

WORK SESSION

MAY 13, 2014

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

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

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

SALUTE TO THE FLAG

Mayor Padovano asked for a moment of silence to remember Dorothy Fenniman, a long-time Maywoodian who passed away Sunday, adding together with her husband, she was very involved in borough events and volunteered for many organizations.

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

Absent: Council member Ballerini

PROCLAMATIONS, PRESENTATIONS, ETC.

Members of Maywood American Legion Post and Auxiliary Unit # 142 were present to kick off their “poppy” sale.

Mayor Padovano read a Proclamation proclaiming the week of May 12 through May 16, 2014 as “Disabled Veterans Week”.

WHEREAS, the Mayor and Council of the Borough of Maywood are proud of the men and women who have served in the Armed Forces of the United States; and

WHEREAS, the Mayor and Council are particularly mindful of the sacrifices made by those of our Armed Forces who have suffered disabling injuries and have sacrificed their own lives in the protection of the citizens of the United States and to preserve freedom and liberty; and

WHEREAS, in order to benefit our disabled war veterans, American Legion Post # 142 and the American Legion Auxiliary Unit # 142 in the Borough of Maywood will sponsor an annual poppy sale; and

WHEREAS, the Mayor and Council heartily support the efforts of the American Legion to benefit disabled war veterans and urges each and every resident of Maywood to assist in this program;

NOW, THEREFORE, BE IT RESOLVED that I, Gregg A. Padovano, Mayor of the Borough of Maywood, do hereby proclaim the week of **May 12 through May 16, 2014 as “Disabled Veterans Week”** in remembrance of the sacrifices which disabled veterans have made in defense of their country; and

BE IT FURTHER RESOLVED, that the citizens of the Borough of Maywood are hereby urged to support the annual poppy drive sponsored by the American Legion Post # 142 and the American Legion Auxiliary Unit # 142 for the benefit of our disabled war veterans.

Mayor Padovano stated a memorial service will be held on Memorial Day at Veterans Memorial Park to remember the service of all the veterans in town especially the nineteen Maywoodians who never returned.

Mayor Padovano read a Proclamation supporting the *Click It or Ticket* mobilization from May 19th through June 1, 2014.

Whereas, there were 545 motor vehicle fatalities in New Jersey in 2013; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 19 – June 1, 2014 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 92%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be is resolved that I, Gregg A. Padovano, declares support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 19 – June 1, 2014 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

Mark Brown – 575 Elm Street – questioned overnight parking and/or the possibility of designating a handicap parking space by his home for his child with special needs.

Mayor Padovano suggested Administrator Stern speak with Chief Pegg and Officer Wuhrl to see if a solution can be worked out.

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

PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES

RESOLUTION # 97-14
READING OF 2014 MUNICIPAL BUDGET BY TITLE

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey pursuant to N.J.S.A. 40A:4-8, by not less than a majority of the whole number, that the 2014 Municipal Budget for the Borough of Maywood shall be read by title only at the commencement of the public hearing thereon; and

BE IT FURTHER RESOLVED that at least one week prior to the date of the hearing, a copy of the approved budget as advertised by Revenue and Appropriation Summaries was posted in Borough Hall, delivered to the Maywood Public Library for public inspection with said delivery certified by the Library Director and that a copy of said budget was made available to each person requesting the same during said week and during the public hearing.

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

PUBLIC HEARING ON THE 2014 MUNICIPAL BUDGET

Mayor Padovano opened the meeting to the public for any comments or questions relative to the 2014 Municipal Budget.

John Brown – 41 Stelling Avenue – thanked the Mayor and Council for the zero percent increase; however, unfortunately due to the four and one-half percent increase in the school budget, residents may not realize the good work that was done.

There being no further comments or questions relative to the 2014 Municipal Budget, Mayor Padovano closed this portion of the meeting.

RESOLUTION # 98 -14
2014 MUNICIPAL BUDGET

RESOLUTION # 98-14

SECTION 2 - UPON ADOPTION FOR YEAR 2014

(Only to be Included in the Budget as Finally Adopted)

RESOLUTION

Be It Resolved by the Mayor and Council of the Borough of Maywood of the County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$11,645,276.00 (Item 2 below) for municipal purposes, and
- (b) \$0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and;
- (c) (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
- (d) \$410,432.00 (Item 3c below) to be added to the certificate of amount to be raised by taxation for Minimum Library Tax

the following summary of general revenues and appropriations.

