. He requested his agenda packet be sent home in lieu of email.

Borough Clerk Pelligra asked members of the council to contact her if they would like to have their council packets delivered on Fridays.

Council member Eisenberg asked if the laminate beams have to be identified in all existing residential and commercial properties or just new construction.

Council member Febre responded we should require it on all new construction.

Council President Ballerini reported on the following:

1. He spoke regarding the School Traffic Safety Meeting which was a joint effort with Mayor Padovano and explained a proposal for a traffic study at Memorial School was received from Neglia Engineering in November and believes it will offer better parking opportunities and traffic flow.

Council President Ballerini stated the School Board is going to take action on traffic patterns within the school properties, adding the Superintendent will be holding a round table discussion and is asking for input from parents and residents.

Council President Ballerini stated traffic safety is a priority and the council is listening to all concerns submitted by our residents; however, this is a community effort and we all have to do our part.

REPORT OF THE MAYOR

Mayor Padovano reported on the following:

1. He congratulated Fire Police Captain Stavola for his actions last Saturday, adding he appreciates his service and the service of all the volunteers in town.
2. He encouraged all citizens to get involved and join the Fourth of July Committee, adding you can contact Borough Clerk Pelligra for further information.
3. He thanked the DPW for their efforts during the last snow storms despite the low temperatures, adding the calcium chloride system should make a big difference with future storms.
4. He stated the annual rabies clinic will be held tomorrow, January 29, 2014 at the Senior Recreation Center from 7:00 pm – 9:00 pm, adding both pet licenses and dog park tags will be available.
5. He stated he is looking forward to the improvements planned for Memorial Park and the municipal swim pool.
6. He stated we are celebrating the 120th Anniversary of the Borough this year and the Historical Committee is planning events including a lecture and bus tour by our town historian.

Mayor Padovano announced today's historical trivia announcement is that Borough Clerk Pelligra is the fourteenth Clerk to serve in Maywood's one hundred twenty year history.

RESIGNATIONS - ACCEPTANCE OF THE FOLLOWING

1. Gary DiZenzo as a member of the Clean Communities Committee effective January 28, 2014.

Council member Ballerini moved the resignation be accepted; seconded by Council member Lindenau; and so carried by unanimous roll call vote.

APPOINTMENTS - APPROVAL OF THE FOLLOWING

1. Anthony Avon as a probationary member of the Maywood First Aid and Emergency Squad effective January 28, 2014.
2. Janet Hollenbeck as a member of the Maywood Historical Advisory Committee for a one year term expiring 12/31/14

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

COUNCIL APPROVAL OF THE FOLLOWING

1. From Maywood Rotary Club Foundation – requesting permission to hold an Off-Premise 50/50 raffle at the Maywood American Legion Post No. 142, 135 E. Passaic Street, Maywood, on March 14, 2014 at 9:00 pm.
2. Approval for the 2014 towing license from All Points Towing, Belfi’s Towing, Rochelle Park Auto Body and Rochelle Park Towing
3. Approval for the American Legion to Chair the July 4th program for 2014.

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

RESOLUTIONS BY TITLE - CONSIDERATION OF THE FOLLOWING

RESOLUTION # 34-14
CERTIFICATION OF 2012 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 40A:5-7 and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidenced by the group affidavit of the local Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the Local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.) or imprisoned for not more than one year, or both, in addition shall forfeit his office".

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey hereby accepts the Corrective Action Plan as prepared by the Chief Financial Officer.

RESOLUTION # 35-14

A RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF LAPTOP COMPUTERS AND ACCESSORIES FOR THE MAYWOOD POLICE DEPARTMENT WITH FUNDS FROM THE D.E.A. ACCOUNT

WHEREAS, a need exists within the Borough to purchase three Panasonic toughbook laptops with warranty, protection plan and accessories for the Maywood Police Department; and

WHEREAS, the cost of such computers and accessories is estimated to be below the bid threshold of \$36,000, but in excess of \$5,400, being 15% of the bid threshold; 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 Section 9-7 of the Code of the Borough of Maywood, purchases in excess of \$7,500 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 three Panasonic toughbook laptops with warranty, protection plan and accessories for use of the Maywood Police Department in the sum of \$13,062.24, payable to GTBM, Inc. 351 Paterson Avenue, P.O. Box 305, East Rutherford, NJ 07073, pursuant to the price quotations received from GTBM, Inc., whose response was most advantageous to the Borough, price and other factors considered.

RESOLUTION #36-14
A RESOLUTION SUPPORTING THE BERGEN COUNTY MUTUAL AID PLAN AND
RAPID DEPLOYMENT FORCE IN THE BOROUGH OF MAYWOOD, COUNTY OF
BERGEN, STATE OF NEW JERSEY

WHEREAS, the Police Departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

WHEREAS, law enforcement officials also have a responsibility to provide for preparedness against natural emergencies such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, this plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. APP. A: 9-40.6, and

WHEREAS, this plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Maywood to participate in mutual aid plan and rapid deployment force in accordance with the plan as submitted by the Bergen County Chief's Association.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood that the Police Department of the Borough of Maywood under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an interlocal services agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the County Executive, the Board of Chosen Freeholders, and the County Prosecutor.

