

“On January 3, 2017, 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 2017, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, and The Community News newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

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

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

SALUTE TO THE FLAG

ROLL CALL

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

ABSENT: Council member Morrone

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).

Status: A meeting was held on February 08, 2017 with the two property owners to review the project and inform of its anticipated schedule. After the meeting, the project schedule prepared as follows:

1. Resolution to Advertise and Bid Notice to Borough for consideration at March 28, 2017 Mayor and Council Meeting – March 23, 2017
2. Document Availability for Contractor's – March 31, 2017
3. Pre-Bid Meeting – April 18, 2017 at 10am at site
4. Bid Opening – May 02, 2017 at 2pm at Borough Hall

At this time, we anticipate an early Summer 2017 construction start date pending receipt and review of the submitted bids.

2. 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: During the week of December 11, 2016, the streetscape lighting was energized by PSE&G. As of February 07, 2017, the only open construction item is the hardscape in the vicinity of the southeast corner of Central Avenue and Maywood Avenue. We anticipate that this outstanding item will be addressed once favorable weather conditions exist during Spring 2017. After completion, we will issue a NJDOT construction completion letter for final inspection. Municipal and NJDOT closeout would follow.

3. JERSEY AVENUE AND PARKWAY (NJDOT MUNICIPAL AID GRANT) & YEAR 2015 ROADWAY IMPROVEMENT PROGRAM

On May 22, 2015, the Borough of Maywood was provided a letter from the NJDOT stating that it is to receive an NJDOT Municipal Aid Grant in the amount of \$149,000.00 for Parkway and Jersey Avenue.

In late February 2017, our office provided municipal closeout documents to the Borough for action by the Governing Body. The Governing Body acted at the February 28, 2017 Mayor and Council Meeting. At this time, Neglia Engineering Associates has completed the NJDOT Closeout package. We are awaiting copies of the contractor payment checks to be included as part of the Closeout submission. Once received, the NJDOT Closeout package will be submitted to the State to permit the Borough to receive its outstanding grant funding.

4. WEST MAGNOLIA AVENUE / MAGNOLIA LANE – BERGEN COUNTY BRIDGE INSPECTION

Bergen County with the State of New Jersey has created an inspection program to inspect small culverts and bridges throughout all municipalities within the State. Bergen County and the State hired Pickering, Corts & Summerson of Newtown, Pennsylvania to perform inspections which included the Magnolia Lane / West Magnolia Avenue Bridge / Culvert over the Westerly Branch of the Saddle River. This bridge serves as access to two residences located at the terminus of the said roadway. On November 11, 2016, Neglia Engineering Associates and the Borough of Maywood received a report from the County's engineering consultant concerning this structure.

Status: The Borough authorized our office to proceed with the proposed roadway improvements project in late December 2016. Our office proceeded with the project design. In early March 2017, the NJDEP Land Use Permitting Package was submitted. It is anticipated that the NJDEP Land Use Permit would be received in July 2017. It is anticipated that the project would be bid and constructed during Fall 2017.

5. OAK AVENUE ROADWAY IMPROVEMENTS (WEST PLEASANT AVENUE TO PARKWAY)

The Borough intends to construct roadway improvements on Oak Avenue from its intersection with West Pleasant Avenue to its intersection with Parkway. We understand that the Borough intends to authorize our office's surveying, engineering, permitting, and construction management proposal in late March 2017. If the proposal is authorized during March 2017, the potential project schedule would be as follows:

1. Survey Completion – April 13, 2017
2. Construction Document Completion – May 08, 2017
3. Document Availability for Contractor's – May 15, 2017
4. Bid Opening – June 13, 2017 at 2pm at Borough Hall

With this above schedule, we anticipate a Summer 2017 construction start date. The construction timeframe would be approximately thirty working days pending weather conditions.

6. PSE&G IMPROVEMENTS (69kV IMPROVEMENT PROJECT)

On January 06, 2017, a project meeting was held at Borough Hall with PSE&G, the Borough, and Neglia Engineering Associates present.

Status: As of the week of March 28, 2017, construction activities / equipment transfers are proceeding.

7. YEAR 2016 ANNUAL STORMWATER REPORT AND SUPPLEMENTAL QUESTIONNAIRE – NJDEP MUNICIPAL STORMWATER MANAGEMENT PROGRAM

Per the NJDEP Municipal Stormwater Management Program requirements, the Borough of Maywood must file the Year 2016 Annual Report to the NJDEP Bureau of Nonpoint Source Pollution by May 01, 2017. This submission must be on-line. A meeting with the Borough Administrator and DPW Superintendent has been scheduled for March 29, 2017 to review and discuss open form items. Once the meeting has occurred, our office will prepare and submit the final report and questionnaire to the NJDEP.

Mr. Polyniak stated his office received a call from the Bergen County Drainage Engineer to discuss the Maywood Avenue Drainage Improvement Project from Magnolia to Central Avenue; adding the work should occur this summer and paving thereafter.

Attorney Dario asked how long the project would take.

