

## **WORK SESSION**

**JUNE 10, 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.

On April 15, 2014, Neglia Engineering Associates received E-mail correspondence from the Borough of Paramus’s attorney as it related to the following four open agreement items:

1. The means to negotiate any future sewer discharge rate increases
2. The inspection services escrow deposit for the Borough of Paramus Engineer during the construction of the sewer connection to the Paramus sewer system
3. The escrow deposit for any emergent conditions in which the Borough of Paramus Engineer must be present and must address
4. The sewer discharge rate to be utilized

Per the request of the Borough’s conflict attorney, Neglia Engineering Associates acquired and forwarded information from the Paramus Borough Engineer as it related to the inspection fees and emergent condition fees. This information was provided on May 13, 2014.

The remaining agreement discussions relate to future rate increases and the initial sewer discharge rate. The Borough’s Conflict Attorney has responded and is awaiting a response from the Borough of Paramus’ Attorney. After review and approval by both municipalities, the agreement would be finalized. Per a June 02, 2014 E-mail from the conflict attorneys, we understand that negotiations are ongoing.

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 stated his office received a finalized document on Friday as it relates to the agreement between the Borough of Paramus and the Borough of Maywood, adding after review by both governing bodies, the project could proceed accordingly.

**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.

At this time, concrete sidewalk, curbing, aprons, landscaping, and paving have been completed on East Hunter Avenue. The remaining open items include striping and outstanding punch list items. Otherwise, roadway construction is substantially completed.

Per the request of the Borough, Neglia Engineering Associates has acquired a construction budget from the project contractor to address Spring Valley Avenue from its intersection with Spring Valley Road to the Borough of Paramus / Borough of Maywood municipal boundary near the pump station. The budget provided by the contractor was \$40,000.00. We would respectfully request that the Governing Body inform if it would like our office to authorize the contractor to proceed and to prepare a change order for these improvements.

Per the direction of the Borough, Neglia Engineering Associates has informed the project contractor that the Borough would like to delay parking lot improvements at the West Fairmount Avenue parking lot until school is out (June 23, 2014). They have agreed to this schedule unless the Borough would like to proceed otherwise.

### **3. PSE&G IMPROVEMENTS (CENTRAL AVENUE)**

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

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

Neglia Engineering Associates understands that public notices were to be distributed by PSE&G to residents on May 28, 2014. Manhole construction near the intersection Central Avenue and Hergesell Avenue is to proceed the week of June 03, 2014.

**4. MAYWOOD AVENUE STREETScape (NJDOT FUNDED)**

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

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

**5. MEMORIAL PARK – MASTER PLAN**

**Scope:** The Borough would like to have a Memorial Park Master Plan available which illustrates the park and its existing amenities. This Plan could be utilized for future parking scoping / amenities studies.

**Status:** Per the request of the Borough, Neglia Engineering Associates issued a proposal, dated May 16, 2014 for surveying services for this project for review and consideration by the Governing Body.

**6. COMMUNITY GARDEN – IRRIGATION SYSTEM**

**Scope:** The Borough would like to potentially install an irrigation system at the Community Garden. The anticipated system connection would be from an existing water main within Edel Avenue.

**Status:** Per the request of the Borough, Neglia Engineering Associates contacted United Water to have a fire flow test performed to determine if sufficient flow and pressure is available for the proposed irrigation system improvements. United Water has stated that a \$160 fee is required to perform the test. Once the fee is received, United Water would perform the test accordingly.

Mayor Padovano stated he would like to put a long term paving program in place and asked the Borough Engineer to review the roads in need of repair with the DPW.

Mayor Padovano stated CFO Cuccia will be contacting Mr. Polyniak regarding monies that may be leftover to possibly pave the section of Spring Valley Avenue in front of the pump house. He questioned if any excavation will be needed in that area of the street prior to paving.

Mr. Polyniak responded yes, a connection will be required in that area of the roadway.

Mayor Padovano requested Mr. Polyniak propose solutions to the water situation along Sanzari Place.

Mayor Padovano asked Mr. Polyniak to look at the intersection of West Magnolia Avenue and Byron Place.

Mr. Polyniak explained his findings after reviewing that intersection last year and suggested widening the curvature of the intersection, adding he will request PSE&G to look at moving the utility pole located in that area as well.

Mayor Padovano spoke regarding the update of the tax map and asked Mr. Polyniak to contact the Tax Assessor.