RESOLUTION # 37-14
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF MAYWOOD AND BOROUGH OF HASBROUCK
HEIGHTS FOR THE SHARING OF SERVICES OF
THE HASBROUCK HEIGHTS PISTOL RANGE

WHEREAS, N.J.S.A. 40A:8A-1 *et seq.*, the "Interlocal Services Act," authorizes agreement between municipalities for the provision by one to the other of any services that one may lawfully provide on its own; and

WHEREAS, the Borough of Maywood seeks the use of the pistol range used by the Hasbrouck Heights Police Department for the training of and practice by officers of the Maywood Police Department and the governing bodies of the Boroughs of Hasbrouck Heights and Maywood deem it to be in the best interests of the people in their respective communities to enter into such an agreement for sharing the use of the small arms firing range located and maintained by the Borough of Hasbrouck Heights;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that:

1. There is hereby authorized an agreement with the Borough of Hasbrouck Heights for the use of the pistol range used by Hasbrouck Heights Police Department for the training of and practice by officers of the Maywood Police Department, all under the control of the Chief of Police of the Borough of Hasbrouck Heights or his designees. The term of said agreement shall be for the calendar years 2013 and 2014 and said agreement may be extended annually thereafter for

additional calendar years as herein after provided upon the agreement of the parties to do so by mutual resolutions adopted prior to termination.

2. Nothing contained herein shall be construed to grant to any officer or officials of the Borough of Maywood any control or direction over any officials or personnel of the Borough of Hasbrouck Heights or obligate the Borough of Hasbrouck Heights to acquire any new or additional facilities or equipment or otherwise incur any additional cost or expense except as it may be so obligated in relation to the operation or maintenance of the facility in connection with its use by the Police Department of the Borough of Hasbrouck Heights.
3. In consideration of such service, the Borough of Maywood shall pay to the Borough of Hasbrouck Heights the sum of \$500.00.
4. The more specific terms of said agreement shall be as deemed suitable to the Borough Administrator and Chief of Police and the form thereof shall be subject to approval by the Borough Attorney; upon the determination thereof, the appropriate officers and officials be and are hereby authorized and directed to execute the same.
5. A copy of the said agreement, upon execution, shall be placed on file in the office of the Borough Clerk and shall be available for inspection during regular business hours thereof.

RESOLUTION # 38-14
A RESOLUTION RATIFYING AND CONFIRMING THE REPAIRS TO THE ROOF
AT THE PUBLIC WORKS GARAGE

WHEREAS, a need exists within the Borough to repair the roof at the Department of Public Works garage located at 205 East Hunter Avenue; and

WHEREAS, the cost of such repairs which include the installation, labor, materials, and cleanup is estimated to be below the bid threshold of \$36,000, but in excess of \$5,400, being 15% of the bid threshold; and

WHEREAS, the Borough Administrator had solicited and received price quotations; and

WHEREAS, pursuant to Section 9-7 of the Code of the Borough of Maywood, purchases in excess of \$7,500 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 purchase, and to sign and issue purchase orders for the roof repair, installation, labor, materials and clean up at 205 East Hunter, Department of Public Works Garage for the sum of \$ 14,985.00, payable to Jay-Cue Construction Company, 1314 8th Street, North Bergen, NJ 07047, pursuant to the price quotation received from Jay-Cue Construction Company, whose response was most advantageous to the Borough, price and other factors considered.

RESOLUTION # 39-14
EMPLOYEE REIMBURSEMENT OF PERSONAL VEHICLE USE

WHEREAS, Borough of Maywood Code Chapter 52 entitled "Personnel Policies" provides for personnel policies of all employees of the Borough of Maywood. Subchapter 69 of Chapter 52 provides for reimbursement to Borough employees for the use of personal vehicles on Borough Business; and

WHEREAS The Internal Revenue Service annually issues optional standard mileage rates used to calculate the deductible costs of operating an automobile for business, charitable, medical or moving purposes; and

WHEREAS, the Mayor and Council of the Borough of Maywood desires to adhere to the current mileage reimbursement rates established by the Internal Revenue Service and suspend any conflicting

provision of section "A" of § 52-69 for reimbursement of personal vehicle use for all officers and employees of the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that personal vehicle use for all officers and employees of the Borough of Maywood comply with the mileage reimbursement rates established by the Internal Revenue Service and to suspend any conflicting provision of section "A" and do hereby authorize the Borough Attorney to prepare the amending ordinance to remove any conflicting policy from Chapter 52 of the code of the Borough of Maywood.