	{	LINDENAU	{		{
	{	MORONE	{	Abstained	{
	{	EISENBERG	{		{
RECORDED VOTE	Ayes	{	Nays	{	
(Insert last name)		{		{	
		{		{	ABLERINI
		{		{	Absent
		{		{	

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	08-100	916,190.00
Miscellaneous Revenues Anticipated	40004-10	2,853,208.32
Receipts from Delinquent Taxes	15-499	215,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURP (Item 6(a), Sheet 11)	07-190	11,645,276.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:		
Item 6, Sheet 42	07-195	
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
Item 6(c), Sheet 11 Minimum Library Tax		410,432.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		
4. To Be Added to THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
Total Revenues	40000-10	16,040,106.32

Sheet 41

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

Hearing none, Mayor Padovano closed this portion of the meeting.

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

Be it resolved by the Mayor and Council of the Borough of Maywood, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$ 11,645,276.00 for municipal purposes and \$ 410,432.00 for minimum library tax.

Mayor Padovano spoke regarding the budget and stated it actually had a less than zero percent increase and in 2013 we realized a \$1.8 million surplus, adding this is the result of hard work and policies that were put in place. He congratulated everyone that was involved and commended every member of the council for making this historic budget possible.

ORDINANCE # 4-14

**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 entitled "Personnel Policies " provides for personnel polices 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 desire to revise and update the Personnel Policies of the Borough of Maywood;

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 69 section C is amended to read as follows:

- C. Municipal vehicles are to be used only for official business of the Borough of Maywood. Personal use of municipal vehicles is prohibited and shall be cause for disciplinary action and/or removal from employment. Only authorized municipal personnel or persons conducting business with the Borough may be transported in municipal vehicles. The Borough Administrator may create an exception to this policy.

Section 2. Chapter 52 Subchapter 79.4 is stricken in its entirety and shall be replaced with the following language and shall read as:

Title: Communication Media Policy

The Borough of Maywood's Communication Media are the property of the Borough and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the Borough, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the Borough. For purposes of this policy, "Data" includes "electronically-stored files, programs, tables, data bases,

audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Borough business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Borough's mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Borough's local or wide-area networks."

The Borough respects the individual privacy of its employees. However, employee communications transmitted by the Borough's Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Borough. The Borough reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Borough's Communication Media.** By using the Borough's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Borough personnel. The existence of passwords does not restrict or eliminate the Borough's ability or right to access electronic communications. However, the Borough cannot require the employee to provide its password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Borough are required to use the assigned municipal email account for ALL Borough business and correspondence. The use of private email accounts for ANY Borough business or during business hours is strictly prohibited.

Employees can only use the Borough's Communication Media for legitimate business purposes. Employees may not use Borough's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Borough. Certain data, or applications that process data, may require additional security measures as determined by the Borough. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

All employees may access only data for which the Borough has given permission. All employees must take appropriate actions to ensure that Borough data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Borough's computing environment.

Employees may not install *or Modify* ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough, or licensed to the Borough. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

The Borough encourages employees to share information with co-workers and with those outside the Borough for the purpose of gathering information, generating new ideas and learning from the work of others to the extent such sharing is permitted by the Borough. Social media provides inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Employees may engage in social media activity during work time through the use of the Borough's Communication Media, provided that it is directly related to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential Borough information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Borough's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Mayor. Except in "emergency situations," Employees are prohibited from taking digital images or photographs with media equipment not owned by the Borough. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Borough's Communication Media. If such situation occurs, employee agrees that any images belong to the Borough and agree to release the image to the Borough and ensure its permanent deletion from media device upon direction from the Borough.

No media advertisement, electronic bulletin board posting, or any other posting accessible via the Internet about the Borough or on behalf of the Borough, whether through the use of the Borough's Communication Media or otherwise, may be issued unless it has first been approved by the (CEO of the local unit type). Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Borough.

Because (authorized) postings placed on the Internet through use of the Borough's Communication Media will display on the Borough's return address, any information posted on the Internet must reflect and adhere to all of the Borough's standards and policies.

All users are personally accountable for messages that they originate or forward using the Borough's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else) is prohibited.

Employees must respect the laws regarding copyrights, trademarks, rights of public Borough and other third-party rights. Any use of the Borough's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Borough, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

To the extent that employees use social media outside of their employment and in so doing employees identify themselves as Borough's employees, or if they discuss matters related to the Borough on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the Borough, and the employee is expressing only their personal views. For example: "The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the Borough or the Borough's business. Employees must keep in mind that, if they post information on a social media site that is in violation of Borough policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Borough employees have the right to engage in or refrain from such activities.