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

**PROCLAMATIONS, PRESENTATIONS, ETC.**

NONE

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

Joan Rivera – 57 Parkway – stated she believes it would be helpful to the flow of traffic if the arrows were repainted in the intersections along West Pleasant Avenue so people can see how they should make the turn.

Council President Ballerini responded we are waiting for a final proposal from the police department regarding these intersections.

Mayor Padovano stated he will have the DPW repaint the arrows.

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

**PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES**

NONE

**CORRESPONDENCE AND REPORT OF BOROUGH CLERK**

Borough Clerk Pelligra reported on the following:

1. She reminded Borough Officials the deadline for the submission of the financial disclosure form is Friday, June 13, 2014.
2. She reported 4.67% of our registered voters turned out at the Primary Election on June 3, 2014.

**REPORT OF ADMINISTRATOR**

Administrator Stern reported on the following:

1. She reported the on-line auction of the equipment that was located at the pump house has been completed and the items are in the process of being picked up.

2. She stated the renovations at the pool have been completed and she met with the architect today to review punch list items; adding this weekend the new locker rooms and bathrooms will be open for the pool members.
3. She reported a portion of the bench wall at the pool has been taken down due to previous damage, adding we are still working on a design for the replacement of the wall.

Mayor Padovano thanked Administrator Stern for her work on the pool renovations and for working on such a tight schedule.

### **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 the DPW is continuing the upkeep of the parks and will be planting along West Pleasant Avenue and putting mulch in various locations throughout town; adding over the next couple of weeks they will be preparing the route for the Fourth of July parade.

Council member Morrone reported on the following:

1. He reported the Historical Committee, in conjunction with the 120<sup>th</sup> Anniversary, is putting a list together of prominent people to start a "Maywood Hall of Fame."
2. He stated a household hazardous waste collection is scheduled for June 22, 2014 and a tire recycling collection on August 16, 2014 at Bergen Community College.
3. He stated a town-wide shredding event is scheduled for Saturday, July 12, 2014 at Maywood Avenue School.
4. He congratulated Lisa Schieli on receiving her Recreation Administrator certification.
5. He offered kudos to Administrator Stern for being instrumental in getting the pool renovations completed in a timely fashion.

Council member Eisenberg reported on the following:

1. He stated the Borough Attorney has advised an appeal has been filed on the house located on the Esplanade.

Attorney Dario stated we are not sure if the County has accepted the appeal; however, we should have a determination shortly.

Council member Messar reported on the following:

1. He stated he will have a report from the Board of Education once the busy year-end school schedule comes to an end.

Council member Febre stated he has a report for closed session.

Council President Ballerini reported on the following:

1. He stated Chief Pegg has moved forward two candidates for the open positions within the police department and they should be up for council review at our next meeting; adding the CFO is reviewing the budget to ensure funds are available to cover their immediate hire.

### **REPORT OF MAYOR**

Mayor Padovano reported on the following:

1. He congratulated Ms. Donovan and Memorial School on the receipt of a \$1,000.00 Environmental Awareness grant from the Bergen County Utilities Authority.
2. He thanked Administrator Stern for her work on the pool renovations.
3. He stated per Council member Lindenau's report, the parks are being worked on by the DPW.
4. He thanked Community Bank for sponsoring the new score board that was installed at the girls softball field at Memorial Park; adding it is a nice addition to the park.
5. He reminded everyone of the following upcoming events:
  - Fourth of July Parade – Friday, July 4, 2014
  - Fireworks and Entertainment – Sunday, July 6, 2014
  - Fall Festival – Sunday, October 5, 2014
6. He stated the Monuments Committee will be meeting again soon to review improvements that are needed; adding new park benches were installed in the area of the monuments.
7. He stated he attended a tea at Maywood Avenue School and presented Certificates of Recognition on behalf of the Governing Body acknowledging the retirements of three teachers and two aides; adding we wish them well and thank them for their hard work and dedication to the students of Maywood.
8. He stated Standard and Poors issued their annual report and affirmed our "AA" rating based upon Maywood's strong economy, adding this is due to the good budget the council put together and the debt rating that we maintain.

Administrator Stern stated she has received many comments on the decorative wall the DPW built around the dog park and thanked them for a job well done; adding residents thank the Mayor and Council for the work they have done on the dog park.

Mayor Padovano stated we need to move forward with the installation of the signage at the park including the no-smoking signs.

