

## WORK SESSION

MARCH 11, 2014

“On January 2, 2014, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2014, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, The Community News and The County Seat newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

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

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

### SALUTE TO THE FLAG

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

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

#### **1. 2009 NJDEP ECONOMIC RECOVERY PROGRAM**

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

**Advertise Date:**

**Bid Date:** 7/20/2011

**Awarded:** 8/4/2011

**Start of Work:** 10/17/2011

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

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

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

The Borough's conflict attorney forwarded a final draft agreement to the Borough of Paramus' conflict attorney in mid-July 2013. In early November 2013, Neglia Engineering Associates received a revised draft agreement as revised by the Borough of Paramus for our review and

comment. That same date, our office issued our comments concerning the revised draft agreement to the Borough’s conflict attorney with the Borough copied. We understand that the Borough’s Attorney is awaiting a response from the Borough of Paramus’ Attorney at this time. After review and approval by both municipalities, the agreement would be finalized.

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

Mr. Polyniak reported correspondence was received yesterday from the borough’s conflict attorney and it appears all conditions with respect to the agreement have been addressed.

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

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

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

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

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

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

Subsequent to the project award, a pre-construction meeting was held at Borough Hall on October 29, 2013 at Borough Hall. After the meeting, our office issued a Notice to Proceed. In mid-

November 2013, the project contractor began construction activities on Spring Valley Road. At this time, Spring Valley Road is substantially completed.

Due to current weather conditions and snow cover, the contractor will proceed with the West Fairmont Avenue parking lot and the East Hunter Avenue improvements in Spring 2014. Per a conversation with the contractor, we understand that the anticipated construction start is to occur within the next two to three weeks pending weather conditions.

**3. GRANT AVENUE – TRAFFIC ENGINEERING SERVICES (TRAFFIC FLOW)**

**Scope:** Per the request of the Borough, our office understands that the Borough would like to review and study the traffic conditions of a portion of Grant Avenue to improve vehicular circulation in the vicinity of Memorial Park and Memorial School.

**Status:** Per the request of the Borough, our office understands that the Borough would like to review and study the traffic conditions along Grant Avenue to improve vehicular circulation in the vicinity of Memorial Park and Memorial School. Per our authorized proposal, the first work task is to gather traffic information / counts in the vicinity of the School. This will include setting of automated traffic detectors (ATDs). The ATDs will be set within the roadway subsequent to the roadway snow bank melt and pending weather conditions.

Mr. Polyniak spoke regarding the Magnolia Avenue sewer emergency and stated his office will be addressing discrepancies in the contractor's fees.

Council member Eisenberg stated he brought the discrepancies to Administrator Stern's attention, adding we need to pay closer attention to these details.

Mayor Padovano asked Mr. Polyniak if a draft update to the zoning map will be available for the next Planning Board meeting.

Mr. Polyniak responded yes.

**PROCLAMATIONS, PRESENTATIONS, ETC.**

NONE

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

Angelo Bondi – Owner Mario's Pizza – stated each restaurant owner is required to take the Food Safety Manager's course and questioned why the borough ordinance requires the Board of Health to check the expiration of the certificate every three years when the certificate is valid for five years.

Mayor Padovano responded he will bring it up at the next Board of Health meeting and question the reason for the inconsistency.

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

**PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES****ORDINANCE #5-14****AN ORDINANCE TO AMEND PART IV, BOARD OF HEALTH  
LEGISLATION, CHAPTER 391 OF THE CODE OF THE BOROUGH  
OF MAYWOOD TITLED “FOOD ESTABLISHMENTS” ESTABLISHING  
A TEMPORARY FOOD ESTABLISHMENT LICENSE**

**BE IT ORDAINED**, By the Mayor and Council of the Borough of Maywood, that Part IV, Chapter 391 of the Code of the Borough of Maywood entitled “Food Establishments” is hereby amended to include the following new section:

License Required. No person, persons, firm or corporation shall operate a temporary food establishment within the limits of the Borough of Maywood or permit the operation of any of the same of the premises or property unless and until a license therefore is first obtained from the Department of Health:

- A. Temporary food establishment license. The person, persons, firm or corporation responsible for organizing and running a special event involving the serving of food to the public, whether with or without charge, including carnivals, circuses, picnics, fairs and similar events, shall apply for and obtain a temporary food establishment license.
- B. A temporary food establishment license shall be required for each individual stand, kiosk, booth, table or similar conveyance at the special event from which food will be served to the public. It shall be the duty of the temporary food license applicant to apply for and obtain all temporary food establishment licenses necessary for the event. The temporary food establishment licensee shall ensure that only licensed temporary food establishments operate at this event.

**Application for temporary food establishment.** The person, persons, firm or corporation responsible for organizing and running a special event involving the serving of food to the public shall apply, in writing, on forms promulgated and supplied by the Department of Health. Such forms shall be duly verified by the applicant. The applicant shall set forth:

- A. The name, permanent addresses and telephone number of the person, persons, firm or corporation who shall serve as the temporary food establishment licensee and who shall be responsible for organizing and running a special event involving the serving of food to the public.
- B. If the applicant is a corporation, partnership, LLP or LLC, provide the name and address of its registered agent.
- C. The full name, location, date(s), and rain date(s) for the special event.
- D. A list for all temporary food establishments which will be operating at the event, and the name, permanent address and telephone number for the person, persons, firm or corporation who will be operating each temporary food establishment, along with a list of foods which will be prepared and served at the establishment.

**Investigation required prior to issuance of licenses.** Upon receipt of an application for a special event in which food will be served to the public, the Department of Health shall conduct an investigation into the plans for preparation and serving of the food, including qualifications of food handlers and the type of equipment to be used. Upon preliminary satisfactory evidence of compliance with this article and N.J.A.C. 8:24-11 et seq., the Department of Health shall issue a temporary food establishment license. Based on the Registered Environmental Specialist's investigation a Food Handlers Certificate may be necessary in order to obtain a Temporary License. All applications for special event temporary food establishment licenses must be completed and submitted to the Department of Health at least 14 calendar days before the event.

**Fees.**

- A. The following license fees shall be made payable to the Borough of Maywood:
  - 1. Temporary food establishment license for non-potentially hazardous foods: \$25.00.
  - 2. Temporary food establishment license for a one day event: \$25.00.
  - 3. Temporary food establishment license for a two to three day event: \$75.00.
  - 4. Temporary food establishment license for an event lasting four days or more: \$100.00.
  - 5. Duplicate temporary license fee: \$25.00.
- B. No license fees, late fees, or duplicate fees shall be charged to public schools, charitable or nonprofit organizations.
- C. Fees for licenses issued under this article shall be made payable to the Borough of Maywood by the applicant in cash, cashier's check or money order.

**Transferability of License.** Licenses, once issued by the Department of Health, shall not be transferable to another event, location, person or entity, or date.

**Temporary Food License display.** The temporary food license shall be posted in a conspicuous place where it may be readily observed at eye level by all patrons on the stand, kiosk, booth, table, or other similar conveyance during the length of the establishment's operation. No portion of the license shall be obstructed from view during display. It shall be unlawful for the any person to erase, cancel, deface, or alter any license once it has been issued by the Department of Health.

**Violations and penalties.** Any person, persons, firm or corporation holding a temporary food establishment who or which shall violate any provision of this chapter or fail to comply therewith shall severally, for each and every such violation and noncompliance, forfeit and pay a penalty of not less than \$100.00 nor greater than \$500.00, the exact amount to be left to the discretion of the magistrate before whom the complaint is made. The imposition of a penalty for a violation of this chapter shall not excuse the violation or permit it to continue; such violation shall be remedied within a reasonable time or the license shall be revoked without refund. The imposition of the above penalty shall not be held to prevent the enforced compliance with the provision of this chapter.

**Enforcement:** This ordinance will be enforced by the local Registered Environmental Health Specialist.

This ordinance shall take effect upon passage and publication as required by law.

