

COUNCIL MEETING
DECEMBER 17, 2019

Borough Clerk Barbara Dispoto calls the December 17, 2019 Council Meeting of the Mayor and Council to order at 7:38pm.

INVOCATION BY Reverend Doctor Bessie Duncan from Unity Church of Christ and Lay Pastor Betty Fetzter from First Presbyterian Church

SALUTE TO THE FLAG

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Whereas on January 3, 2019, 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 2019 which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, and The Community News 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.

ROLL CALL

Members of the Governing Body present: Mayor Febre, Council members Bennin, Bolan, Gervino, Ullman, Gervino, Lindenau and Garofalow. Also present were Borough Attorney Brian E. Eyerman, Borough Administrator Roberta Stern and Borough Clerk Barbara Dispoto.

WORK SESSION ITEMS – items on or off agenda

NONE

PROCLAMATIONS, PRESENTATIONS, ETC.

Presentation to Mayor Adrian Febre – Mayor-Elect Richard Bolan presented to Mayor Febre’s wife a bouquet of flowers and a plaque to Mayor Febre which thanked him for all his years of service. The Mayor-Elect further read a proclamation which name Mayor Febre as Mayor Emeritus.

Presentation to Councilman Michael Gervino – Mayor-Elect Richard Bolan presented Councilman Gervino’s wife with a bouquet of flowers and a plaque to Councilman Gervino which thanked him for all his years of service to the Borough of Maywood.

Presentation to Councilman Thomas Lindenau – Mayor-Elect Richard Bolan presented Councilman Lindenau’s wife with a bouquet of flowers and a plaque to Councilman Lindenau which thanked him for all his years of service to the Borough of Maywood.

Mayor Febre presented William Jerlinski with a proclamation for all his work in decorating the Borough for all the different holiday seasons.

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

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

Frank Messar, Cedar Avenue, complimented the Council on tonight's presentations and thank all of the outgoing councilmen and Mayor for keeping Maywood the nice little town he fell in love with 20 years ago.

John Brown, Stelling Avenue, inquired about Resolution 224-19 which is listed on the agenda.

Betty Fetzer, Town Historian, stated she will be attending the Re-Org meeting to present a check to the Borough from Lydecker Manor. She further inquired if the new bus would be handicap accessible.

Frank Cilento, BOE Liaison, discussed the feasibility study and the support letter from the Council, he further thanked them as a whole for their support and everything they have done for the community.

Judge Gregg Padovano thanked the outgoing Mayor and Councilmen for all they have done for the community.

PUBLIC HEARING ON PENDING ORDINANCES - ADOPTION OF ORDINANCES

ORDINANCE # 23-19

**AN ORDINANCE REVISING CHAPTER 305 OF THE BOROUGH CODE GOVERNING
TOWING WITHIN THE BOROUGH**

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, the Mayor and Council of the Borough of Maywood has recognized a need to revise Chapter 305 of the Borough code to revise the practice of vehicle towing and the resulting vehicle storage within the Borough.

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

Section 1: That the chapter 305 entitled "Towing Services" is stuck in its entirety and replaced with the following and shall now read as:

Chapter 305: Towing and Storage of Vehicles.

§ 305-1 Purpose and scope.

- A. N.J.S.A. 40:48-2.49 authorizes the Borough to regulate the business of removal and storage of motor vehicles and to set rates and charges for the same.
- B. The Borough of Maywood seeks to exercise the authority conferred by the aforementioned statute and adopts this chapter establishing minimum requirements for a towing contractor to provide services and/or vehicle removal and/or impoundment and/or storage of vehicles when determined necessary by the Borough of Maywood Police Department.
- C. The provisions of this chapter shall not apply to the towing of a motor vehicle from private property. Towing from private property is governed by regulations set forth in N.J.A.C. 13:45A-31.6 and pursuant to § 305-4.

§ 305-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ABSORBENT — A granulated or powdered substance used to soak up fluids used in the operation of motor vehicles. A bag or container of absorbent will be defined as weighing 50 pounds.

ADMINISTRATIVE CHARGES — Charges for post-accident services, including but not limited to services such as physical inspection, telephone and/or fax calls, removal of personal items, additional paperwork and more than three trips to the motor vehicle in storage.

BASIC ENVIRONMENTAL CLEANUP — The cleanup and removal of small quantities of fluids used in the operation of a motor vehicle which leak onto the ground.

BASIC TOW — Arriving at the site from which a motor vehicle will be towed, hooking a motor vehicle to, or unloading a motor vehicle onto a tow truck, transporting a motor vehicle to a storage facility, unhooking or unloading a motor vehicle from a tow truck and situating the motor vehicle in the space in which it will be stored.

BASIC TOWING SERVICE — The towing of a vehicle or the removal and transportation of a vehicle from a highway, street or other public or private property.

CHIEF OF POLICE — The highest ranking sworn officer within the Borough of Maywood Police Department.

CONSENSUAL TOWING — The towing of a motor vehicle, when the owner or operator of the motor vehicle has consented to have the towing operator tow the motor vehicle.

CRUISING — The operation of a tow truck within the Borough of Maywood to solicit vehicle towing, emergency road service and/or other related towing services unless in response to a police request.

DECOUPLING — Releasing a motor vehicle to its owner or operator when the motor vehicle has been, or is about to be, hooked to or lifted by a tow truck, but prior to the motor vehicle actually having been moved or removed from the property.

DISABLED VEHICLE — A motor vehicle which has been abandoned or rendered inoperable by mechanical failure or accident. Any motor vehicle, operable or inoperable, which constitutes a hazard to the motoring public by its location shall be deemed disabled for the purposes of this chapter.

EMERGENCY ROAD REPAIR SERVICE — Repairs which may be performed at the location of a disabled vehicle, including, but not limited to, flat tire changing, jump-starting, gasoline deliveries, etc.

EXAMINATION AREA — An unobstructed, flat, forty-foot-by-twenty-five-foot area where a vehicle can be placed when needed for inspection by the police.

HEAVY-DUTY WRECKER — A tow truck with dual rear wheels and air brakes capable of towing and wheel lifting large vehicles damage-free and which meets the following minimum requirements:

- A. Gross vehicle weight (GVW): 35,000 pounds minimum.
- B. Gross vehicle weight rating (GVWR): 80,000 pounds.
- C. Boom and winch rating: 50,000 pounds minimum or 25 TON rating.
- D. Cable size: 5/8 inch.
- E. Cable length: 200 feet.
- F. Under-reaches rating: 80,000 pounds.
- G. Wheel lift extended rating: 12,000 pounds.

IMPOUNDMENT — The storage of a motor vehicle upon the order of the Police Department at either the towing operator's storage area or at a Borough facility as a result of abandonment, involvement in an accident, suspected criminal activity and/or any violation of Title 39 of the New Jersey Statutes or municipal ordinances.

LICENSED WRECKER/TOW TRUCK — Any wrecker/tow vehicle licensed pursuant to the provisions of this chapter.

LICENSEE — Any person, firm, partnership, association, corporation, company or organization of any kind that has been issued a license by the Borough, pursuant to this chapter, to provide wrecker/towing services to the Borough.

LIGHT-DUTY WRECKER — A tow truck with dual rear wheels capable of towing or wheel lifting vehicles which meets the following minimum standards:

- A. GVW: 14,000 pounds.
- B. Boom rating: 8,000 pounds.
- C. Winch rating: 8,000 pounds.
- D. Cable size: 3/8 inch.
- E. Cable length: 100 feet.
- F. Wheel lift retracted rating: 6,000 pounds.
- G. Extended rating: 3,000 pounds.

LOADED MILE — Distance in miles that a tow vehicle travels while towing a vehicle.

MEDIUM-DUTY FLATBED — A vehicle carrier equipped with a wheel lift and roll back/tilt bed with dual wheels capable of removing and transporting small trucks, full-size vans or large passenger cars damage-free and which meets the following minimum requirements:

- A. GVW: 18,000 pounds.
- B. Winch rating: 8,000 pounds.
- C. Cable size: 3/8 inch.
- D. Bed length: 17 feet.
- E. Bed width: seven feet (inside side rails).
- F. Wheel lift retracted rating: 6,000 pounds.
- G. Wheel lift extended: 3,000 pounds.

MEDIUM-DUTY WRECKER — A tow truck with dual rear wheels capable of towing and wheel lifting small trucks damage-free and which meets the following minimum requirements:

- A. GVW: 18,000 pounds.
- B. Boom rating: 16,000 pounds.
- C. Winch rating: 16,000 pounds.
- D. Cable size: 3/8 inch.
- E. Cable length: 200 feet.
- F. Wheel lift retracted rating: 6,000 pounds.
- G. Extended rating: 3,000 pounds.

MOTOR VEHICLE — All vehicles propelled other than by muscular power, excepting such vehicles as run only upon rails and tracks and motorized bicycles, motorized scooters, motorized wheelchairs, and motorized skateboards.

NONCONSENSUAL TOWING — The towing of a motor vehicle without the consent of the owner or operator of the vehicle. Nonconsensual towing includes towing of a motor vehicle when law enforcement orders the motor vehicle to be towed, whether or not the owner or operator consents.

ORDINARY CARE — That care which is normally used to protect a motor vehicle from further damage, including but not limited to the use of tarps for environmental protection and security protection for storage areas.

OUTSIDE SECURED STORAGE FACILITY — Any motor vehicle storage facility that is not located within an enclosed structure and that conforms to the following minimum standards:

- A. The entire land area shall be enclosed by a fence of sturdy construction, a wall or other manmade barrier that is at least seven feet in height, with a minimum of one lockable gate for ingress and egress, in accordance with local zoning regulations.
- B. All entry points shall have a locking device.
- C. The area shall have adequate lighting to protect stored vehicles from vandalism.
- D. The towing operator shall submit proof that he owns or leases an area within an area of 1.5 miles from 15 Park Avenue, Maywood New Jersey (Borough Hall). Said proof shall include the deed or deeds to the property or the leases to the same. The towing operator shall submit proof of local zoning compliance for use of the storage facility.

OWNER — A person, firm, corporation or partnership who owns and/or operates a motor vehicle on the roads and highways within the Borough of Maywood.

PERSON — Any natural person, firm, partnership, association, corporation, company or organization of any kind.

POLICE — The Borough of Maywood Police Department.

PRINCIPAL LOCATION — The licensed place of business of the towing operator. The towing operator shall maintain a place of business where trucks, in response to police requests, are normally kept. The principal location must be open to the public, between 8:00 a.m. and 6:00 p.m. at least five days per week and the principal location shall contain a clean, comfortable waiting area with toilet facilities.