### **ACTION LIST ITEMS**

1. **Riparian/Steep Slope Ordinance:** Mayor Padovano stated we are still waiting for a proposal from the Planning Board.

- 2. **Amend 263-2 Hours of Operations for THO, TH, OR, PC and GA zones:** Mayor Padovano stated the Planning Board Chairman has convened a committee to review the zoning ordinances in town.
- 3. **Zoning Map / Tax Map update:** Mayor Padovano stated he previously discussed this with the Borough Engineer and suggested the underlying tax map also be revised.
- 4. **Fee Ordinance:** Mayor Padovano stated a copy of the current fee ordinance was distributed to the council and all department heads for their review and comments. A discussion ensued amongst the council regarding increases to liquor license, animal license and dog park fees.

Council member Messar asked if there has been any further consideration given to including field usage fees.

Discussion ensued amongst the council regarding charging out-of-town organizations to use borough fields.

Mayor Padovano recommended council liaisons meet with their committees and department heads to see if they have any proposed changes to the fee ordinance.

**RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING**

NONE

**APPOINTMENTS – APPROVAL OF THE FOLLOWING**

NONE

**COUNCIL APPROVAL OF THE FOLLOWING**

NONE

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

**RESOLUTION # 105-14**  
**A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY**  
**COMMUNITY DEVELOPMENT PROGRAM**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and



**WHEREAS**, the Grantee or a unit of general local government that directly or indirectly receives Community Development Block Grant (CDBG) funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

**WHEREAS**, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

**WHEREAS**, by June 20, 2014 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

**WHEREAS**, it is in the best interest of the Borough of Maywood and its residents to participate in said programs.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2015, 2016 and 2017 (July 1, 2015- June 30, 2018); and

**BE IT FURTHER RESOLVED**, that a copy to this resolution be forwarded to the Bergen County Division of Community Development no later than June 20, 2014.

**RESOLUTION #106-14**  
**RESOLUTION AUTHORIZING 2014/2016 MUNICIPAL**  
**SNOW PLOWING AGREEMENT WITH THE COUNTY OF BERGEN**

**WHEREAS**, the Borough of Maywood has heretofore authorized by ordinance the entering into Inter-Local Services Agreement between the Borough of Maywood and the County of Bergen for snow plowing pursuant to Section 40-5 of Chapter 40 of the Code of the Borough of Maywood; and

**WHEREAS**, the County of Bergen has proposed for the 2014/2016 snow plowing season, a municipal snow plow agreement pursuant to which the Borough of Maywood agrees to plow the county roads within the Borough and the County agrees to pay the Borough for performing this service; and

**WHEREAS**, the Mayor and Council find that such agreement would be in the best interests of the citizens of the Borough of Maywood;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the County of Bergen and the Borough of Maywood providing for the plowing of county roads within the Borough, and payment therefor, in accordance with the terms of an agreement on file in the Office of the Borough Clerk and made available for public inspection, at the rate of \$90.00 per hour per plow.

**RESOLUTION # 107-14**  
**RENEWAL OF 2014/2015 LIQUOR LICENSES**

**WHEREAS**, the Licenses as noted below have filed application for renewal of their liquor licenses at premises as noted; and

**WHEREAS**, all applications are in proper order, the license fee has been paid and a Clearance Certificate has been issued by the State of New Jersey, Division of Taxation;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Borough Clerk is hereby authorized to issue renewal licenses as follows effective July 1, 2014:

**PLENARY RETAIL DISTRIBUTION**

0234-44-003-006	Maywood’s Marketplace, LLC	78 West Pleasant Avenue
0234-44-006 -005	P & P Spirits, Inc. t/a Maywood Wine & Liquor	117 East Passaic Street
0234-44-001-003	Maywood Liquors & Deli t/a Hollywood Liquor	40 West Pleasant Avenue
0234-44-008-006	Krishi, LLC t/a Coronet Variety Store	138 West Pleasant Avenue

**PLENARY RETAIL CONSUMPTION**

0234-33-007-002	Maywood Inn Corp.	122-124 West Pleasant Avenue
0234-33-005-005	JHCC Enterprise, Inc. t/a Bon Buffet Restaurant	125 Essex Street
0234-33-004-005	Vornado Maywood License, LLC.	12:39 Ruling - INACTIVE