**ORDINANCE # 6-14**

**AN ORDINANCE TO AMEND CHAPTER 287 SUBSECTION 43, CHAPTER 287 SUBSECTION 45 AND CHAPTER 287 SUBSECTION 52 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 287 subsection 43 entitled “Prohibited acts” prohibits the depositing of snow, ice or debris upon any public sidewalk, street or parking facility; and

**WHEREAS**, Borough of Maywood Code Chapter 287 subsection 45 entitled “Duty to remove snow and ice ” makes mandatory snow and ice removal duties of every person, owner, tenant or occupant of improved or unimproved premises; and

**WHEREAS**, Borough of Maywood Code Chapter 287 subsection 52 entitled “Enforcement” provides for enforcement of the duty to remove snow and ice; and

**WHEREAS**, the Mayor and Council of the Borough of Maywood are desirith to revise and update these requirements to include the duty to remove snow and ice from depressed curbs and fire hydrants and to revise the prohibited acts to prevent obstruction of fire hydrants with snow, ice or debris and to invest enforcement powers for same in the members of the Maywood Fire Prevention Bureau;

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

**Section 1.** Chapter 287 subchapter 43 is amended to add paragraph C and shall read as follows:

- C. No person, including the owner or tenant of any premises abutting on any street, shall throw, place or deposit any snow or ice into or upon any street nor within one foot on all sides of any fire hydrant in the Borough of Maywood. It is the intent and purpose of this section to prohibit all persons from throwing, casting, placing or depositing snow and ice upon the sidewalks or streets of the Borough or within one foot on all sides of any fire hydrant.

**Section 2.** Chapter 287 subchapter 45 section A is amended to read as follows:

- A. Every person, owner, tenant or occupant of improved or unimproved premises or property abutting upon any public street shall remove or cause to have removed all snow and ice from such abutting sidewalks and any and all depressed curbs that may intersect two streets at a corner property; and any fire hydrant which abuts the property, so as to allow free passage of pedestrians and access to any fire hydrant within 12 hours of daylight after the same shall fall or be formed thereon. In the event that snow or ice has fallen or been formed upon any property as hereinabove set forth and is so frozen or impacted as to make removal impractical in the judgment of the Building Subcode Inspector, Public Works Manager, members of the Fire Prevention Bureau or member of the regular Maywood Police Department, then the owner, tenant or occupant thereof, as required, shall forthwith cause said snow or ice to be thoroughly covered with clean sand, ashes, sawdust or rock salt within 12 hours of daylight after the accumulation or formation of such snow or ice.

**Section 3.** Chapter 287 subchapter 52 is amended to read as follows:

§ 287-52. Enforcement.

The Building Subcode Official, the Borough Public Works Manager, members of the Fire Prevention Bureau and members of the regular Maywood Police Department are deemed and designated as the principal enforcement officials responsible for the enforcement of this Part 2.

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

Angelo Bondi – asked if Ordinance #5-14 is regarding the Board of Health fee paid to participate in the street fair.

Mayor Padovano responded it relates to all temporary food establishment licenses for any event in the borough; however, if you pay an annual licensing fee you will not be charged again.

Mr. Bondi responded he has always paid a \$25.00 fee to the Board of Health and a \$45.00 fee for an open flame permit for each street fair.

Mayor Padovano responded you will continue to pay the \$45.00 open flame permit fee; however, we will address the issue of the \$25.00 fee since you pay an annual license fee.

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

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

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinances #5-14 and #6-14 be and they are passed upon second and final reading and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

### **CORRESPONDENCE AND REPORT OF BOROUGH CLERK**

Borough Clerk Pelligra reported on the following:

1. She advised the check was received for the Rescue truck and the title was turned over today to the purchaser who will be picking it up.
2. She spoke regarding the financial disclosure statement that all borough officials are required to complete annually and explained there is a new process being worked on with a new vendor, adding she will be attending a class on March 26, 2014 and was advised the statement should be available to complete within a month.