PRIVATE PROPERTY TOWING — The nonconsensual towing from private property or from a storage facility of a person's motor vehicle that is parked illegally, parked during a time at which such parking is not permitted, or otherwise park without authorization or immobilization of, or preparation for moving or removing of such motor vehicle to which a service charge is made, either directly or indirectly.

RECOVERY — The procedure in which the tow operator applies his knowledge in a skillful manner to preserve the condition of the motor vehicle while moving the vehicle to a towable position; can be achieved by several actions that may include but are not limited to winching and rigging.

ROADWAY CLEANUP — The sweeping and removal of all debris left on the roadway as a result of an accident or incident.

ROTATING LIST — The list of towers prepared by the Chief of Police from which, each week, the on-duty tower for the week is designated.

SITE CLEANUP — The use of absorbents to soak up any liquids from a motor vehicle at the site from which the motor vehicle will be towed and sweeping and removal of all debris left on the roadway as a result of an accident or incident.

STORAGE DAY — Any twenty-four-hour day or any portion thereof, with a new day beginning at 12:00 midnight.

STORAGE SERVICES — The storage and/or holding of vehicles indoors or outdoors by a licensee under the authority of this chapter.

TARPING — Covering a motor vehicle to prevent weather damage.

TOWING OPERATOR — A person, firm, corporation or partnership engaged in the business of providing towing, road service and storage services for motor vehicles.

UNCLAIMED VEHICLE — Any vehicle towed by a licensed tower pursuant to this chapter that is left unclaimed for a period in excess of seven calendar days.

UNLOADED MILE — Distance in miles traveled by a tow vehicle to a disabled vehicle or the distance in miles traveled by a tow vehicle after dropping off a vehicle out of town at the customer's request.

VEHICLE — Every device in or upon or by which a person or property is or may be transported upon a highway, except devices moved by human power.

WAITING TIME — Additional time that a tow operator spends at the scene, other than the time required for the actual tow and/or recovery. Examples of waiting time may include but are not limited to emergency medical services (EMS) which must be performed and/or police investigations.

WINCHING — The process of moving a motor vehicle, by the use of chains, nylon slings or additional links of winch cable, from a position that is not accessible for direct hookup for towing a motor vehicle. Winching also includes recovering a motor vehicle that is not on the road, and righting a motor vehicle that is on its side or upside down, but does not include pulling a vehicle onto a flat bed tow truck.

WINDOW WRAP — Any material used to cover motor vehicle windows that have been damaged.

WRECKER/TOW TRUCK A vehicle driven by mechanical power and employed for the purpose of towing, transporting, conveying, recovering or removing any and all kinds of motor vehicles which are unable to be and actually are not operated under their own power from the place where they are disabled to some other place, or any vehicle(s) which the Police Department has ordered to be impounded. A tow vehicle must be manufactured by a tow-truck manufacturer that is nationally recognized by the towing industry.

YARD CHARGE — A charge for a motor vehicle, towed into the storage facility of the licensed tower that is inoperable and must be towed from the licensed tower's storage facility to a public street for towing by a secondary tower.

§ 305-3 Licensing required.

- A. Towing operators meeting the qualifications set forth below shall yearly submit an application, in writing, to the Borough Clerk to be considered for placement on a rotating list of towing operators. There shall be a minimum of two (2) towers on the list per calendar year. A new list is compiled every year. All applicants wishing to be on the list must apply every year.
- B. All applicants for a towing license, in order for the application to be deemed complete, must provide the following:
 - (1) The complete legal business name, business address, principal location address and Department of Transportation (DOT) number.
 - (2) The complete home address, home telephone number, date of birth and social security number of the applicant, if a sole proprietorship, or the complete home addresses, home telephone numbers, dates of birth and social security numbers of the principal officers and partners if the licensee is a corporation or partnership.
 - (3) Photocopies of all registrations of every tow vehicle to be operated by the applicant. If the tow vehicle is leased, the applicant is required to submit a copy of the lease agreement.
 - (4) The names, addresses and telephone numbers of any persons possessing any liens and/or encumbrances on the principal location.
 - (5) The name, address and telephone number of the applicant's insurance carrier and photocopies of each certificate of insurance issued by the carrier.
 - (6) Photocopies of all towing vehicle operators' current driver's licenses, their social security numbers and a drivers license abstract
 - (7) Photocopies of criminal and civil background searches for all towing vehicle operators'.
 - (8) Evidence demonstrating that the applicant has at least five years of personal experience in the field of towing and storing of vehicles.
 - (9) Proof that the applicant has a principal location within 1.5 miles of 15 Park Avenue, Maywood New Jersey.

- (10) Proof that the applicant's principal location meets all zoning requirements applicable to the jurisdiction in which it is located.
- (11) Proof that the applicant can guarantee a fifteen (15) minute response time on all calls with the exception of delays caused by unexpected traffic or unusual conditions.
- (12) The applicant shall provide an affidavit that the information given in the application is true and correct.
- (13) The applicant shall provide an agreement that, upon issuance of a license, the licensee shall indemnify and hold harmless the Borough of Maywood, its agents, servants and/or employees from and against all claims of a third party relating to the towing and/or storage service of the licensee.
- (14) Applications will be processed according to the order in which they were filed with the Borough Clerk.

§ 305-4 Exceptions.

- A. Owner required service. No license shall be required for the on-site repair and/or towing or storage of any vehicle when the request is received by the towing operator from the owner prior to a police request or if the owner or operator of a vehicle requests the police contact a tow company of his choice.
- B. Towing from private property. No license shall be required by the police to tow any vehicle from private property without the consent of the owner except on the express instruction of the police in the event of an emergency.

§ 305-5 Application fee.

All yearly applications shall be accompanied by a nonrefundable fee of \$500 payable to the Borough of Maywood. The application fees are in addition to any fee for criminal background checks required in in this chapter as well as any other fees required by this chapter. Said fees are in addition to the license fees as set forth in this chapter

§ 305-6 Investigation and inspection by police.

- A. Applications received by the Borough Clerk shall be referred to the Chief of Police within five business days of receipt. The Chief of Police or his designee shall initiate an investigation to be made of the applicant and of its proposed business operation and shall perform inspections of the vehicles to be licensed.
- B. As part of the Chief of Police's investigation of the license application, criminal and civil background checks on all persons listed in the application will be reviewed.
- C. The licensee and all employees must be trustworthy in that the licensee must safeguard vehicles and personal property belonging to others as well as secure and protect evidence when a vehicle is impounded by the police due to an accident investigation or criminal activity. Therefore, to protect the public interest, the Borough may disqualify any applicant wherein an employee, owner, principal, agent and/or officer has been convicted of a crime involving moral turpitude or excessive moving violations or a substantial violation under this chapter.
- D. The Chief of Police shall, within fourteen (14) days after the receipt of the completed application, complete the investigation and inspection and submit a written report to the Borough Clerk. The report shall include recommendations that the applicant be accepted or denied.
- E. The licensee shall notify the Borough Clerk in writing of any criminal charges, motor vehicle offenses or ordinance violations that are issued against the licensee or its employees during the term of the license. Failure to make the proper notification to the Borough Clerk may result in the revocation of the license.
- F. If a towing company charges a consumer a fee for a private property or other nonconsensual towing service that is disputed by the consumer, the parties shall make a good faith effort to resolve the dispute with the Police Department. If the parties are unable to resolve the dispute, the complaint may be forwarded to the Director of the New Jersey Division of Consumer Affairs, who shall make a determination as to whether or not the fee is unreasonable under N.J.A.C. 13:45A-31.5. The Director may order the towing company to reimburse the consumer for an amount equal to the difference between the charged fee and a reasonable fee, plus interest.

§ 305-7 Issuance of licenses; fees; term of license.

- A. Upon written notification by the Chief of Police to the Borough Clerk that an application has been reviewed and the Police investigation has been completed, the Borough Council shall at a public meeting, consider the issuance of a license.
- B. In addition to the application or renewal application fees set forth in this chapter the yearly license fee shall be \$500, payable to the Borough of Maywood.
- C. Upon approval by the Borough Council, the Borough Clerk of the Borough of Maywood shall issue a license to the licensee pursuant to this chapter.
- D. All towing licenses will be issued for a period of one year beginning January 1 of each year and expiring on December 31. Applications for license and license renewal are to be completed and returned to the Borough Clerk by November 1 of each year for a license for the following calendar year. Licenses or renewals filed after December 1 will not be accepted for the following calendar year.
- E. Licenses are the property of the Borough of Maywood and may not under any circumstances be assigned, leased, shared, transferred or sold to another person, corporation or proprietorship.
- F. Upon the issuance of the license, the licensee may during the term of the license advertise and place on his equipment that the licensee is an authorized police tower for the Borough of Maywood.
- G. The licensee shall respond to a call from the Maywood Police Department with a tow truck at the scene within 15 minutes of receiving the call. Failure to respond within 15 minutes on two or more calls shall be grounds for revocation or nonrenewal of the license.

§ 305-8 Rotating list; cruising prohibited.

- A. The towing operator must be able to provide, 24 hours a day, seven days a week, towing services for the Borough, on a rotating basis, at the direction of the Chief of Police or his designee.
- B. The Chief of Police or his designee shall assign call-out weeks from the rotating list. A tower that wishes to change his assigned week due to vacation or conflict may do so with the approval of the Chief of Police or his designee.
- C. The Chief of Police or his designee shall prepare two lists:
 - (1) Light-duty/medium-duty towing and recovery.
 - (2) Heavy-duty towing and heavy recovery.
- D. The on-duty tower shall be called for the removal and storage of the disabled vehicle. In the event that the on-duty tower is unable to respond to calls or to respond in a timely manner due to unusual conditions, the next tower on the rotating list shall be called.
- E. Cruising by a towing company's vehicles is not permitted.

§ 305-9 Enforcement; Revocation of license.

- A. Enforcement.
 - (1) All complaints received by the Borough regarding a towing operator's performance under the provisions of this chapter shall be investigated by the Chief of Police or his designee and resolved to the satisfaction of all parties. In the event that the complaint cannot be resolved to the mutual satisfaction of the parties, the matter shall be submitted to the Business Administrator or his designee. The decision of the Business Administrator or his designee shall be final.
 - (2) The towing operator shall at all times comply with this chapter, or the Borough shall remove the towing operator from the rotating list after written notification from the Police Department and an opportunity for a hearing conducted by the Business Administrator.
 - (3) The Chief of Police is hereby designated to enforce the provisions of this chapter in accordance with due process of law.
 - (4) The Chief of Police shall investigate and keep, and maintain for a period of five years, a record of all complaints that are received regarding the provisions set forth in this chapter.
- B. Revocation of license.
 - (1) The Chief of Police shall have the right to suspend any license issued under this chapter upon the determination that there have been two violations of the licensed towing company guidelines and regulations.