Video Surveillance

The Borough may install video surveillance camera systems within public buildings and throughout public areas within the Borough, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the Borough will ensure compliance with federal, state and local laws governing such usage.

The Borough's video surveillance camera systems are a significant tool to which the employees of the Borough will avail themselves in order to complete the goals and objectives of the Borough. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Borough's designee will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the Borough's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission for the designee of the Borough.

The Borough shall designate a person to be responsible for the maintenance and administration of the video surveillance camera system. Such designee will be responsible for maintaining a user access log detailing the date and name of individuals who view/access a stored recording.

Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that the Borough Administrator and/or Chief of Police are immediately informed of such breach.

Section 3. Chapter 52 Subchapter 52 section A is stricken in its entirety and replaced with the following language:

A. Family and Medical Leave Act Policy:

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("FLA"). In order to be eligible for such leave, employees must have: one (1) year of service with the Borough; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite (for Federal leave). Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee's health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Upon written notice, eligible employees are entitled to a family or medical leave for up to twelve weeks to care for a newly born or adopted child or a seriously ill immediate family member, including civil union partner, or for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Borough reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the (Personnel Administrator title).

Commencing July 1, 2009, Family Temporary Disability (“FTD”) payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in connection with a family member’s serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the Borough with 15 days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the Borough with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran’s active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; *or*

2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; *or*
3. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; *or*
4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any *one* of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon employer's request, an employee must provide a copy of the covered military member's active duty orders to support request for qualifying exigency leave.

In addition, upon an employer's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon an employer's request, an employee must provide a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Section 4. Chapter 52 Subchapter 52 is amended to add section E which shall read as follows:

E. Domestic Violence Leave:

The New Jersey Security and Financial Entitlement Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

- Seek medical attention for physical or psychological injuries;
- Obtain services from a victim services organization, pursue psychological or other counseling;
- Participate in safety planning for temporary or permanent relocation;
- Seek legal assistance to ensure health and safety of the employee or the employee's relative; or
- Attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

To be eligible for the leave, an employee must meet the following criteria:

- The employee or their child, parent, spouse or domestic partner must be a victim of domestic violence or a sexually violent offense;
- The employee must have worked for the employer for at least twelve months and for at least 1,000 hours during the twelve (12) month period immediately preceding the requested leave; and
- The twenty (20) day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis but such leave can not be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employee seeking leave must provide proof that they qualify for the leave. Such proof may include restraining order, letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave act. If so, the Borough will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The Borough shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

The Borough shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

Section 5. Chapter 52 Subchapter 54 section B is amended and shall read as follows:

- B. Employees are required to complete time sheets and provide same to their supervisor or utilize any time keeping mechanism to “clock in” as directed by their supervisor. Accurate and complete time and attendance records will be maintained by each departmental unit of the Borough. The head of the department will certify as to the accuracy of the time and attendance records to the Borough Clerk at the end of each week.

Section 6. Chapter 52 Subchapter 61 by adding section D and is amended and shall read as:

- D. Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Borough of Maywood covers workers compensation benefits through its membership in the South Bergen Joint Insurance Fund with a self-insurance plan.

Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the South Bergen Joint Insurance Fund on behalf of the Borough of Maywood and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Unless explicitly provided for in a bargaining agreement, the Borough will only pay, either directly or through its Workers’ Compensation insurer, those benefits that are specifically provided for under the Workers’ Compensation Act and will not supplement these benefits with additional benefits pursuant to NJSA 11A:6-8.

Section 7: Effective Date

- a. This Ordinance shall take effect upon passage and publication according to law.

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

Hearing none, Mayor Padovano closed this portion of the meeting.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance #4-14 be and is passed upon second and final reading and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

ORDINANCE # 8-14
CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Maywood in the County of Bergen finds it advisable and necessary to increase its CY 2014 budget by up to 3.0% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that an additional 3.0 % increase in the budget for said year, amounting to \$326,203.17 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as cap bank to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Maywood, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Borough of Maywood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to 380,570.37, and that the CY 2014 municipal budget for the Borough of Maywood be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Hearing none, Mayor Padovano closed this portion of the meeting.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance #8-14 be and is passed upon second and final reading and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

ORDINANCE #9-14

**REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF \$4,650,000
AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS OF THE BOROUGH OF
MAYWOOD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING
A SUM NOT EXCEEDING \$4,750,000 TO PAY THE COST THEREOF AND
AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,750,000 AGGREGATE
PRINCIPAL AMOUNT OF REFUNDING BONDS OF SAID BOROUGH TO FINANCE SUCH
APPROPRIATION**

BE IT ORDAINED by the Borough Council of the Borough of Maywood, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough of Maywood, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to refund \$4,650,000 aggregate principal amount of the Borough's outstanding General Improvement Bonds, dated January 15, 2004 and maturing on or after January 15, 2015 (the "Outstanding Bonds").