BE IT FURTHER RESOLVED, that a copy of the within resolution shall be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Maywood; and

RESOLUTION # 40-14

RESOLUTION GRANTING THE RIGHT TO THE UNITED STATES ARMY CORPS OF ENGINEERS A RIGHT-OF-ENTRY WITHIN THE WEST HUNTER AVENUE RIGHT-OF-WAY IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, the Borough of Maywood has been requested by the United States Army Corps of Engineers a right of entry for the property commonly referred to as "within the right-of-way along West Hunter Avenue," for the purposes of testing, studying and/or remediating any radiological and chemical contamination of soil and as part of the remedial activities under the **Formerly Utilized Sites Remedial Action Program ("FUSRAP")** by the **UNITED STATES OF AMERICA**; and

WHEREAS, it is in the best interest of the Borough to permit the Army Corps to perform their duties as part of the remedial activities under **FUSRAP**; and

WHEREAS, an agreement having been drafted between the Borough of Maywood and the government of the United States of America for such entry and to perform such work as may be necessary and incident to implementation of **FUSRAP** for a period not to exceed six (6) months.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, State of 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 **UNITED STATES OF AMERICA** for a right of entry on and to perform such work as may be necessary and incident to implementation of **FUSRAP** on the property commonly referred to as "within the right-of-way along West Hunter Avenue" for a period not to exceed six (6) months in accordance with the terms of the agreement entitled "**DEPARTMENT OF THE ARMY, U.S. ARMY CORPS OF ENGINEERS, REAL ESTATE RIGHT-OF-ENTRY**", 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 pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Maywood.

RESOLUTION # 41-14

RESOLUTION TO GRANT TO THE CLERK OF THE BOROUGH OF MAYWOOD EMERGENT POWER TO EXECUTE REQUISITIONS TO PURCHASE AND PURCHASE ORDERS IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, the execution of financial instruments and authorization of requisitions to purchase and purchase orders on behalf of the Borough of Maywood is, in part, the purview and responsibility of the Borough of Maywood Borough Administrator in accordance with the Borough Ordinances; and

WHEREAS, the Mayor and Council of the Borough of Maywood desire to grant to the Clerk of the Borough emergent powers to execute requisitions to purchase and purchase orders on behalf of

the Borough of Maywood in place of the Borough Administrator in the event that the Borough of Maywood Administrator is unavailable for more than forty eight (48) hours.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey the Borough Clerk is hereby authorized to execute requisitions to purchase and purchase orders on behalf of the Borough of Maywood in the event that the Borough of Maywood Administrator is unavailable for a period of more than forty eight (48) hours.

BE IT FURTHER RESOLVED, that a copy of the within resolution shall be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Maywood; and

RESOLUTION # 42-14

RESOLUTION OF SUPPORT BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Maywood strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Maywood is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

WHEREAS, the Borough is seeking grant funding to provide an irrigation system for the Maywood Community Garden and Tree Farm;

THEREFORE, the Mayor and Council of the Borough of Maywood has determined that the Borough of Maywood should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Maywood, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Mayor Padovano spoke regarding Resolution #40-14 and referenced the right-of-way granted last year to the Army Corps of Engineers for the Memorial Park property near Grant Avenue, adding their findings came back indicating nothing was found in that area.

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

INTRODUCTION OF ORDINANCES

NONE

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

CLOSED SESSION - IF APPLICABLE

Council member Ballerini made a motion to go into Closed Session; seconded by Council member Eisenberg - All in favor.

BOROUGH OF MAYWOOD
Closed Session Resolution #43-14

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; Personnel

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

Date of Passage: 1/28/2014 Time: 8:25 pm

Council member Febre made a motion to return to the regular order of business; seconded by Council member Eisenberg - All in favor.

Mayor Padovano read Resolution #44-14.

RESOLUTION # 44-14

RESOLUTION CONFIRMING THE APPOINTMENT OF DONALD RUSSELL AS A SUPERVISOR WITHIN THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF MAYWOOD

WHEREAS, the Mayor and Council have created a position of Supervisor within the Department of Public Works of the Borough of Maywood; and

WHEREAS, subject to Council confirmation, the Mayor has appointed Donald Russell to such position; and

WHEREAS, the Mayor and Council hereby ratifies and confirms the appointment of Donald Russell to the position of Supervisor within the Department of Public Works of the Borough of Maywood upon the terms and conditions of this appointment are memorialized in a "Memorandum of Understanding" between the parties and said agreement has been discussed among the Mayor and Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, Bergen County, New Jersey, as follows:

1. Effective upon the adoption of this resolution Donald Russell is hereby appointed as a full-time employee to the position of Supervisor within the Department of Public Works of the Borough of Maywood at an annual salary in accordance with the current salary ordinance.
2. The Supervisor shall perform such duties as may be in place and regulated by the Mayor and Council and or assigned by the Borough Administrator.
3. A Memorandum of Understanding between parties shall be completed as authorized by this resolution.

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

ADJOURNMENT

Council member Morrone moved the meeting be adjourned; seconded by Council member Febre and so carried at 9:30 pm.

Borough Clerk