Chief Pegg was present to address the Mayor and Council regarding the purchase of new patrol vehicles and distributed paperwork for their review.

Chief Pegg explained the department does not wish to purchase additional Dodge Chargers due to the lack of maintenance availability and presented information on the Ford Interceptor Utility Vehicle.

Mayor Padovano stated in light of the weather conditions we have been experiencing; it makes sense to go with utility vehicles in lieu of sedans.

Mayor Padovano questioned if any vehicles will be taken off the road.

Chief Pegg responded Cars #11 and #1 as well as one of the detective vehicles.

### **REPORT OF ADMINISTRATOR**

Administrator Stern reported on the following:

1. She stated she met with the architect at the swim pool to discuss the specifications for the required improvements. She advised we will have to amend the bond ordinance to allow for additional work that may be needed, adding we will also be meeting with the plumber for his input.



**REPORT OF ATTORNEY**

Attorney Dario stated he has a report for closed session.

**COMMITTEE REPORTS**

Council member Lindenau reported on the following:

1. He reported he spoke with Roy DeYoung and the DPW has an ample supply of salt should it be needed; adding the plow vehicles have been serviced and are ready to go.
2. He reported the DPW continues to repair potholes and street signs that were damaged during the winter storms.

Council member Morrone reported on the following:

1. He stated March is Women's History Month.
2. He stated a shredding event is planned for May 3, 2014.
3. He stated the trip to the Philadelphia Flower Show this past week was very successful.
4. He stated he enjoyed reading to the students for Read Across America Day and encouraged everyone to participate next year.

Council member Eisenberg reported on the following:

1. He stated he met with the building inspector regarding five vacant homes in Maywood, four of which are in foreclosure.
2. He spoke regarding the Hackensack Fitness Center and stated a permanent certificate of occupancy cannot be issued until the brook is cleaned up.
3. He stated he attended the Honor Roll Breakfast at Maywood Avenue School and it was a pleasure watching these children who have worked so hard receive recognition for their achievements.

Council member Messar reported on the following:

1. He stated it was a privilege to attend Read Across America Day to read to the students in celebration of Dr. Seuss' birthday.
2. He stated the Maywood Avenue School PTO will be hosting a comedy night on March 22, 2014 at 7:00 pm at the Rochelle Park Knights of Columbus and encouraged everyone to support this fundraiser.
3. He reported the Board of Education meeting has been rescheduled from Wednesday, March 19, 2014 to Tuesday, March 18, 2014 at 8:00 pm, adding the school budget will be discussed.

Council member Febre reported on the following:

1. He stated the Library is obtaining prices to replace its outdated security camera system.

2. He reported the book shelves have been installed in the library and the Library Board is hoping the books will be transferred to the shelves by April so the storage bins can be removed from the parking lot.
3. He stated the fire department is requesting two additional dates be set up for firefighters to obtain their ID tags.

Council President Ballerini reported on the following:

1. He stated he enjoyed attending both the Honor Roll Breakfast and Read Across America events.
2. He reminded everyone the deadline to sign up for the Hackensack Youth Police Academy is March 14, 2014, adding details are available on the police department website.
3. He spoke regarding two fires that occurred on the morning of March 2, 2014 and stated the police department, Arson Squad and Bergen County Prosecutor's office have determined they were intentionally set and are asking for the public's help in determining who may be responsible.

### **REPORT OF MAYOR**

Mayor Padovano reported on the following:

1. He stated events will be taking place throughout the year in celebration of the borough's 120<sup>th</sup> Anniversary, adding the Fourth of July parade will also have a theme honoring the anniversary. He stated other events will include t-shirt sales by the Rotary, a bus tour sponsored by the Historical Committee and a soap box derby planned by the Recreation Committee.
2. He stated the Fall Festival and Hawk's 5K Run will be held on Sunday, October 5, 2014 at Memorial Park.
3. He stated the Fourth of July parade will be held Friday, July 4<sup>th</sup> and the fireworks display is scheduled for Sunday, July 6, 2014.
4. He spoke regarding the grand opening of the HUMC Wellness Center.
5. He stated the medical building located at 113 West Essex is hosting its grand opening in two weeks.
6. He echoed the council members' thoughts regarding Read Across America Day, adding we handed out bookmarks this year and everyone who participated had an enjoyable time.
7. He echoed Council members Ballerini and Eisenberg's comments regarding the Honor Roll Award Ceremony and congratulated the sixth, seventh and eighth grade students on their achievements.
8. He stated he has had the privilege to work with the Hackensack Youth Police program in the past and highly recommends children enrolling in the program to learn about police work.
9. He spoke briefly regarding the Dixie remediation project at 158 Central Avenue, Rochelle Park. He advised both the Rochelle Park and Maywood Offices of Emergency Management together with their police, fire and EMS departments are working closely together to ensure all of the safety precautions are being monitored on a daily basis.
10. He stated the paving of East Hunter Avenue and the West Fairmount Avenue parking lot should begin within the next few weeks.
11. He stated the Monument Committee is hoping to meet with representatives of the American Legion and VFW within the next week so that these projects can get started in the spring.

**ACTION LIST ITEMS**

Mayor Padovano reviewed the Action List with the Council:

1. **Riparian/Steep Slope Ordinance:** Mayor Padovano stated we will wait for the Planning Board's review of the Borough Engineer's draft ordinance and then present it to the Council.
2. **Amend 263-2 Hours of Operations for THO, TH, OR, PC and GA zones:** Mayor Padovano distributed a draft ordinance to the council to review regarding an amendment to Sections 263-2 and 209-43 of the zoning ordinance.
3. **Amending Chapter 52 – Personnel Policies – Insurance Fund Requirements:** Mayor Padovano stated a copy of the standard updates we are required to make by law were previously distributed for review, adding this can be placed on our next agenda.
4. **Cat Licensing:** Mayor Padovano stated the Board of Health brought to our attention there are restrictions regarding the number of dogs a resident may have; however, there are no restrictions on the number of cats and is recommending we amend our ordinance to include cats.
5. **NYSW RR Welded Rail Road Project:** The New York Susquehanna Railroad is updating their current rail line from Elmwood Park to North Bergen and is seeking a resolution endorsing the upgrade from each municipality the line runs through.

Council member Morrone asked how the project will affect Maywood Avenue.

Mayor Padovano responded other than the rail crossing; they may repave the roadway where you pass over the tracks.

Council member Messar asked if the repairs will cause traffic problems.

Mayor Padovano responded he does not know how long the repairs will take.

**RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING**

NONE

**APPOINTMENTS – APPROVAL OF THE FOLLOWING**

1. Adrian Febre as a full regular member of the Maywood Fire Department, Protection Hook and Ladder effective March 11, 2014.
2. Christopher Hill as Logistics/Resources Manager for OEM effective March 11, 2014 for a term expiring 12/31/2014.

Council member Ballerini moved the appointments, seconded by Council member Lindenau; and so carried with the exception of Council member Febre abstaining to Appointment #1.

**COUNCIL APPROVAL OF THE FOLLOWING**

1. From the Rosary Society of Our Lady Queen of Peace Church – request to hold an Off-Premise 50/50 Raffle on September 21, 2014 at 4:00 pm, 400 Maywood Avenue, Maywood, NJ 07607.
2. From The Maywood/Rochelle Park Girl’s Softball League – request to have Grant Avenue from Fairmount Avenue to the corner of Mendez Avenue closed for Softball Opening Day on April 12, 2014 from 9:00 am to 3:00 pm.
3. From the MYAA – request to hold “ Opening Day Parade” on April 12, 2014 along West Pleasant Avenue; North on Wyoming Avenue to Memorial Park beginning at 9:30 a.m.
4. From Jean Carlos Mercedes – permission to host the 3<sup>rd</sup> Annual Maywood Hawk 5K Run/Walk on Sunday, October 5, 2014 at 9:00 am.
5. From the Maywood Rotary Club request to hold their Annual 5K Race on May 17, 2014 starting at 9 a.m. from Memorial Park.
6. From Maywood Fire Police request to use Memorial School Parking lot on March 22, 2014 for trip participant parking.
7. From St. Peter Apostle Church request to conduct a Casino Night Raffle at the Maywood Inn on April 5, 2014 from 7:00 pm to 11:00 pm.