The Outstanding Bonds bear interest from their date at the rates per annum, payable on January 15 and July 15 of each

year until maturity or prior redemption, and mature in annual installments on January 15 in each year, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2015	\$580,000	3.625%
2016	605,000	3.75
2017	635,000	3.80
2018	660,000	4.00
2019	680,000	4.00
2020	710,000	4.00
2021	780,000	4.00

The Outstanding Bonds are subject to optional redemption at a redemption price of 100%.

The Borough Council may determine by subsequent resolution not to refund a portion of the Outstanding Bonds.

Section 2. The Borough Council of the Borough has ascertained and hereby determines that the Outstanding Bonds set forth in Section 1 of this ordinance have not been paid or discharged and that the Borough is authorized by Section 51(a) of the Local Bond Law of New Jersey (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds as hereinafter provided to refund the Outstanding Bonds. The object of the refunding is to effect debt service savings for the Borough.

Section 3. A sum not exceeding \$4,750,000 is hereby appropriated (a) to refund the Outstanding Bonds set forth in

Section 1 of this ordinance in the aggregate principal amount of \$4,650,000 and (b) to pay an amount not exceeding \$90,000 for the cost of the issuance of the refunding bonds, including underwriter's compensation, printing, advertising, financial and legal expenses therefor, as permitted by Section 51(b) of the Local Bond Law (collectively, the "Purpose").

Section 4. To finance the Purpose, refunding bonds of said Borough in an aggregate principal amount not exceeding \$4,750,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall be sold at public or private sale and shall be in registered form and shall contain the word "refunding" in their title and shall recite that they are issued pursuant to the Local Bond Law and shall bear such date or dates, mature at such time or times not exceeding 40 years from their date, bear interest at such rate or rates per annum, be payable at such time or times, be in such denominations, carry such registration privileges, be executed in such manner consistent with the provisions of the Local Bond Law for bonds of a municipality, be payable at such place or places, and be subject to such terms of redemption, with or without premium, as may be hereafter determined by resolution of the Borough Council within the limitations prescribed by law.

Section 5. The Refunding Bonds shall be direct, unlimited and general obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all taxable real property within the Borough for the payment of the principal of and the interest on the Refunding Bonds without limitation as to rate or amount. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of the Refunding Bond exist, have happened and have been performed, and that the Refunding Bond, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State.

Section 6. The Chief Financial Officer is hereby authorized to execute a certificate addressed to the underwriters of the Refunding Bonds stating that the preliminary official statement to be prepared by the Borough with respect to the Refunding Bonds is "deemed final" as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. The distribution of such preliminary official statement to potential purchasers of the Refunding Bonds is hereby approved.

Section 7. All matters with respect to the Refunding Bonds not determined by this ordinance shall be determined by subsequent resolution or resolutions to be hereafter adopted by the Borough Council of the Borough, or the performance or determination thereof delegated by resolution or resolutions, to the Chief Financial Officer.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$4,750,000 (the amount of the Refunding Bonds authorized), but \$4,650,000 (the amount of Outstanding Bonds being refunded) shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 9. It is hereby determined and stated that no sum need be appropriated hereby as a down payment.

Section 10. The Borough is hereby authorized to enter into any agreements that may be necessary to effect the purchase of securities, as permitted by Sections 53(c) and 60 of the Local Bond Law, to accomplish the refunding.

Section 11. This refunding bond ordinance shall take effect twenty days after the first publication thereof after final passage as provided by the Local Bond Law.

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

Hearing none, Mayor Padovano closed this portion of the meeting.

Council member Morrone moved for the adoption, seconded by Council member Febre.

Council member Eisenberg questioned the additional \$100,000.00 to cover soft costs.

Mayor Padovano responded it may or may not be used.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance #9-14 be passed upon second and final reading, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law, and that the twenty day period of limitation within which a suit, action, or proceeding questioning the validity of such Ordinance can be commenced as provided in the Local Bond Law has begun to run from the date of first publication of this statement. A copy of this Ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Borough Hall of the Borough, and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the Office of the Borough Clerk in said Borough in Maywood, New Jersey.

ORDINANCE #10-14

BOND ORDINANCE TO AMEND SECTIONS 4, 6, 7, 8, 10 AND 11 OF THE BOND ORDINANCE (ORD. NO. 9-13) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$950,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON AUGUST 27, 2013.