- (2) The Chief of Police shall be the sole administrator of this list, and any violations or complaints concerning any licensed tow truck company shall be addressed to the Chief of Police.
- (3) Any license suspended shall cause the company to be removed from the list for one year from the date of the suspension. The licensed tow company which has been suspended may reapply to be on the rotating list on January 1 of the year after the suspension has been lifted.
- (4) The Chief of Police has the authority to suspend any license at any time for criminal activity, Title 39 violations or any violation(s) of this chapter. When a license is suspended, the Chief of Police shall forward a full report to the Mayor and Council within 15 business days after said suspension. If the licensee objects to the determination of the Chief of Police, the licensee may request a hearing before the Council. The licensee must notify the Borough Clerk in writing of a request for a hearing within 20 days of the suspension notice issued by the Chief of Police. The Council, at the conclusion of the hearing, may affirm or reverse the decision of the Chief of Police.
- (5) The Chief of Police may inspect any or all licensed wreckers at any time. If at any time the Chief of Police finds the equipment inadequate or unsafe, the Chief of Police may demand immediate correction and suspend the wrecker license until such time as the violation is corrected. Once a wrecker license is suspended, all identifiers listing the wrecker as a Borough of Maywood police wrecker shall be removed from the wrecker by the licensee.

§ 305-10 Equipment requirements.

- A. The equipment to be used by the towing operator shall meet the following requirements:
 - (1) All equipment must be of the type, condition and design to efficiently perform the work required by the Borough of Maywood.
 - (2) A licensee, when filing an application and at all times while holding a license under this chapter, shall own or lease for use in performing the services required by the license the following pieces of equipment
 - (a) Regular wrecker service: a minimum of two (2) trucks (two flatbed tow trucks and one wrecker).
 - (b) Heavy-duty wrecker service: a minimum of one heavy-duty wrecker. It shall not be a requirement that each operator maintain a heavy-duty wrecker. Only those operators that maintain a heavy-duty wrecker in addition to the regular wrecker service equipment shall be placed on the heavy-duty wrecker call-out list.
- B. The following safety equipment shall be carried on all towing trucks:
 - (1) Chains and tie-downs to secure vehicles.
 - (2) A snatch block.
 - (3) An auxiliary safety light kit to be placed on the rear of a towed vehicle that does not have functioning taillight flashers.
 - (4) Rotating amber emergency lights mounted on top of truck. (A state-issued permit is required and must be in the truck.)
 - (5) Two white work lights facing from the rear of the truck.
 - (6) One shovel and broom.
 - (7) Fifty pounds of absorbent.
 - (8) Jumper cables or a jump box.
 - (9) A steering wheel tie down.
 - (10) A toolbox with assorted hand tools normally used to conduct emergency roadwork and towing.
 - (11) Two reflectorized traffic safety vests.
 - (12) One five-pound A-B-C-rated dry powder fire extinguisher.
 - (13) One flashlight.
- C. A reflectorized traffic safety vest shall be properly worn as the outside garment by all employees performing work while on a roadway, 24 hours a day.
- D. The towing operator shall provide all trucks with a shovel, broom and other equipment necessary to clean up broken glass and debris from the scene of any accident to which they are summoned. The towing operator shall be responsible for the subsequent cleanup. Each truck shall have a minimum of 50 pounds of absorbent for oil and/or any other liquid, except gasoline, that might be spilled onto a roadway as a result of an accident. If gasoline

is spilled as a result of any accident, it shall be the responsibility of the Police Department to notify the Fire Department for immediate removal. Absorbed liquids, other than gasoline, shall be removed from the roadway by the tower, placed in plastic bags and then placed in the towed vehicle by the towing operator and shall be disposed of by the owner of said vehicle. The towing operator may charge a fee as set forth in the Borough of Maywood Fee Ordinance.

- E. All trucks used by the towing operator shall be kept in a clean, good-working condition. The towing operator shall have displayed on all of his trucks in such a manner and of such lettering as conforms to the provisions of N.J.S.A. 39:4-46.
- F. Each towing operator shall furnish the following information with respect to the aforementioned trucks: the make, model, year and registration number of each truck and the DOT number. A photocopy of each registration and insurance card shall also be included. For leased trucks, the towing operator shall be required to furnish a copy of each lease. Only trucks listed shall be used by the towing operator.

§ 305-11 Storage facility requirements

The towing operator shall have a storage facility that meets the following requirements:

- A. The outside storage facility used for storage of vehicles shall be paved or stoned.
- B. The outside storage facility shall provide a minimum of 3,000 square feet of storage space.
- C. All storage facilities shall be located within 1.5 miles of 15 Park Avenue, Maywood, NJ.
- D. Signs which readily identify the storage facility and which comply with all applicable laws and local zoning regulations shall be installed.
- E. No towed vehicle shall be parked upon a public or private street or sidewalk. Said vehicle shall be stored by the towing operator within the licensed storage area so provided.
- F. The entire outside storage area shall be enclosed by a fence or sturdy construction, a wall or other manmade barrier that is at least seven feet high which may include one foot of barbed wire, with at least one lockable gate for ingress and egress, in accordance with local zoning regulations.
- G. The impound area shall be properly lighted from dusk to dawn and must be properly safeguarded from vandalism and/or theft.
- H. The Borough of Maywood Police Department shall be granted access to any part of the impound area at any time, day or night, for the purpose of inspection and/or investigation. This shall include indoor and outdoor areas.
- I. There shall be no unescorted access to the aforementioned impound area by the public. Said area shall be posted in accordance with Borough of Maywood Police Department regulations.
- J. A small storage area shall be set aside for vehicles that may be involved in a police incident. In addition, an indoor secured area shall be provided for at least one vehicle, when requested by the police. These vehicles may contain, or are themselves, evidence needed for potential criminal or civil cases. These vehicles shall not be removed from the safe and secure inside storage area until written permission is obtained from the Borough of Maywood Police Department.
- K. The towing operator shall conspicuously post at his place of business the fee schedule for storage and towing of vehicles. Reference to this Chapter shall be posted on the fee schedule.
- L. There shall be no piling of vehicles.
- M. The towing operator shall provide reasonable accommodations for after-hours release of stored motor vehicle and can charge a release fee of \$25.00 for the release of motor vehicle to their owners outside of the normal business hours or on weekends.

§ 305-12 Towing operator personnel

The employees of the towing operator shall meet the following requirements:

- A. An employee of the towing operator shall under no circumstances be deemed an agent, servant and/or employee of the Borough or represent to the public that he/she is an employee of the Borough of Maywood.
- B. No person shall be employed by the towing operator unless he/she has obtained a Background Investigation and has been approved by the Borough of Maywood Police Department. Any towing operator with a record of a felony criminal conviction may not be qualified to receive a license. Any of its employees with a felony conviction may not perform any services under this Ordinance.

- C. The towing operator and his employees are prohibited from collecting or attempting to collect a fee, commission, pay or charge other than as provided for in this chapter.
- D. The name of the individual tow truck employee shall be listed on the towing ticket/receipt.
- E. The towing operator shall provide sufficient number of employees to maintain the requirements of this Ordinance.
- F. The towing operator shall provide the Borough of Maywood with a list of said personnel and copies of each operator's commercial driver license (CDL) and social security number. All new employees shall be registered with the Borough of Maywood prior to performing any services under this contract. Information on employees shall be updated every six (6) months in order to keep current with changes in personnel.
- G. No towing operator shall employ, directly or indirectly, any employee of the Borough of Maywood Police Department.
- H. No cruising by personnel shall be permitted.
- I. The licensee shall be responsible for basic environmental cleanup and may charge the owner of the vehicle involved in the actual spill a fee of \$25.00 plus any additional costs necessary to remediate an environmental impact, if any. No cost shall exceed the maximum enumerated yearly rates as permitted for towers providing services to the New Jersey State Police.
- J. The licensee shall be responsible for roadway cleanup, which shall include but not be limited to removing broken glass and debris at the scene of an accident, as per N.J.S.A. 39:4-56.8b, and may charge the owner of the vehicle that created the debris a fee as outlined fee of \$25.00.
- K. The police officer at the scene of an accident or disabled vehicle shall be in complete charge and shall be responsible to guarantee that the scene is properly cleared and safe for traffic to resume safely.
- L. The towing operators and all employees must be trustworthy and the towing operator must safeguard vehicles and personal property belonging to others, as well as secure and protect evidence when a vehicle is impounded by the police, due to an accident investigation or criminal activity.
- M. The towing operators shall notify the Borough Clerk in writing of any criminal charges, motor vehicle offense or ordinance violations that are issued against the towing operators or its employees.

§ 305-13 Records and inspections.

- A. The towing operator shall maintain records of all vehicles towed, stored and released by it. Records shall be kept for a three-year period. These records shall include the name of the responding police officer, name of towing employee, the date and time of tow-in, destination towed, vehicle tag number and state, vehicle identification number, make, model, color and year of vehicle, itemized charges to the owner of the vehicle and the disposition of the vehicle and date thereof.
- B. The towing operator shall maintain a record of all property found anywhere in the towed vehicle, including the trunk and glove compartment when open and where a key is available.
- C. The Borough of Maywood shall, upon request have access to any and all of these records.
- D. The licensee shall notify the Borough of Maywood Police Department, in writing, of any vehicle that is left unclaimed for a period in excess of seven calendar days.
- E. The licensee shall prepare and issue to the owner/operator a written itemized invoice for all services rendered under this chapter. The invoice shall reflect the date, time, location and the employee that performed the service and that the service performed was at the request of the Borough of Maywood Police Department. A copy of the invoice shall be retained by the licensee and filed in a manner that coincides with the licensee's current filing methods that will allow immediate access to such record when requested by the Borough of Maywood Police Department.
- F. The licensee shall incur the cost of preparing a payment rate circular for fees listed under this chapter and shall distribute this rate circular at the time of tow to all customers, at no cost, which also includes directions to the storage location, business hours, phone numbers, major credit cards accepted and other methods of payment accepted.

§ 305-14 Education of drivers.