Council member Ballerini moved for the approvals, seconded by Council member Febre; and so carried with the exception of Council member Messar abstaining to Approval #3 and Council member Febre abstaining to Approval #6.

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

**RESOLUTION # 56-14**  
**RESOLUTION CONFIRMING APPOINTMENT OF MICHAEL T. APICELLA**  
**AS TAX COLLECTOR/OFFICIAL TAX SEARCH OFFICER OF**  
**THE BOROUGH OF MAYWOOD**

**WHEREAS**, on March 11, 2014, the Mayor and Council appointed Michael T. Apicella to the position of Tax Collector/Official Tax Search Officer, of the Borough of Maywood, for a four (4) year term to take effect retroactively to January 1, 2014; and

**WHEREAS**, the Mayor and Council wish to ratify and confirm such appointment in accordance with New Jersey Statutes;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the appointment of Michael T. Apicella as Tax Collector/Official Tax Search Officer of the Borough of Maywood, for a four (4) year term commencing on January 1, 2014, and continuing until December 31, 2017 at an hourly salary of \$100 per hour not to exceed an annual salary of \$12,000.00, effective March 11, 2014, be and the same is hereby ratified and confirmed.

**RESOLUTION # 57-14**  
**A RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF**  
**TACTICAL EQUIPMENT FOR THE MAYWOOD POLICE DEPARTMENT**  
**WITH FUNDS FROM THE D.E.A. ACCOUNT**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue a purchase order for the Police Chief to purchase the tactical equipment for use of the Maywood Police Department in the sum of \$1,827.00, payable to Taser International 17800 N. 85<sup>th</sup> Street, Scottsdale, AZ. 85255, pursuant to the price quotations received from Taser International, whose response was most advantageous to the Borough, price and other factors considered.

**RESOLUTION # 58-14**  
**RESOLUTION AUTHORIZING CHANGE ORDER # 4 AND FINAL FOR THE**  
**TERRACE AVENUE, COLES STREET AND ADDITIONAL ALTERNATE**  
**STREETS RESURFACING PROJECT**

Be it resolved by the Mayor and Council of the Borough of Maywood of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB            Terrace Ave.,Coles St. and Additional Alternate Streets Resurfacing

NEA FILE: MAYWMUN 10.012

CONTRACTOR            AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011

NJDOT CHANGE ORDER NO. 4 and Final

AMOUNT OF CHANGE THIS RESOLUTION -\$ 75,223.59 (-22.80%) Decrease

AMOUNT OF CHANGE TO DATE:            -\$95,665.33 (-29.00%) Decrease

**RESOLUTION # 59-14**  
**AUTHORIZING FINAL PAYMENT AND CLOSEOUT FOR TERRACE AVENUE,  
COLES STREET AND ADDITIONAL ROADS RESURFACING PROJECT**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that the contract for the **Terrace Avenue, Coles Street and Additional Roads Resurfacing Project** was constructed by **AJM Contractors, Inc. of 300 Kuller Road, Clifton, NJ 07011** in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 25% Guarantee Bond for a period of two (2) years from February 01, 2012, the said construction is hereby accepted and final payment in the amount of **Five Thousand Six Hundred Thirty Five Dollars and Twenty Two Cents (\$5,635.22)** is hereby approved.

This Resolution shall take effect immediately.