BE IT ORDAINED by the Borough Council of the Borough of Maywood, in the County of Bergen, State of New Jersey, as follows:

Section 1. Section 4 of Ordinance No. 9-13 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$950,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Maywood, in the County of Bergen, New Jersey (the "Borough") on August 27, 2013 (the "Prior Ordinance") is hereby amended to (A) (i) add the acquisition of telephone equipment to the purpose authorized in Section 4.G.; (ii) increase the appropriation and estimated cost in Section 4.G. from \$22,000 to \$57,000 (an increase of \$35,000); (iii) increase the down payment appropriated in Section 4.G. from \$1,050 to \$2,720 (an increase of \$1,670); and (iv) increase the bonds and notes authorized in Section 4.G. from \$20,950 to \$54,280 (an increase of \$33,330); (B) (i) add the acquisition of various field and road equipment to the purposes authorized in Section 4.J.; (ii) increase the appropriation and estimated cost in Section 4.J. from \$36,000 to \$86,000 (an increase of \$50,000); (iii) increase the down payment appropriated in Section 4.J. from \$1,800 to \$4,200 (an increase of \$2,400); and (iv) increase the bonds and notes authorized in Section

4.J. from \$34,200 to \$81,800 (an increase of \$47,600); (C) (i) change the purpose authorized in Section 4.K. from refurbishing of the locker rooms at the Municipal Pool to renovation of the locker rooms/bathrooms and reconstruction of the bench-height wall at the Municipal Pool; (ii) increase the appropriation and estimated cost in Section 4.K. from \$50,000 to \$200,000 (an increase of \$150,000); (iii) increase the down payment appropriated in Section 4.K. from \$2,390 to \$9,540 (an increase of \$7,150); and (iv) increase the bonds and notes authorized in Section 4.K. from \$47,610 to \$190,460 (an increase of \$142,850); and (D) (i) increase the aggregate appropriation and estimated cost for Section 4 from \$950,000 to \$1,185,000 (an increase of \$235,000); (ii) increase the aggregate down payment appropriated for Section 4 from \$46,000 to \$57,220 (an increase of \$11,220); and (iii) increase the aggregate amount of bonds and notes authorized in Section 4 from \$904,000 to \$1,127,780 (an increase of \$223,780); and shall hereafter read as follows:

"Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the

estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of HVAC improvements at the Senior Citizens Building. It is hereby determined and stated that the public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 22,000
Down Payment Appropriated	\$ 1,050
Bonds and Notes Authorized	\$ 20,950
Period of Usefulness	15 years

B. Undertaking of municipal parking lot improvements at Palmer Avenue and West Fairmount Avenue.

Appropriation and Estimated Cost	\$ 40,000
Down Payment Appropriated	\$ 1,910
Bonds and Notes Authorized	\$ 38,090
Period of Usefulness	10 years

C. Construction of Pleasant Avenue turnarounds.

Appropriation and Estimated Cost	\$ 20,000
Down Payment Appropriated	\$ 960
Bonds and Notes Authorized	\$ 19,040
Period of Usefulness	10 years

D. Installation of a new elevator at the Public Library. It is hereby determined and stated that the public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 27,000
Down Payment Appropriated	\$ 1,290
Bonds and Notes Authorized	\$ 25,710
Period of Usefulness	15 years

E. (i) Undertaking of various improvements to Memorial Park and (ii) replacement of signs at various parks.

Appropriation and Estimated Cost	\$ 160,000
Down Payment Appropriated	\$ 7,620
Bonds and Notes Authorized	\$ 152,380
Period of Usefulness	15 years

F. Acquisition of new additional or replacement equipment and machinery consisting of turnout gear for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,500
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	5 years

G. Acquisition of new information technology equipment and new additional or replacement equipment and machinery for use in the Municipal Building consisting of (i) a computer network system and (ii) telephone equipment.

Appropriation and Estimated Cost	\$ 57,000
Down Payment Appropriated	\$ 2,720
Bonds and Notes Authorized	\$ 54,280
Period of Usefulness	7 years

H. Undertaking of various improvements to the Municipal Building. It is hereby determined and stated that the public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 48,000
Down Payment Appropriated	\$ 2,290
Bonds and Notes Authorized	\$ 45,710
Period of Usefulness	15 years

I. Acquisition of new information technology equipment consisting of a computer system for the use of the Building Department.