- A. Tow-truck drivers shall have and maintain a valid driver's license for the tow vehicle that they operate. Drivers that operate heavy duty wreckers shall have the following endorsements on their commercial driver's license:
- (1) Hazardous materials endorsement.
 - (2) Double-and triple-trailer endorsement.

§ 305-15 Compensation.

- A. The Borough and its Chief shall not be liable to a licensee with respect to service rendered to any owner pursuant to the license or otherwise. The licensee shall look only to the owner of such vehicle for payment of service charges or any other compensation.

§ 305-16 Insurance requirements.

- A. The towing operator shall provide and maintain the following types of insurance coverage to be obtained from insurance companies licensed to do business in the State of New Jersey and shall provide the Borough with certificates of insurance evidencing proof of the following required coverage:
- (1) Automobile liability in an amount not less than \$1,000,000 for bodily injury per person, \$3,000,000 for bodily injury per accident and \$500,000 for property damage per accident.
 - (2) Workers' compensation as required by statute.
 - (3) Garage keeper's liability in an amount not less than \$500,000 per claimant and \$1,000,000 for more than one claimant.
 - (4) Garage liability in an amount not less than \$2,000,000 combined single limit.
 - (5) Comprehensive general liability in an amount not less than \$2,000,000
- B. Policies shall be endorsed to provide collision coverage for vehicles in tow.
- C. On all policies except workers' compensation, the Borough shall be named as an additional insured & as the Certificate Holder.
- D. All policies must contain a provision requiring notification to the Borough of any policy cancellation or revision at least 30 days prior to either cancellation or revision.
- E. The towing operator shall provide an excess or umbrella liability insurance policy in the amount of \$2,000,000.

§ 305-17 Indemnification.

- A. The application of a towing operator for a license pursuant to this chapter shall include an agreement by the towing operator that upon the issuance of a license, the licensee shall indemnify the Borough against all claims of third parties relating to towing services provided by the licensee.

§ 305-18 Rules and regulations.

The Chief of Police may issue rules and regulations from time to time on the operation of the towing services and storage facilities to implement but not exceed the purposes of this chapter.

§ 305-19 Fees; methods of payment; heavy-duty vehicle recovery.

- A. The following is the fee schedule for basic automobile, motorcycles, motorized bikes, towing services and heavy-duty vehicle recovery:
- (1) Basic towing service (two-axle vehicle) under 10,000 pounds.
 - (a) Rate: \$100.
 - (b) Additional axles: \$35 each.
 - (2) Basic towing service (two-axle vehicle) over 10,001 pounds to 16,000 pounds.
 - (a) Rate: \$250.
 - (b) Additional axles: \$35 each.
 - (3) Basic flatbed rate: \$125.
 - (a) The basic flatbed rate applies to vehicles that cannot be towed by another means.
 - (b) Flatbed towing of a vehicle with wheel lift does not qualify for the flatbed rate.
 - (4) Motorcycles and motorized bikes. Rate: \$100.
 - (5) Heavy-duty towing (over 16,001 pounds).
 - (a) Rate: \$500 per hour (one-hour minimum), billed in thirty (30) minute increments.
 - (b) Shaft removal: \$45.

- (c) Brake release: \$45.
- (d) No mileage fee from the point of tow to the licensee's storage yard.
- (6) Air cushion device in heavy-duty vehicle recovery.
 - (a) Rate: \$550 per hour.
- B. The following is the fee schedule for storage services for all types of vehicles:
 - (1) Inside building, storage facility capacity:
 - (a) Under 10,000 pounds: \$45 per day.
 - (b) Each additional axle: \$20 per day.
 - (2) Outside secured, storage facility capacity:
 - (a) Under 10,000 pounds: \$35 per day.
 - (b) Additional axle: \$20 each per day.
 - (c) Over 10,000 pounds: \$75 per day.
 - (d) Over 10,000 pounds, tandem axle: \$100 per day.
 - (e) Tractor-trailer combination: \$140 per day.
- C. Emergency road service: \$75.
 - (1) Emergency road service: jump start, bringing up to two gallons of fuel, tire change.
 - (2) If a tow results, there will be no charge for road service, except cost of emergency gas if placed into the vehicle's tank.
- D. Rates for vehicle recovery and/or winching:
 - (1) Wreckers and personnel.
 - (a) Medium-duty wrecker: \$150 per hour, to be charged in thirty (30) minute increments with a one-half-hour minimum.
 - (b) Heavy-duty wrecker: \$300 per hour to be charged in thirty (30) minute increments with a one-hour minimum.
 - (c) Additional manpower: \$60 per hour per man.
 - (d) Level 3 Recovery Supervisor: \$90 per hour.
 - (2) Licensees may, however, charge additional fees for extraordinary recovery and/or winching. All services must be itemized on the statement for services.
- E. Additional services that may be required:
 - (1) Axle pull/drive shaft/transmission disconnect: \$40 flat rate.
 - (2) Hookup air: \$25 flat rate.
 - (3) Roadway cleanup: \$50 per hour, to be charged in thirty (30) minute increments with a one-half-hour minimum.
 - (a) When basic environmental cleanup is required, a charge of \$25 for each fifty-pound bag of absorbent and plastic bags for removal may be charged.
 - (b) Cleanup services, including time and absorbent, must be itemized on the statement.
 - (4) No yard charge may be billed.
 - (5) Waiting time: \$40 per hour, in excess of fifteen (15) minutes, which shall be calculated based upon each fifteen (15) minutes spent at the site from which a motor vehicle will be towed, with fewer than fifteen (15) minutes, rounded up to fifteen (15).
 - (6) The use of window wrap or tarping is \$25.
 - (7) The licensee shall prepare an itemized billing invoice for all services rendered.
- F. A towing company that engages in private property towing or other nonconsensual towing shall calculate storage fees based upon full 24-hour periods a motor vehicle is in the storage facility. For example, if a motor vehicle is towed to a storage facility at 7:00 p.m. on one day and the owner of the motor vehicle picks up the motor vehicle before 7:00 p.m. the next day, the towing company shall charge the owner of the motor vehicle only for one day of storage. If a motor vehicle is stored for more than 24 hours, but less than 48 hours, the towing company may charge for two days of storage.
- G. Customers must be able to use cash, insurance company check, debit card, charge card or credit card to pay for services. The Borough will not be held liable for, or assist the towing operator in the collection of any unpaid fees that are incurred for performing towing or storage services.
- H. The rates on the "Borough of Maywood Towing and Storage Rate Schedule" represent the maximum rates permitted under this chapter. It shall be unlawful for any licensee to charge a rate in excess of the rates prescribed or for any service not specifically covered in this chapter.

- I. Mileage rates. There shall be no mileage charge, for any vehicle towed under this chapter, to respond to the service call or from the point of service back to the licensee's principal location. If the owner or operator designates the vehicle to be towed to another location other than the licensee's principal location, then the licensee may charge for loaded mileage outside the boundaries of the Borough of Maywood. Mileage charges per mile outside of Maywood shall be \$4 per mile or part thereof.
- J. Heavy vehicle recovery (over 16,000 pounds).
 - (1) To perform heavy vehicle recovery, the Borough requires that the licensee have on-scene a recovery supervisor with a Level 3 certification from the Towing and Recovery Association of America (TRAA) or other nationally recognized certification.
 - (2) To perform heavy vehicle recovery under this chapter, the licensee must:
 - (a) Visually document the recovery scene through photos or videotape.
 - (b) Prepare a written report of all procedures employed, actions taken, equipment used and manpower requirements to complete the recovery process in the safest manner and provide a copy to the vehicle owner with the statement for services.
 - (c) Prepare an itemized billing invoice for all services rendered.
 - (3) If the licensee finds it necessary, due to the nature of the recovery, to contract additional recovery services to supplement its equipment and manpower recovery, the contracted service providers must work under the supervision of the licensee. The licensee may not subcontract the entire recovery. In the event that the heavy-duty wrecker operator is unable to handle the recovery, then the next heavy-duty wrecker on the rotating list shall be called.

§ 305-20 Violations and penalties.

- A. Any person or towing operator who violates the provisions of this chapter shall, upon conviction, be fined as follows:
 - (1) First offense: not less than \$100 nor more than \$500.
 - (2) Second offense within a one-year period: not less than \$500 nor more than \$1,000 and mandatory license suspension.
 - (3) Third offense within a one-year period: not less than \$1,000 and a one-year license suspension.
- B. In addition to any penalties that may be imposed by the Municipal Court, the Borough Council may, after conducting a hearing regarding the violation(s), terminate the license issued pursuant to this chapter for repeated violations of this chapter. “

Section 2: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5: This ordinance shall take effect upon passage and publication according to law.

ORDINANCE # 24-19

AN ORDINANCE TO AMEND CHAPTER 52 ENTITLED “PERSONNEL POLICIES” 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, Borough of Maywood Code Chapter §52-2 entitled "Grant of benefits; calculation" provides for retirement health benefits of full time permanent employees of the Borough of Maywood who are not covered by collective negotiation agreements; and

WHEREAS, the Mayor and Council of the Borough of Maywood wish to revise, update and clarify existing inconsistencies within the current ordinance, Chapter §52-2, for the calculation of retirement benefits for employees of the Borough of Maywood not covered by a collective bargaining agreement;
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 subchapter 2 is amended by striking sections A, B and C in their entirety and replace same with the following language. Chapter §52-2 shall now read as:

§52-2 Grant of benefits; calculation.

- A. With respect to employees of the Borough of Maywood who shall retire from employment from the Borough of Maywood effective on or after May 1, 2004, and who have 25 or more years as a full-time permanent employee of the Borough of Maywood, such employees shall be entitled to receive a continuation of hospitalization and medical coverage as shall be provided to other full-time permanent employees of the Borough of Maywood who are not covered by collective negotiations agreements, as may hereinafter be modified, added or deleted, in the discretion of the Borough of Maywood.
- B. Any contribution paid by the employee for any and all insurance coverage shall extend into retirement at the same percentage rate.
- C. When eligible for Medicare coverage all employees, as a condition of continued health benefits as provided for herein, shall apply for and pay such sums as may be due for Medicare coverage, Parts A and B. To this end, the health benefits provided by the Borough hereunder shall become supplementary coverage.

Section 2: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5: This ordinance shall take effect upon passage and publication according to law.

Mayor Febre opened the meeting to the public for any comments or questions.

Council member Lindenau moved for the adoptions; seconded by Council President Garofalow.
 Motion carried unanimously.