**RESOLUTION # 60-14**  
**A RESOLUTION RATIFYING AND CONFIRMING THE REPAIRS TO THE  
ELEVATOR AT THE MAYWOOD PUBLIC LIBRARY**

**WHEREAS**, a need exists within the Borough to repair the elevator at the Maywood Public Library located at 459 Maywood Avenue; and

**WHEREAS**, the cost of such repairs including installation of a new pump unit along with additional work and final testing with NJ State Inspector is estimated to be below the bid threshold of \$36,000, but in excess of \$5,400, being 15% of the bid threshold; and

**WHEREAS**, pursuant to Section 9-7 of the Code of the Borough of Maywood, purchases in excess of \$7,500 require Mayor and Council approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to purchase, and to sign and issue purchase orders for a new pump unit along with the additional motor work, hydraulics and performance tests for the Maywood Public Library, 459 Maywood Avenue in the Borough of Maywood for the sum of \$ 18,880.00, payable to ALKAP Elevator Services, Inc., 117 Ramapo Avenue, Pompton Lakes, NJ 07442, pursuant to the price quotation received from ALKAP Elevator Services, Inc., whose response was most advantageous to the Borough, price and other factors considered.

**RESOLUTION # 61-14**  
**RESOLUTION AUTHORIZING THE PURCHASE OF TWO NEW POLICE  
VEHICLES PURSUANT TO STATE CONTRACT**

**WHEREAS**, the Borough of Maywood is in need of two police vehicles; and

**WHEREAS**, pursuant to State Contract 82925, Winner Ford located at 250 Haddenfield-Berlin Road, Cherry Hill, NJ 08034 has been awarded a contract for the 2014 Ford Police Interceptor Utility Vehicle at a state contract price of \$26,984.00 per vehicle; and

**WHEREAS**, the Borough of Maywood desires to purchase the police vehicles; and

**WHEREAS**, on the basis of price and other factors, the Chief of Police has recommended the award of a contract to Cherry Hill Winner Ford.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough of Maywood hereby authorizes the purchase of two (2) 2014 Ford Police Interceptor Utility Vehicles from Winner Ford pursuant to State Contract Number 82925, at a base price of \$26,984.00 each for a total cost of \$53,968.00, in accordance with its proposal.

**RESOLUTION # 62-14**  
**A RESOLUTION AUTHORIZING THE PURCHASE OF A 2014 FORD POLICE**  
**INTERCEPTOR UTILITY VEHICLE FOR THE MAYWOOD POLICE DEPARTMENT**  
**WITH FUNDS FROM THE D.E.A. ACCOUNT**

**WHEREAS**, a need exists within the Borough to purchase A 2014 Ford Police Interceptor Utility vehicle for the Maywood Police Department; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue a purchase order for the Police Chief to purchase the 2014 Ford Police Interceptor Utility vehicle for use by the Maywood Police Department in the sum of \$26,484.00, payable to Cherry Hill Winner Ford, 250 Haddenfield-Berlin Road, Cherry Hill, NJ 08034, pursuant to the price quotations received from Cherry Hill Winner Ford, whose response was most advantageous to the Borough, price and other factors considered.

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

**INTRODUCTION OF ORDINANCES**

NONE

**NEW BUSINESS**

**OLD BUSINESS**

Council President Ballerini stated he spoke with Police Lieutenant Natale regarding security cameras and after resolving some installation approvals with Verizon, the project will be revisited, adding Administrator Stern is also working on this project.

**MISCELLANEOUS BUSINESS**

Mayor Padovano stated the trivia for the day is at the November 7, 1894 meeting of the Mayor and Council an ordinance was introduced to require tires on wagon wheels.

**CLOSED SESSION – IF APPLICABLE**

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

**BOROUGH OF MAYWOOD**  
**Closed Session Resolution #63-14**

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

**Collective Bargaining; Litigation; Personnel**

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

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- ( ) Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved



Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof

Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest

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

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

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

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

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

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

Will return to open session after this meeting.

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

Date of Passage: 3-11-14 Time: 8:00 pm

**ADJOURNMENT**

Council member Morrone moved the meeting be adjourned; seconded by Council member Febre and so carried at 9:45 p.m.

Borough Clerk