Appropriation and Estimated Cost	\$ 23,000
Down Payment Appropriated	\$ 1,100
Bonds and Notes Authorized	\$ 21,900
Period of Usefulness	7 years

J. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Department of Public Works consisting of (i) a pickup truck, (ii) a wheel balancing machine and (iii) various field and road equipment.

Appropriation and Estimated Cost	\$ 86,000
Down Payment Appropriated	\$ 4,200
Bonds and Notes Authorized	\$ 81,800
Period of Usefulness	5 years

K. Renovation of the locker rooms/bathrooms and reconstruction of the bench-height wall at the Municipal Pool.

Appropriation and Estimated Cost	\$ 200,000
Down Payment Appropriated	\$ 9,540
Bonds and Notes Authorized	\$ 190,460
Period of Usefulness	15 years

L. Reconstruction of various roads in the Borough, as set forth on a list prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 425,000
Down Payment Appropriated	\$ 20,240
Bonds and Notes Authorized	\$ 404,760
Period of Usefulness	10 years

M. Acquisition of new additional or replacement equipment and machinery consisting of various equipment and machinery for the use of the Office of Emergency Management.

Appropriation and Estimated Cost	\$ 27,000
Down Payment Appropriated	\$ 1,800
Bonds and Notes Authorized	\$ 25,200
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$1,185,000
Aggregate Down Payment Appropriated	\$ 57,220
Aggregate Amount of Bonds and Notes Authorized	\$1,127,780."

Section 2. Section 6 of the Prior Ordinance is hereby amended to increase the down payment appropriated from \$46,000 to \$57,220 (an increase of \$11,220), and shall hereafter read as follows:

"Section 6. It is hereby determined and stated that moneys exceeding \$57,220, appropriated for down payments on capital

improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$57,220 is hereby appropriated from such moneys to the payment of the cost of said purposes."

Section 3. Section 7 of the Prior Ordinance is hereby amended to increase the amount of bonds authorized from \$904,000 to \$1,127,780 (an increase of \$223,780), and shall hereafter read as follows:

"Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,127,780 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted."

Section 4. Section 8 of the Prior Ordinance is hereby amended to increase the amount of bond anticipation notes authorized from \$904,000 to \$1,127,780 (an increase of \$223,780), and shall hereafter read as follows:

"Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,127,780 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the

event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding."

Section 5. Section 10 of the Prior Ordinance is hereby amended to increase the average period of usefulness of the purposes authorized from 10.88 years to 11.04 years (an increase of 0.16 years), and shall hereafter read as follows:

"Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 11.04 years computed from the date of said bonds."

Section 6. Section 11 of the Prior Ordinance is hereby amended to increase the amount of gross debt of the Borough shown on the Supplemental Debt Statement filed for the ordinance, as amended, from \$904,000 to \$1,127,780 (an increase of \$223,780), and shall hereafter read as follows:

"Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,127,780 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law."

Section 7. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 8. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

Hearing none, Mayor Padovano closed this portion of the meeting.

Council member Messar moved for the adoption, seconded by Council member Lindenau.

Council member Eisenberg questioned the total amount of this bond ordinance and suggested surplus funds be used instead.

Roll call vote was taken and was so carried with the exception of Council member Eisenberg voting no.

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance #10-14 be passed upon second and final reading, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law, and that the twenty day period of limitation within which a suit, action, or proceeding questioning the validity of such Ordinance can be commenced as provided in the Local Bond Law has begun to run from the date of first publication of this statement. A copy of this Ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Borough Hall of the Borough, and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the Office of the Borough Clerk in said Borough in Maywood, New Jersey.

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She stated today is the last day to register to vote prior to the June 3, 2014 Primary Election and the Borough Clerk's office will be open until 9:00 pm.
2. She stated all local government officers will be receiving the annual Financial Disclosure Form; adding they are being sent via email on a staggered basis in alphabetical order and everyone will receive it by the end of next week.

Mayor Padovano stated this month marks the tenth anniversary of Ms. Pelligra's service to the Borough of Maywood as the Borough Clerk; adding we thank her for her dedication and years of service and wish her good luck as she continues to serve as our Borough Clerk.

REPORT OF ADMINISTRATOR

Administrator Stern reported on the following:

1. She reported this year's fireworks display is being sponsored by the HUMC Fitness and Wellness Center; adding contributions continue to come in from our supporters for our Fourth of July festivities.
2. She stated the municipal pool will be opening shortly and will be filled by the end of the week, adding the lifeguards are cleaning and putting up the umbrellas. She reported the bathroom and locker room renovations have begun and are moving along.
3. She congratulated Borough Clerk Pelligra on her tenth anniversary serving as Borough Clerk.