**PLENARY RETAIL CONSUMPTION WITH BROAD PACKAGE PRIVILEGE**

0234-32-002-005      Great Liquor Group      24-30 West Pleasant Avenue

**CLUB LICENSE**

0234-31-009-001      Maywood American Legion Post #142      135 East Passaic Street  
0234-31-010-001      Maywood Columbian Club      105 Grove Avenue

**RESOLUTION # 108-14**

**TAX BOARD JUDGMENT FOR STEPAN COMPANY, BLOCK 124 FOR TAX YEAR 2012**

**WHEREAS**, from time to time the Borough of Maywood is required to repay certain monies which represent overpayment of taxes, or taxes or similar monies collected by error or as required by a tax board judgment; and

**WHEREAS**, the approval of such payments do not require the exercise of discretion but are in fact mandatory payments required to be made by the Borough;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Tax Collector be authorized to issue a check in the amount of \$131,789.74, payable to “Stepan Company for a Tax Court Judgment covering year 2012, property known as Block 124, Lot 31, 32, 33,39, 40, 45.01, 46.01, 47, 70 through 100 Hunter Avenue, including the Rear of Hunter Avenue, Maywood, NJ.

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to furnish copies of this resolution to the Chief Financial Officer and the Tax Collector.

**RESOLUTION # 109-14**

**TAX BOARD JUDGMENT FOR MAYWOOD DEVELOPERS, LLC FOR TAX YEARS 2008, 2009, 2010 AND 2011**

**WHEREAS**, from time to time the Borough of Maywood is required to repay certain monies which represent overpayment of taxes, or taxes or similar monies collected by error or as required by a tax board judgment; and

**WHEREAS**, the approval of such payments do not require the exercise of discretion but are in fact mandatory payments required to be made by the Borough;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Tax Collector be authorized to issue a check in the amount of \$191,241.35, payable to “Maywood Developers, LLC for a Tax Court Judgment issued January 31, 2012 and corrected April 13, 2012 for tax years 2008, 2009, 2010, 2011 for property

known as Block 131 and 132, Lots 1, 2, 12, Section #4 and the corner of Hammell and Maybrook including Maybrook Drive and Beech Street, Maywood, NJ.

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to furnish copies of this resolution to the Chief Financial Officer and the Tax Collector.

**RESOLUTION #110-14**  
**RESOLUTION AUTHORIZING THE BOROUGH OF MAYWOOD**  
**TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN**  
**ACCORDANCE WITH P.L. 1994 C.72**

**WHEREAS**, the Bergen County Board of Taxation is unable to certify Maywood's tax rate as of the current date and the Borough of Maywood Tax Collector will be unable to mail the Borough's 2014 tax bills by June 14, 2014; and

**WHEREAS**, the Borough of Maywood Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and he has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Maywood, in the County of Bergen, State of New Jersey on this the 10<sup>th</sup> day of June 2014 as follows:

1. The Maywood Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Maywood for the Third Installment of 2014 taxes pursuant to P.L. 1994, c72 (N.J.S.A. 54:4-66.2 and 54:4-66.3)
2. The entire estimated tax levy based on 2013 @ 100% for 2014 is hereby set at \$ 31,281,066.35.
3. In accordance with the law the Third Installment of 2014 taxes shall not be subject to interest until August 12<sup>th</sup>, 2014 due to August 10<sup>th</sup> falling on a Sunday.

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to furnish copies of this Resolution to the Chief Financial Officer and the Tax Collector.

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

**INTRODUCTION OF ORDINANCES**

NONE

**NEW BUSINESS**

**OLD BUSINESS**

**MISCELLANEOUS BUSINESS**

Mayor Padovano stated June 29, 2014 is the 120<sup>th</sup> Anniversary of the borough and the trivia for the day is the initial cost to construct the swim pool in 1966 was \$315,000.00; the pool was dedicated on May 27, 1967 and membership fees for a married couple were \$60.00 and \$5.00 for each child up to a maximum of three, \$35.00 for singles and \$15.00 for seniors.

**CLOSED SESSION – IF APPLICABLE**

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

**BOROUGH OF MAYWOOD**  
**Closed Session Resolution # 111-14**

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):

**Personnel; 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

- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- ( ) Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest
- ( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law
- ( X ) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege
- ( X ) 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: 6-10-2014 Time: 8:25 pm

**ADJOURNMENT**

Council member Ballerini moved the meeting be adjourned; seconded by Council member Messar and so carried at 9:20 p.m.

Borough Clerk