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinances #23-19 and #24-19 be passed upon second and final reading, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

APPROVAL OF MINUTES

Council member Lindenau moved for approval of the Work and Closed Sessions for November 12, 2019 and Council Meeting and Closed Session of the December 3, 2019 minutes; seconded by Council President Garofalow. Motion carried unanimously with Councilman Gervino abstaining from the December 3, 2019 Council Meeting and Closed Session minutes.

PRESENTATION OF BILLS AND CLAIMS AND REQUEST FOR PUBLIC COMMENT

The Clerk presented the bill resolution.

Council President Garofalow moved for approval, seconded by Council member Lindenau. Motion carried unanimously.

DECEMBER 17, 2019 BILL LIST		
FUND #	APPROPRIATION	AMOUNT
01	CURRENT FUND	
04	CAPITAL FUND	53,448,228.25
05	SWIM POOL	\$289,962.13
12	ESCROW	\$1,594.17
13	ANIMAL CONTROL	\$6,019.00
22	FIRE PREVENTION	
23	OTHER TRUSTS	
26	RECYCLING TRUST	\$289.99
27	UCI TRUST	
28	DRUG ENFORCEMENT	\$17,145.64
35	RECREATION TRUST	\$2,353.00
TOTAL BILL LIST:		
Be it resolved, Mayor and Council are authorized to issue and sign warrants in payment of vouchers of \$3,746,590.18		
Mayor Adrian J. Febre		

BOROUGH OF MAYWOOD

DECEMBER 17, 2019 BILL LIST

Vendor	PO #	Chk #	Amount	Description	Account	Invoice
AAA EMERGENCY SUPPLY	192493	112977	116.09	REPAIR AIR PAK	01-2010-26-2672-211	REPAIR AIR PAK
ACTION DATA SERVICES	192620	112978	1418.01	INV#66192/66342	01-2010-20-1452-021	INV#66192/66342
ACTION RUBBER &	191174	112979	66.50	MISC. HOSES	01-2010-26-3152-071	INV#1039461
AGL WELDING SUPPLY CO.,	192039	112980	132.52	- MONTHLY RENTAL OXYGEN TANKS	01-2010-26-3152-266	INV#636235
ALL COVERED, INC.	192599	112981	600.00	INV#898714, C/M#924213	01-2010-20-1002-149	INV#898714, C/M#924213
AMCHAR WHOLESALE INC.	192527	112982	2184.93	GLOCKS	01-2010-26-3152-071	INV#49558
AMERICAN HOSE &	191171	112983	60.08	MISC. PARTS & REPAIRS	01-2010-25-2402-095	GLOCKS, INV#00934014
AMERICAN WEAR, INC.	191170	112984	177.86	PO-UNIFORM RENTAL	01-2010-26-3152-071	INV#49558
AUTOMOTIVE BRAKE	192144	112985	15.50	MISC PARTS/SUPPLIES	01-2010-26-2902-276	622504, 630521
AVON, TYLER	192532	112966	120.83	2019 CLOTHING ALLOWANCE	01-2010-26-3152-071	2046894
BAHITO, MATTHEW	192633	112967	606.60	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
BARBARA DISOTO	192595	112964	300.18	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
BERGEN COUNTY DEPT.	192616	112986	540.00	REIMB OUT OF POCKET EXP.	01-2010-20-1002-043	REIMB CUT OF POCKET EXP.
BEYER BROTHERS	192511	112987	101.94	INV#BBP 938	01-2010-40-3302-168	INV#BBP 938
BOLNEMA FUEL CO INC	192037	112988	675.00	INV#157086	01-2010-26-3152-071	INV#157086
BOROUGH OF PARAMUS	192674	112989	925.00	DIESEL FUEL FOR GENERATORS	01-2010-26-3112-112	66669
				DECEMBER 2019 SPECIAL COURT FOR	01-1920-10-7020-	DECEMBER 2019 SPECIAL COURT FOR DWI
				DWI		
BOROUGH OF PARAMUS	192685	112990	15160.90	INV#10.29.19	01-2010-26-3051-122	INV#10.29.19
BROADVIEW NETWORKS	192608	112963	991.10	INV#18603008 10/15-11/14/2019	01-2010-26-3102-197	INV#18603008 10/15-11/14/2019
BROWN'S JANITORIAL	191168	112991	77.35	PAPER PRODUCTS	01-2010-26-3112-257	009040
C. WINTERS SUPPLY	192142	112992	92.50	SOIL&MULCH	01-2010-28-3752-255	INV#56440
CHILDREN'S AID AND	192513	112993	300.00	VAPOR PRESENTATION MAYWOOD AVE	01-2010-99-7005-168	INV#56440
				SCHOOL		VAPOR PRESENTATION MAYWOOD AVE SCHOOL
CHRIS & BUD LAWNMOWER,	192042	112994	466.59	- PARTS FOR LAWNMOWERS	01-2010-28-3752-089	18343, 69, 73, 18553, 18635
CHRISTOPHER NICHOLS	191640	112995	97.35	PET INSURANCE REIMBURSEMENT	01-2010-25-2402-139	NOV 2019
CHRISTOPHER NICHOLS	192533	112995	0.00	reimb. emergency vet	01-2010-25-2402-139	reimb. emergency vet INV#115686
CHRISTOPHER NICHOLS	192533	112995	223.26	reimb. emergency vet	01-2010-25-2402-139	reimb. emergency vet INV#115686
CHRISTOPHER TUTTLE	192636	112970	558.60	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
CLARKE CATON HINTE,	192550	112996	172.50	INV#76637	01-2010-20-1552-167	INV#76637
CLIFFSIDE BODY CORP.	192502	112997	3731.17	INV# W32958	01-2010-26-3152-071	INV# W32958
CONCENTRA OCCUP HLTH	192614	112998	177.50	INV#512048921 GABRIEL MARTINEZ	01-2010-26-2672-150	INV#512048921 GABRIEL MARTINEZ
CUSTOM BANDAG, INC.	192305	112999	0.00	INV#60176279	01-2010-26-3152-263	INV#60176279
CUSTOM BANDAG, INC.	192305	112999	420.36	INV#60176279	01-2010-26-3152-263	INV#60176279
CUSTOM BANDAG, INC.	192305	112999	1215.00	INV#60176279	01-2010-26-3152-263	INV#60176279
DELL, INC.	192189	113000	2424.54	INV#10338337840	01-2010-25-2542-084	INV#10338337840
DOOR WORKS, INC.	191242	113001	318.25	REPAIR OF OVERHEAD DOORS	01-2010-26-3112-132	9794

Vendor	PO #	Chk #	Amount	Description	Account	Invoice
E-Z PASS REGIONAL	192537	113002	150.00	POLICE REPLENISH ACCT	01-2010-26-3152-133	POLICE REPLENISH ACCT
ENGIN FEJZULA	192644	113003	80.00	BUS LICENSE REIMB	01-2010-26-2902-146	BUS LICENSE REIMB
ENVIRONMENTAL RENEWAL,	192503	113004	1368.00	OCTOBER 2019	01-2010-26-3052-030	295537, 721, 773, 837, 965, 296044 OCT 2019
FELDMAN BROTHERS	191164	113005	257.85	-LIGHT BULBS	01-2010-26-3112-257	2819640
FIRST ENVIRONMENT, INC.	192545	113006	297.50	INV#78621	01-2010-26-2902-146	INV#78621
FOLEY INCORPORATED	192506	113007	108.84	INV#2234005	01-2010-26-3152-071	INV#2234005
FRANK'S TRUCK CENTER,	192303	113008	216.30	INV#866870, 867225	01-2010-26-3152-071	INV#866870, 867225
GAETA RECYCLING CO.,	192687	113009	60921.62	2370022, 2370024, 237014	01-2010-26-3052-152	2370022, 2370024, 237014
GALETON GLOVES	191197	113010	638.30	- 2019 MISC.	01-2010-26-3112-132	2522638, 2525756
GARGAGLIANO, JOHN	192691	113011	1100.00	2019 OEM CO-COORDINATOR	01-2010-25-2532-146	2019 OEM CO-COORDINATOR
GENERAL CODE, LLC	191430	113012	801.06	2019 CODIFICATION	01-2010-20-1002-149	PG000020199
GOLABEK, MATTHEW	192638	112972	558.60	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
GRADE A PETRO, INC	192510	113013	206.65	BAL OF INV#1078981	01-2010-26-3152-266	BAL OF INV#1078981
HOME DEPOT INC.	192653	112976	368.78	11/21/2019 BILLING STATEMENT	01-2010-26-3112-132	11/21/2019 BILLING STATEMENT
I.D.H. MEDICAL SUPPLY	191141	113014	54.50	-OXYGEN	01-2010-25-2402-139	INV#E7496
INSURANCE DESIGN	192692	113015	725.00	INV#418203 OCT 2019	01-2010-23-2202-113	INV#418203 OCT 2019
JAMES HAEZLER	192654	113016	185.12	NJSLOM 2019 REIMB.	01-2010-22-1952-146	NJSLOM 2019 REIMB.
JOSEPH HELLONE	192634	112968	558.60	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
JOSEPH NATALE - PETTY	192532	113017	200.00	PETTY CASH	01-2010-25-2402-100	PETTY CASH
MAIN LOCK, INC.	192140	113018	765.30	MISC KEYS & REPAIRS	01-2010-26-3112-132	169773, 169991
MAINTAINCO, INC.	192504	113019	397.15	INV#0158353960	01-2010-26-3152-071	INV#0158353960
MAINTAINCO, INC.	192529	113015	0.00	REPLACE FUSE PANEL	01-2010-26-3152-071	INV#0158355620
MAINTAINCO, INC.	192529	113015	2034.45	REPLACE FUSE PANEL	01-2010-26-3152-071	INV#0158355620
MATERA'S NURSERY & GRDN	192043	113020	597.95	MISC. PARTS FOR PARK EQUIPMENT	01-2010-28-3752-146	INV#316233, 318366, 318180, 318007
MAYWOOD BOARD OF	192658	112974	-1590274.6	NOVEMBER 2019	01-2070-00-0000-001	NOVEMBER 2019
MAYWOOD BOARD OF	192658	112974	0.00	NOVEMBER 2019	01-2070-00-0000-001	NOVEMBER 2019
MAYWOOD BOARD OF	192658	112974	1590274.59	NOVEMBER 2019	01-2070-00-0000-001	NOVEMBER 2019
MAYWOOD BOARD OF	192658	112975	1590274.59	NOVEMBER 2019	01-2070-00-0000-001	NOVEMBER 2019
MAYWOOD BOARD OF	192660	113021	1590274.59	DECEMBER 2019 SCHOOL TAX	01-2070-00-0000-001	DECEMBER 2019 SCHOOL TAX
MAYWOOD MARKETPLACE,	192500	113022	268.98	INV#401629 MUTUAL AID MTG	01-2010-26-2672-075	INV#401629 MUTUAL AID MTG
MAYWOOD PUBLIC LIBRARY	192689	113023	9241.30	DEC 2019 APPROPRIATION	01-2010-26-3152-033	DEC 2019 APPROPRIATION
MUNICIPAL CLERKS'	192639	112973	425.00	2020 IIMC CONFERENCE REGISTRATION.	01-2010-20-1002-215	2020 IIMC CONFERENCE REGISTRATION.
MUNIDEX, INC.	192499	113024	1637.06	INV#990789 TAX ASSESSOR CARDS	01-2010-20-1502-013	INV#990789 TAX ASSESSOR CARDS
MENALLY, YAROS,	192441	113025	0.00	INV#2050	01-2010-21-1802-125	INV#2050
MENALLY, YAROS,	192441	113025	1272.00	INV#2050	01-2010-21-1802-125	INV#2050
MENALLY, YAROS,	192604	113025	930.00	INV#2018	01-2010-21-1802-125	INV#2018
NECI	192534	113026	495.00	INV#161742	01-2010-25-2402-269	INV#161742
NEUMANN, GARY	192643	113027	332.41	REIMBURSEMENT	01-2010-26-2902-146	REIMBURSEMENT
NORTH JERSEY MEDIA	191122	113028	46.75	FO-LEGAL ADS	01-2010-20-1202-169	0903899837
NORTHEASTERN ARBORIST	191827	113029	930.49	- MISC. PARTS FOR TREE TRUCK	01-2010-28-3752-099	71537, 71672