REPORT OF ATTORNEY

Attorney Dario reported he has a report for Closed Session.

COMMITTEE REPORTS

Council member Lindenau stated he has no report this evening.

Council member Morrone reported on the following:

1. He reported a household hazardous waste collection will be held on Sunday, June 22, 2014 and a tire recycling event on Saturday, August 16, 2014 at Bergen Community College.
2. He stated a shredding event will be held on Saturday, July 12, 2014 at Maywood Avenue School.
3. He stated the bus tour hosted by Historian Betty Fetzer and the Historical Society on April 27, 2014 in celebration of the Borough's 120th Anniversary was successful and very enjoyable.
4. He reported the renovations at the swim pool are coming along and thanked Administrator Stern for her hard work coordinating the project.

Council member Eisenberg stated he has no report this evening.

Council member Messar reported on the following:

1. He reported the Board of Education passed its school budget on April 30, 2014.
2. He spoke regarding an incident on May 8, 2014 at Maywood Avenue School where a stranger was in close proximity to the drop-off area, adding everything checked out ok but asked all to be alert.
3. He stated the Mayor and Council are invited to the Fifth Grade Youth Leadership Commencement Ceremony at Maywood Avenue School on May 16, 2014 at 11:00 am.
4. He thanked everyone for their hard work on the budget.

Council member Febre reported on the following:

1. He stated Monday morning the Library opened to find a substantial amount of water on the first floor caused by a broken water heater, adding the water made its way to the elevator shaft. He advised all library programs were cancelled this week and clean-up is in progress.
2. He stated the First Aid Squad is hosting a blood drive on Sunday, June 1, 2014 from 11:00 am to 3:00 pm and urged everyone to donate.
3. He reported the Bergen County Office of Emergency Management is hosting a FEMA/ ICS overview program for executives and senior officials on Thursday, June 12, 2014 at the Bergen County Academy.
4. He stated he is proud to have been part of the budget process this year.
5. He spoke regarding Dorothy Fenniman and stated he is sorry to hear about her passing.

REPORT OF MAYOR

Mayor Padovano reported on the following:

1. He stated the Maywood Rotary is hosting its 5K Race on Saturday, May 17, 2014, adding additional information is available on the borough's web site.
2. He stated the Memorial Park Monuments Committee met last week to discuss the improvements to the war monuments and surrounding landscaped area at Memorial Park.
3. He stated he has spoken to the borough engineer about doing a master plan for Memorial Park so going forward we will have an idea of what improvements or repairs need to be made. He explained park improvements that are currently in progress include field repairs, new water fountains and a scoreboard for girls' softball.
4. He stated the borough received \$150,000.00 in grant funding for the Street Scapes project on the south side of town between Hunter Avenue and the train tracks.
5. He stated the East Hunter Avenue paving project is almost complete and the Fairmount Avenue parking lot will follow, adding we are looking forward to our 2014-2015 paving projects.
6. He reported the Green Team sponsored the planting of the Community Garden beds over the past two weekends; adding there is one planting bed still available for any volunteer organization that is interested. He stated a pergola is being built and the Green Team also hopes to use the garden for educational purposes, adding we are speaking with the borough engineer to apply for additional grant funding to provide water to the garden.

ACTION LIST ITEMS

Mayor Padovano discussed the Action List with the council.

1. **Riparian/Steep Slope Ordinance:** Mayor Padovano stated we are waiting for an opinion from the Planning Board.
2. **Amend 263-2 Hours of Operations for THO, TH, OR, PC and GA zones:** Mayor Padovano stated we are waiting for an opinion from the Planning Board due to possible zoning ordinance changes.
3. **Zoning Map / Tax Map update:** Mayor Padovano stated the Planning Board has a copy of the updated zoning map that the borough engineer prepared, adding he will make sure the council receives a copy. He explained the zoning map was based on the old tax map; therefore, he has requested a price from the borough engineer to also make the necessary updates to the tax map.
4. **Fee Ordinance:** Mayor Padovano stated a copy of the current fee ordinance will be distributed to the council for review, adding changes will be discussed at a future meeting.

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

1. Zia Hasan as a part-time school crossing guard effective April 29, 2014.
2. Donald Russell as DPW Supervisor effective May 7, 2014.

Council member Messar moved the resignations be accepted, seconded by Council member Morrone; and so carried by unanimous roll call vote.

Mayor Padovano stated Mr. Russell has been with the borough for a long time and wished him luck with his future employment.

APPOINTMENTS – APPROVAL OF THE FOLLOWING

1. **Employee Appointments for the 2014 Swim Pool Season** – David Wells as Swim Pool Manager at a salary of \$13,000.00; Austin Wey and Michael Walker as Assistant Swim Pool Managers at a salary of \$8,200.00.

Full Time Lifeguard/Head Swim Team Coach – Joseph Cusmano at \$9.25 per hour plus \$1,500.00.

Full Time Lifeguard/Assistant Swim Team Coach – Christina Cusmano and Mark Tieleman at \$8.50 per hour plus \$800.00.

Full Time Lifeguard/Swim Instructor – Jacqueline Cormier, Catherine Alcantara and Jennifer Antonietti at \$11.00 per hour.

Head Lifeguard – Jake Lindenau at \$10.00 per hour.

Full Time Lifeguards – Matthew Mooney, Stephen Grath, Alana Spendley, and Hart Sibug at \$8.75 per hour and Michael Pacheco at \$8.50 per hour.

Part Time Lifeguards – April Wey at \$9.75 per hour; Robert Farrell at \$9.00 per hour; Timothy Waanders, Megan Ciralo and Amanda Pappas at \$8.50 per hour.

Part Time Lifeguard Substitutes – Kyle Kalomeris, Lauren Krutzer, Bessi Tozluku, Valeria Oshepkova, Andrew Esposito, Alison Wickersheim, and Patrick Waanders at \$8.25 per hour.

**All appointments are subject to the completion of all requirements set forth by the Borough*

Council member Morrone moved the appointments, seconded by Council member Eisenberg; and so carried with the exception of Council member Lindenau abstaining.

COUNCIL APPROVAL OF THE FOLLOWING

1. From Maywood Senior Citizens Club – permission to park personal cars in the pool parking lot from 7:00 am May 26, 2014 to 7:00 pm on June 7, 2014.
2. From Maywood Inn – request for an outdoor dining permit.
3. Board of Fire Officers request permission to attend the following Fire Department functions Memorial Day Parade – Rochelle Park –Truck 17; Engine 18 and 19 Rescue # 23, Chief Car, Fire Police and Ahrens Fox and on May 25, 2014 to the Saddle Brook Parade – Truck 17, Engine 19 and Rescue #23.

Council member Lindenau moved for the approvals, seconded by Council member Eisenberg; and so carried with the exception of Council member Febre abstaining from Approval #3.

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING**RESOLUTION # 99 -14****RESOLUTION AUTHORIZING A PUBLIC SALE AT AUCTION THROUGH MUNICIBID.COM OF VEHICLES AND VARIOUS RADIOS AND EQUIPMENT**

WHEREAS, N.J.S.A. 40A:11-36 of the “Local Public Contracts Law” authorizes the public sale at auction of surplus municipal personal property no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the Division of Local Government Services (“Division”) to waive various provisions of the Local Public Contract Law to assist local units in selling surplus personal property no longer needed for public use through online auctions; and

WHEREAS, pursuant to Local Finance Notice 2008-9, the Division has granted approval for local units to hold online auctions through certain approved Internet-based vendors, including Municibid.com, without the necessity of first seeking bids or requests for proposals from these vendors to use their services, in accordance with the provisions of said Notice; and

WHEREAS, the Borough of Maywood has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, Bergen County, New Jersey, is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.municibid.com; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to cause a notice to be published once in the Our Town setting forth, in addition to the foregoing terms and conditions, the following:

1. A public sale by auction will be conducted online commencing on at a time and date and ending at a time and date to be set forth in said notice.
2. The online public sale at auction shall be conducted through www.municibid.com.
3. The property to be sold by public sale is as listed on Schedule A of this authorizing resolution

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:11-36, the sale shall be commenced not less than 7 days nor more than 14 days after the latest publication of the advertisement.

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

INTRODUCTION OF ORDINANCES

NONE

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

Mayor Padovano stated the trivia for the day is the only Mayor to date who died while serving in office was Mayor Rapp who died as a result of an automobile accident at the intersection of Passaic Street and Maywood Avenue in May of 1924.

CLOSED SESSION – IF APPLICABLE

Council member Febre made a motion to go into closed session; seconded by Council member Eisenberg – All in Favor.

BOROUGH OF MAYWOOD
Closed Session Resolution # 100-14

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

Contract Negotiations

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

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

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

Date of Passage: 5/13/2014 Time: 8:35 pm

ADJOURNMENT

Council member Messar moved the meeting be adjourned; seconded by Council member Lindenau and so carried at 9:30 p.m.

Borough Clerk