Vendor	PO #	Chk #	Amount	Description	Account	Invoice
OPTIMUM	191561	113030	200.60	-#07870-058848-01-4 4/19-12/19 MAYWOOD FIELD	01-2010-26-3112-132	11/16-12/15/2019
OUR TOWN NEWSPAPER	191786	113031	38.00	-2019 LEGAL ADS	01-2010-20-1002-149	10091
P & A AUTO PARTS	191682	113032	0.00	MISC. PARTS & SUPPLIES	01-2010-26-3152-071	156799, 157572
P & A AUTO PARTS	191682	113032	13.15	MISC. PARTS & SUPPLIES	01-2010-26-3152-071	158067
P & A AUTO PARTS	191682	113032	148.66	MISC. PARTS & SUPPLIES	01-2010-26-3152-071	156799, 157572
PARAHUS FORD, INC	191681	113033	621.94	-MISC. PARTS & REPAIRS	01-2010-26-3152-183	52909, 52920, 959, 948, 993, 53002
PITNEY BOWES GLOBAL	191404	113034	281.19	2019 QUARTER LEASE PAYMENTS	01-2010-20-1002-133	INV#331019728
PROGRESSIVE BRICK CORP	191684	113035	0.00	MISC. MASONRY SUPPLIES	01-2010-26-2902-056	INV#372720
PROGRESSIVE BRICK CORP	191684	113035	8.40	MISC. MASONRY SUPPLIES	01-2010-26-2902-056	INV#372720
PROGRESSIVE BRICK CORP	191684	113035	37.00	MISC. MASONRY SUPPLIES	01-2010-26-2902-056	371255
PSE&G	192668	113036	358.13	NOVEMBER 2019	01-2010-26-2902-279	NOVEMBER 2019
PSE&G	192668	113036	7642.50	NOVEMBER 2019	01-2010-26-3112-196	NOVEMBER 2019
PSE&G	192668	113036	914.68	NOVEMBER 2019	01-2010-28-3752-279	NOVEMBER 2019
PSE&G	192668	113036	0.00	NOVEMBER 2019	01-2010-31-4352-071	NOVEMBER 2019
PSE&G	192668	113036	10962.22	NOVEMBER 2019	01-2010-31-4352-071	NOVEMBER 2019
RAVELCO GENERATOR CO.	191190	113037	125.00	- 2019 ALTERNATORS	01-2010-26-3152-071	8734
ROBERTA STERN	192594	112965	186.52	REIMB NJSLOM 2019	01-2010-20-1002-158	REIMB NJSLOM 2019
ROCHELLE PARK AUTO BODY	192481	113038	0.00	INV#42019	01-2010-26-3152-183	INV#42019
ROCHELLE PARK AUTO BODY	192481	113038	9288.53	INV#42019	01-2010-26-3152-183	INV#42019
ROCHELLE PARK AUTO BODY	192508	113038	325.00	INV#0035759 TOW FOR TRUCK	01-2010-26-3152-071	INV#0035759 TOW FOR TRUCK
RUTHERFORD, ROBERT	192635	112969	558.60	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
SAINTATION EQUIPMENT	191340	113039	370.00	MISC. PARTS FOR DPW TRUCKS	01-2010-26-3152-071	53544
SCARINCI HOLLENBECK,	192547	113040	451.60	INV#223475	01-2010-20-1552-167	INV#223475
SECURITY SHREDDING	192495	113041	65.00	INV#25628 NOV 7, 2019	01-2010-20-1002-149	INV#25628 NOV 7, 2019
SHERWIN-WILLIAMS	192356	113042	1165.65	FIELD MARKING PAINT	01-2010-28-3752-092	INV#2201-2
SPECTROTEL	192681	113043	1046.14	INV#9410882 DECEMBER 2019	01-2010-26-3102-197	INV#9410882 DECEMBER 2019
STANDARD INSURANCE CO.	192607	113044	1267.44	DECEMBER 2019	01-2010-23-2202-069	DECEMBER 2019
STAPLES	191804	113045	0.00	SUPPLIES ACCT #NYC1019679	01-2010-25-2402-163	INV#3431304012
STAPLES	191804	113045	463.45	SUPPLIES ACCT #NYC1019679	01-2010-25-2402-163	INV#3431304012
STAPLES	192498	113045	832.82	OFFICE SUPPLIES	01-2010-25-2402-163	INV#3431304012
STATE OF NJ HEALTH BENE	0	12051901	61927.24	11/2019 NJ STATE HEALTH BENEFITS-ACTIVE EMPLOYEES	01-2010-23-2202-113	
STATE OF NJ HEALTH BENE	0	12051902	32677.09	11/2019 NJ STATE HEALTH BENEFITS-RETIRED EMPLOYEES	01-2010-23-2202-113	
STONE INDUSTRIES, INC.	192507	113046	420.53	INV#64402, 65465	01-2010-26-2902-131	INV#64402, 65465
SUEZ WATER OF NEW	192669	113047	574.29	DECEMBER 2019 WATER SERVICE	01-2010-26-3112-109	DECEMBER 2019 WATER SERVICE
SUEZ WATER OF NEW	192669	113047	0.00	DECEMBER 2019 WATER SERVICE	01-2010-26-3112-112	DECEMBER 2019 WATER SERVICE
SUEZ WATER OF NEW	192669	113047	105.39	DECEMBER 2019 WATER SERVICE	01-2010-26-3112-112	DECEMBER 2019 WATER SERVICE
SUEZ WATER OF NEW	192669	113047	219.50	DECEMBER 2019 WATER SERVICE	01-2010-28-3752-279	DECEMBER 2019 WATER SERVICE
SUEZ WATER OF NEW	192670	113047	9847.42	DECEMBER 2019 HYDRANTS	01-2010-25-2652-094	DECEMBER 2019 HYDRANTS

Vendor	PO #	Chk #	Amount	Description	Account	Invoice
TANIS CONCRETE, INC.	191683	113048	0.00	SIDEWALK REPAIRS	01-2010-26-2902-056	INV#202571
TANIS CONCRETE, INC.	191683	113048	331.50	SIDEWALK REPAIRS	01-2010-26-2902-056	INV#202571
TANIS CONCRETE, INC.	192505	113048	1284.00	INV#201762	01-2010-26-2902-056	INV#201762
TRADES	192329	113049	79.00	SEPT-DEC 2019	01-2010-25-2402-057	INV#5099321-201911--1
TURN OUT UNIFORMS, INC.	192328	113050	699.98	PO BEST & HODGINS	01-2010-25-2402-274	208716, 208716-01
VERIZON WIRELESS	191514	113051	227.09	4/19 TO 12/19-ACCT #882233083-0001	01-2010-25-2402-057	INV#9842165883
WESCOTT, BRANDON	192637	112971	233.33	2019 CLOTHING ALLOWANCE	01-2010-25-2662-044	2019 CLOTHING ALLOWANCE
WILLIAM JERLINSKI	192388	113052	39.84	REIMBURSEMENT HALLOWEEN	01-2010-30-4202-193	REIMBURSEMENT HALLOWEEN
Total Fund 01 Current Fund			3449226.25			
ABT ATTACHMENTS, INC	192324	410124	27607.00	RESOLUTION#181-19 TURF AND FIELD EQUIPMENT	04-2150-55-9645-003	RESOLUTION#181-19 TURF & FIELD EQUIPMENT INVE
CIFELLI & SONS, INC.	192693	410125	219234.61	PROJECT No. MAYMUN19.012	04-2150-55-9690-001	PROJECT No. MAYMUN19.012
MRC INC.	191625	410126	10670.52	GRANDSTANDS/BLEACHERS -MEMORIAL PARK	04-2150-55-9680-003	INV#3188
USA SECURITY SERVICES,	192367	410127	12450.00	PROPOSAL#JEF0919365	04-2150-55-9695-001	PROPOSAL#JEF0919365
Total Fund 04 CAPITAL ACCOUNT			269962.13			
CIEM TEC CORP.	192544	1356	79.50	INV#19081829	05-2010-55-5020-005	INV#19081829
IEH NE-SANI PURE FOOD	192341	1357	1275.00	INV#ISP14114854	05-2010-55-5020-005	INV#ISP14114854
PSEGG	192619	1358	194.70	10/22-11/19/2019	05-2010-55-5020-004	10/22-11/19/2019
SUEZ WATER OF NEW	192659	1359	44.89	11/4-11/20/2019	05-2010-55-5020-018	11/4-11/20/2019
Total Fund 05 POOL OPERATING			1594.17			
KRUKER & KRUER LLC	192432	121125	0.00	INV#2019-251	12-9643-00-9643-000	INV#2019-251
KRUKER & KRUER LLC	192432	121125	1950.00	INV#2019-251	12-9643-00-9643-000	INV#2019-251
KRUKER & KRUER LLC	192552	121125	910.00	INV#2019-277	12-9643-00-9643-000	INV#2019-277
MGNALLY, YAROS,	192439	121126	75.00	INV#2051	12-9666-00-9666-000	INV#2051
MGNALLY, YAROS,	192440	121126	60.00	INV#2049	12-9650-00-9650-000	INV#2049
MGNALLY, YAROS,	192451	121126	150.00	INV#1772	12-9657-00-9657-000	INV#1772
MGNALLY, YAROS,	192452	121126	225.00	INV#1774	12-9656-00-9656-000	INV#1774
MGNALLY, YAROS,	192453	121126	105.00	INV#1900	12-9657-00-9657-000	INV#1900
MGNALLY, YAROS,	192520	121126	94.50	INV#1906	12-9658-00-9658-000	INV#1906
MGNALLY, YAROS,	192521	121126	165.00	INV#1897	12-9662-00-9662-000	INV#1897
MGNALLY, YAROS,	192600	121126	180.00	INV#1980	12-9667-00-9667-000	INV#1980
MGNALLY, YAROS,	192601	121126	1740.00	INV#2020	12-9654-00-9654-000	INV#2020
MGNALLY, YAROS,	192603	121126	105.00	INV#1978	12-9642-00-9642-000	INV#1978
MGNALLY, YAROS,	192611	121126	94.50	INV#2018	12-9649-00-9649-000	INV#2018
MGNALLY, YAROS,	192612	121126	0.00	INV#1898	12-9663-00-9663-000	INV#1898
MGNALLY, YAROS,	192612	121126	165.00	INV#1898	12-9663-00-9663-000	INV#1898
Total Fund 12 ESCROW-OTHER TRUST			6019.00			

Vendor	PO #	Chk #	Amount	Description	Account	Invoice
STAVOLA, THOMAS	192615	231061	289.99	REIMBURSEMENT FOR FROSTY COSTUME	23-2000-00-0000-002	REIMBURSEMENT FOR FROSTY COSTUME
Total Fund 23 OTHER TRUSTS			289.99			
CHRISTOPHER NICHOLS	192596	281064	409.90	INV#0014 REIMB PERSONAL EXPENSE	28-2000- - -	INV#0014 REIMB PERSONAL EXPENSE
GOOSEYOWN ENTERPRISES,	191955	281065	16735.74	2019 LEASE PAYMENTS	20-2000- - -	2019 LEASE PAYMENTS INV#125452
Total Fund 28 DRUG ENFORCEMENT-JUSTICE			17145.64			
CMT SOUND SYSTEMS LLC	192597	351148	2153.00	INV#4774	35-2000- - -	INV#4774
JACQUELINE, LANDAETA	192494	351149	200.00	REFUND	35-2000- - -	REFUND 2 WEEKS
Total Fund 35 RECREATION TRUST			2353.00			
Total Bill List:		3,746,590.18				

CORRESPONDENCE AND REPORT OF THE BOROUGH CLERK

Mrs. Dispoto stated she received a request from Betty Fetzer to utilize the Senior bus on December 27, 2019 for the holiday lights bus tour. The Governing Body approved the request. She further discussed the transfer of a consumption liquor license to Top Golf which upon completion will activate a now pocketed license. She stated that the liquor license was the first step in Top Golf coming to Maywood.

REPORT OF ADMINISTRATOR

Ms. Stern stated her love for Maywood, and that this is more than just a town it is family. She wished everyone well for the holidays and enjoy the time with family.

COMMITTEE REPORTS

Councilwoman Bennin – Thanked Mayor Febre and Councilmen Gervino and Lindenau and that it was a pleasure working with them. Councilwoman Bennin reported on the DPW and how well they were handling the winter weather, the opening Little Locust and Mind & Body Fitness, and reminded everyone that all homeowners should have the house number visible for safety reasons.

Councilman Bolan – Reported on the Police Departments numbers for the month of December.

Councilman Ullman – Reported that the Green Team has achieved Bronze Status. He addressed Mayor Febre and stated that it has been an honor to be a part of his administration.

Councilman Gervino – Reported that the Municipal Alliance Grant for 2021-2025 has been submitted. He thanked the town and everyone who supported him, a lot was accomplished and many new friendships were built.

Councilman Lindenau – Stated it has been a very interesting 6 years serving the Borough. He reminisced about Al Ballerini having to interview Mayor Febre before he decided to serve on the County. He also mentioned his 16 years of service with the MYAA.

Councilman Garofalow – Announced upcoming Recreation events.

REPORT OF THE MAYOR

Thanked the families of the other council members and acknowledge the sacrifices they have also made for the town. Mayor Febre spoke about his time on both Council and in the Mayor's seat, the sacrifices his family made and all the people he worked with over the years. He further thanked former Mayor Gregg Padovano for everything he has done for him.

RESIGNATIONS - ACCEPTANCE OF THE FOLLOWING

1. Adelaida Fuentes has resigned as part time Telecommunicator for the Borough of Maywood effective December 3, 2019.

Council member Lindenau moved the resignation hereby be accepted; seconded by Council member Gervino. Motion carried unanimously.

APPOINTMENTS - APPROVAL OF THE FOLLOWING

NONE

COUNCIL APPROVAL OF THE FOLLOWING

1. Request submitted for a Social Affairs Permit for the Untouchable Motorcycle Club for January 10, 2020 from 8:00pm until 11:59p.m at 216 Hergesell Avenue. Application has been presented for review and endorsement by the Maywood Police Department.

Council member Lindenau moved for the approval, seconded by Council member Gervino. Motion carried unanimously.

RESOLUTIONS BY TITLE - CONSIDERATION OF THE FOLLOWING**RESOLUTION # 217-19****THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, COUNTY OF BERGEN STATE OF NEW JERSEY ADOPTING THE 'AFFIRMATIVE MARKETING PLAN' FOR THE BOROUGH OF MAYWOOD**

WHEREAS, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Borough of Maywood is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Borough, are affirmatively marketed to low- and moderate-income

households, particularly those living and/or working within Housing Region 1, the Housing Region encompassing the Borough of Maywood.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Maywood, County of Bergen, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Maywood shall be marketed in accordance with the provisions herein.
- B. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low- and moderate-income units, in the Borough's current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by one or more Administrative Agent(s) designated by and/or under contract to the Borough of Maywood. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough of Maywood, shall undertake, at the minimum, all of the following strategies:
 1. Publication of an advertisement in one or more newspapers of general circulation within the housing region.
 2. Broadcasting of an advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Borough of Maywood is located in Housing Region 1, consisting of Hudson, Bergen, Passaic, and Sussex Counties.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
 1. All newspaper articles, announcements and requests for applications for very low, low, and moderate-income units shall appear in the *Star Ledger* and *The Bergen Record*.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 3. The advertisement shall include a description of the:

- a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. Application fees.
4. Newspaper articles, announcements and information on where to request applications for very low, low, and moderate-income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented newspapers serving the housing region, one of which shall be circulated primarily in Bergen County and the other two of which shall be circulated primarily outside of Bergen County but within the housing region.
5. The developer must provide satisfactory proof of public dissemination. See Attachment A" COAH's *Affirmative Fair Housing Marketing Plan for Affordable Housing in Region I* (attached to and hereby made part of this Resolution).
- G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
- 1. Borough Municipal Building
 - 2. Borough Web Site
 - 3. Developer's Sales/Rental Offices
 - 4. Hudson County Administration Building
 - 5. Bergen County Administration Building
 - 6. Passaic County Administration Building
 - 7. Sussex County Administration Building
 - 8. Hudson County Library (all branches).
 - 9. Bergen County Library (all branches)
 - 10. Passaic County Library (all branches)
 - 11. Sussex County Library (all branches)

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and multiple copies of application forms shall be mailed to Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network and the Supportive Housing Association for dissemination to their respective constituents.

- H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Hudson, Bergen, Passaic, and Sussex Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3d as well as the following

entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, and the Supportive Housing Association.

1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Hudson County Board of Realtors
 Bergen County Board of Realtors
 Passaic County Board of Realtors
 Sussex County Board of Realtors

2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Hudson, Bergen, Passaic, and Sussex:

Welfare or Social Service Board (via the Director)
 Rental Assistance Office (local office of DCA)
 Office on Aging
 Housing Authority (municipal or county)
 Community Action Agencies
 Community Development Departments

3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A, Part III, Marketing, Section 3d.

4. In addition, specific notification of the availability of affordable housing units in the Borough shall be sent to Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, and the Supportive Housing Association.

I. A random selection method to select occupants of very low, low, and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (l). The Affirmative Marketing Plan shall provide a regional preference for very low, low, and moderate-income households that live and/or work in Housing Region 1, comprised of Hudson, Bergen, Passaic, and Sussex Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low, low, and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Borough prior to the affirmative marketing of the units.

J. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low, and moderate-income households; to place income eligible households in very low, low, and moderate-income units upon initial occupancy; to provide for the initial occupancy of very low, low, and moderate-income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low, and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26-1, *et seq.*

K. The Administrative Agent shall provide or direct qualified very low, low, and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.

L. All developers/owners of very low, low, and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.

M. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan

shall continue until all very low, low, and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.

- N. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, *et seq.*

RESOLUTION # 218-19
RESOLUTION APPROVING OF REMUNERATION FOR UNUSED VACATION TIME TO
CHIEF OF POLICE JOSEPH NATALE

WHEREAS the Mayor and Council of the Borough of Maywood recognize the service and dedication of Police Chief Joseph Natale and wish to authorize the remuneration for his 2019 unused vacation days that became surplus due to his unforeseen medical issues; and

WHEREAS, the Mayor and Council of the Borough of Maywood declare and recognize that payment for unused vacation days is anomalous and that such payment is limited to the particular facts and circumstances surrounding the instant matter and further declares that same does not create a precedence or practice within 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 the Borough Chief Financial Officer, Borough Administrator, and/or other official of the Borough is authorized to make the above mention remuneration in the amount of \$16,380.80 to Police Chief Joseph Natale for his unused 2019 vacation days and further declares that same does not create a precedence or practice within the Borough of Maywood.

BE IT FURTHER RESOLVED, that Resolution 216-19 is hereby rescinded.

RESOLUTION # 219-19
RESOLUTION SCHEDULING DATE FOR 2020
REORGANIZATION MEETING

WHEREAS, on January 2, 2018 the Mayor and Council adopted revised By-Laws and Rules of Procedure of the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey; and

WHEREAS, Article 5, Section 1 states that "The Council shall determine by resolution, the time and date for the organization meeting of the Mayor and Council at the last meeting of the prior year";

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Reorganization Meeting of the Mayor and Council for the year 2020 be scheduled for Friday, January 3, 2020 at 7:00 p.m. at Borough Hall, 15 Park Avenue, Maywood, New Jersey.

RESOLUTION # 220-19
RESOLUTION FOR THE APPOINTMENT OF ANGELA M. MATTIACE AS TAX
ASSESSOR FOR THE BOROUGH OF MAYWOOD

WHEREAS, due to the upcoming departure of Tax Assessor Jennifer Finotti-Sheppard, the Borough of Maywood is in need to hire a Tax Assessor; and

WHEREAS, it is the recommendation of Borough Administrator Roberta Stern to appoint Angela M. Mattiace to the Tax Assessor position; and

WHEREAS, the Mayor and Council does hereby ratify the appointment of Angela M. Mattiace to the position of Tax Assessor to the Borough of Maywood upon the terms and conditions hereinafter set forth;

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

1. Effective October 28, 2019, Angela M. Mattiace is hereby appointed as a part-time employee to the position of Tax Assessor with the Borough of Maywood at an annual salary of \$17,000.00.
2. Per N.J.S.A. 40A:148, Angela M. Mattiace is hereby appointed for the unexpired 4 year term beginning October 28, 2019 and ending June 30, 2023.

BE IT FURTHER RESOLVED, that Resolution 199-19 is hereby rescinded.

RESOLUTION # 221-19
RESOLUTION OF THE BOROUGH OF MAYWOOD
STATE OF NEW JERSEY APPOINTING ROBERTA STERN AS INTERIM
ADMINISTRATIVE AGENT FOR THE BOROUGH OF MAYWOOD

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.14 et. seq., Maywood is required to appoint an Interim Administrative Agent for the administration of the Borough's affordability controls to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Code of the Borough of Maywood ("Borough") includes provisions for addressing the Borough's constitutional obligation to provide for its fair share of very low-, low- and moderate-income housing, and among other items, provides for the appointment of an Interim Administrative Agent to administer the Borough's affordability controls.

WHEREAS, the Borough has selected Roberta Stern, to be the Interim Administrative Agent for the purposes of providing affordability control services for all affordable housing within the municipality, as included in this resolution, to help fulfill its obligations as set out in the Order of the Superior Court of July 11, 2019; and

WHEREAS, the Interim Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in the Rules described in the Code of the Borough without additional compensation and until such time as the Borough may select a candidate for such position.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Maywood, in the County of Bergen, and the State of New Jersey that Roberta Stern is hereby appointed as the Interim Administrative Agent for the administration of the Affordable Housing Program, pursuant to and in accordance with the Code of the Borough of Maywood pursuant to the terms herein.

RESOLUTION # 222-19
RESOLUTION OF THE BOROUGH OF MAYWOOD, COUNTY OF BERGEN STATE OF
NEW JERSEY APPOINTING ROBERTA STERN AS INTERIM MUNICIPAL HOUSING
LIAISON FOR THE BOROUGH OF MAYWOOD

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Maywood ("Borough") is required to appoint as Interim Municipal Housing Liaison for the administration of the City's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Borough's Settlement with Fair Share Housing Center includes provisions for addressing the Borough's constitutional obligation to provide for its fair share of very low-, low- and moderate-income housing, and among other items, provides for the appointment of an Interim Municipal Housing Liaison to administer the Borough Affordable Housing Program.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Maywood, in the County of Bergen, and the State of New Jersey, that Roberta Stern is hereby appointed as the Interim Municipal Housing Liaison for the administration of the Affordable Housing Program, pursuant to and in accordance with the municipal code of the Borough of Maywood.

I HEREBY CERTIFY that the above resolution was adopted at a meeting of the Mayor and Council held on the 17th day of December, 2019.

RESOLUTION # 223-19

A RESOLUTION APPOINTING T. P. BRYAN ELECTRIC CO., INC AS THE BOROUGH'S VENDOR FOR AN ELECTRIC VEHICLE CHARGING STATION

WHEREAS, the Borough of Maywood wishes to install an electric vehicle charging station; and

WHEREAS, T. P. Bryan Electric Co., Inc. of Trenton, New Jersey has been identified as being the most cost effective vendor for same to the Borough utilizing New Jersey State Approved Co-Op #65MCECCPS, Bid #ESCNJ 18/19-40 entitled "Electric Vehicle Charging Stations"; and

WHEREAS, the Borough has appointed a Qualified Purchasing Agent in accordance with N.J.A.C. 5:34-5 et seq. and pursuant to N.J.S.A. 40A: 11-1 et. seq. the Borough may by resolution and without advertising for bids, purchase any goods or services if said contract is via a State Contract or is of an amount that is below the bidding threshold.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that T. P. Bryan Electric Co., Inc. of Trenton, New Jersey is appointed as Borough's vendor for an Electric Vehicle Charging station.

RESOLUTION # 224-19

A RESOLUTION AUTHORIZING THE PURCHASE/INSTALLATION OF HVAC EQUIPMENT FOR THE MAYWOOD LIBRARY

WHEREAS, there is a need to purchase replacement/upgraded an HVAC system for use and installation at the Maywood Public Library; and

WHEREAS, Great White Mechanical, of Midland Park, New Jersey and has been identified as being the most cost effective provider of such equipment/installation for the amount of \$15,260.00; and

WHEREAS, the Borough has appointed a Qualified Purchasing Agent in accordance with N.J.A.C. 5:34-5 et seq. and pursuant to N.J.S.A. 40A: 11-1 et. seq. the Borough may by resolution and without advertising for bids, purchase any goods or services if said contract amount is below the bidding threshold; and

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 purchase orders for the purchase of various equipment/services identified herein for the sum of \$15,260.00, payable to Great White Mechanical, of Midland Park, New Jersey.

RESOLUTION # 225-19

TRANSFER OF LIQUOR LICENSE ON A PERSON-TO-PERSON BASIS FROM JOHN BRUNETTI JR EXECUTOR TO JOHN BRUNETTI SR TO TOPGOLF USA MAY, LLC

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License (0234-33-005-007), heretofore issued to John Brunetti Jr Executor to John Brunetti Sr for which is currently pocketed; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED, that the Maywood Mayor & Council does hereby approve, effective December 17, 2019 the transfer of the aforesaid Plenary Retail Consumption License to Topgolf USA May, LLC and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Topgolf USA May, LLC, effective December 17, 2019."

RESOLUTION # 226-19

RESOLUTION AWARDING THE CONTRACT FOR THE PURCHASE OF ONE (1) ADULT MINI BUS WITH AT LEAST 16 AMBULATORY SEATS AND 2 WHEELCHAIRS SPACES THAT SHALL CONVERT TO 20 AMBULATORY SEATS AND AUTHORIZING THE EXECUTION OF CONTRACT FOR THE BOROUGH OF MAYWOOD

WHEREAS, the Borough of Maywood did advertise for bids for the purchase of one (1) Adult Mini Bus with at least 16 Ambulatory seats and 2 Wheelchairs spaces that shall convert to 20 Ambulatory Seats, the receipt of which bids were duly advertised in accordance with law and were accepted and opened in Borough Hall; and

WHEREAS, three (3) bids were received, to wit

BIDDER	Amount
Rohrer, Inc.	\$ 65,399.00
Alliance Bus Group	\$ 65,980.00
Wolfington Body Corporation	\$ 68,312.00

WHEREAS, the apparent low bidder was Rohrer, Inc.; and

WHEREAS, the bid submitted by Rohrer, Inc. has been evaluated by the Superintendent of Public Works who has found such bid to contain several significant deviations from the bid specifications such as, but not limited to, an entrance door that is up to two inches less in width than the required specifications, a wheel chair lift that is four inches smaller than the required specifications, a warranty that is a full year less than the required 6 year warranty, a failure to identify a service area that is within the geographic area enumerated in the specifications and other minor mechanical/body/doghouse specification deviations. As such, the bid submitted by Rohrer, Inc. is not recommended for acceptance by the Superintendent of Public Works; and

WHEREAS, the bid submitted by Alliance Bus Group has been evaluated by the Superintendent of Public Works who has found same to be in full compliance with the bid specifications including warranty/service area coverage and the amount difference between the two lowest bids being less than 1% of the contract price and recommended for acceptance by the Borough Attorney, Borough Administrator and the Borough Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey rejects the bid submitted by Rohrer, Inc. for the significant deviations stated above and accepts and awards as the lowest responsible compliant bidder the contract enumerated in the advertisement for the purchase of one (1) Adult Mini Bus with at least 16 Ambulatory seats and 2 Wheelchairs spaces that shall convert to 20 Ambulatory Seats, to Alliance Bus Group of Carlstadt, New Jersey ; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator and/or Borough Chief Financial Officer be and is hereby authorized and directed to execute, and the Borough Clerk, is directed to attest to any documents necessary to accept the bid and contract with Alliance Bus Group in the amount of \$ 65,980.00 for the purchase of one (1) Adult Mini Bus pursuant to the terms of the bid specifications and their submitted bid; 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; and

RESOLUTION # 227-19

PAYMENT VOUCHER #1 FOR 2019 ROADWAY IMPROVEMENTS – GOLF AVENUE

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that the contract for the 2019 Roadway Improvements – Golf Avenue is being constructed by Cifelli & Sons General Contracting, Inc. of 81 Franklin Avenue, Nutley, NJ 07110 in accordance with the Plans and Specifications, as directed by the Borough Engineer. The said construction to date is hereby accepted and payment voucher #1 in the amount of Two Hundred Nineteen Thousand Two Hundred Thirty Four Dollars and Sixty One Cents (\$219,234.61) is hereby approved.

This Resolution to take effect immediately.

Council President Garofalow moved for the adoptions, seconded by Council member Ullman. Motion carried unanimously.

INTRODUCTION OF ORDINANCES

NONE

NEW BUSINESS

NONE

OLD BUSINESS

NONE

CLOSED SESSION - IF APPLICABLE

NONE

ADJOURNMENT

Mayor Febre took his picture and walked over to the Wall of Mayors and hung his photo alongside of all the Mayors who served before him.

Council member Lindenau moved the meeting be adjourned; seconded by Council member Gervino and so carried unanimously at 9:30pm.

Respectfully Submitted;



Barbara L. Dispoto, RMC
Borough Clerk