Mr. Polyniak responded thirty to sixty days to construct the drainage improvements and the paving could take one to two weeks.

Mayor Febre asked if we received an answer from PSE&G regarding the installation of underground electrical lines on West Pleasant Avenue.

Mr. Polyniak responded we received some information from PSE&G; adding they have had several interruptions but hope they will be moving forward with the work soon.

Council President Messar questioned the replacement of gas lines in the area of Pleasant Avenue and Spring Valley Road.

Mr. Polyniak responded we will advise when we are notified of the pre-construction meeting.

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

PROCLAMATIONS, PRESENTATIONS, ETC.

Mayor Febre read a proclamation proclaiming April 21, 2017 as “Arbor Day” in the Borough of Maywood.

WHEREAS, the Borough of Maywood has previously been named “**TREE CITY, USA**” by the New Jersey Department of Forestry; and

WHEREAS, the “**TREE CITY USA**” honor comes from the National Arbor Day Foundation, a non-profit educational organization dedicated to tree planting and environmental stewardship; and

WHEREAS, communities entering the nationwide program receive the “**TREE CITY USA**” designation upon recommendation by state foresters, who co-sponsor the program; and

WHEREAS, “**TREE CITY USA**” communities receive a flag with the program’s logo and a walnut-mounted plaque, “**TREE CITY USA**” community signs and maple leaf stickers indicating additional qualifying years; and

WHEREAS, trees make a world of difference in our community, being recognized for the beauty and value of our homes, neighborhoods, parks and business areas; trees conserve energy, help clean the air, protect rivers and streams and provide homes for wildlife in certain areas of the State;

NOW, THEREFORE, I, Adrian J. Febre, Mayor of the Borough of Maywood, do hereby proclaim April 21, 2017 as **ARBOR DAY** in the Borough of Maywood and urge all citizens to support efforts to protect our trees and woodlands, and support our Borough’s urban forestry program.

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

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

There being no comments from the public, Mayor Febre closed this portion of the meeting.

PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES

ORDINANCE # 2-17
“AN ORDINANCE AMENDING CHAPTER 209 SCHEDULE C”

BE IT ORDAINED BY THE BOROUGH MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, upon the recommendation of the Planning Board, the Mayor and Council of the Borough of Maywood wishes to amend Chapter 209’s schedule C to require applicants to submit twenty (20) copies of the appropriate application form(s), required plot plan, site plan or subdivision plan, and survey. Said twenty (20) copies shall be an increase from the eighteen (18) currently required.

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

Section 1: Chapter 209 schedule C Subsection (B) (1) shall be amended and shall read as follows:

1. For the Planning/Zoning Board, 20 copies of the appropriate application form(s), completely filled in. If any items do not apply, the applicant shall make the statement on the form(s).

Section 2: Chapter 209 schedule C Subsection (B) (4) shall be amended and shall read as follows:

4. For the Planning/Zoning Board, 20 copies of any required plot plan, site plan or subdivision plan according to Chapter 209 of the Code of the Borough of Maywood.

Section 3: Chapter 209 schedule C Subsection (B) (10) shall be amended and shall read as follows:

10. For the Planning/Zoning Board, 20 copies of a survey, dated within five years of application. The survey is to be of the lot and block number, Borough of Maywood, New Jersey that is listed on application.

Section 4: All ordinances of the Borough of Maywood which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5: If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 6: This ordinance shall take effect upon passage and publication according to law.

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

There being no comments or questions from the public, Mayor Febre closed this portion of the meeting.

Council member DeHeer moved for the 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 that Ordinance #2-17 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.

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She reminded everyone the deadline to change party affiliation for the upcoming June Primary Election is Wednesday, April 12, 2017.

REPORT OF ADMINISTRATOR

Administrator Stern stated she has no report this evening.

REPORT OF ATTORNEY

Attorney Dario stated he has no report this evening.

COMMITTEE REPORTS

Council member Padovano reported on the following:

1. She reported the Municipal Alliance is sponsoring a fall prevention program at the Senior Recreation Center tomorrow at 12:00 noon for seniors; adding light refreshments will be served.
2. She stated Opening Day is scheduled for Saturday, April 8, 2017 beginning with the parade at 9:30 am on West Pleasant Avenue followed by festivities in the park at 10:00 am.

Council member Gervino stated he has no report this evening.

Council member DeHeer reported on the following:

1. He reported the building department collected \$2,115.00 in permit fees from March 28, 2017 through April 4, 2017.
2. He wished the residents of Maywood a very blessed Easter and Passover.

Council member Lindenau reported on the following:

1. He reported the DPW is working hard to prepare the fields for Opening Day; adding there is some fence and dug-out work to be completed.
2. He stated the DPW Superintendent is assembling a list of potholes in need of repair.

Council President Messar reported on the following:

1. He stated he attended an activity night event sponsored by the Municipal Alliance at Maywood Avenue School last Friday where forty to fifty students were in attendance and gave a shout out to Keith Timmins for doing a great job running the event.
2. He stated Police Officer Brian Rubio will be recognized by the New Jersey Chapter of Mothers Against Drunk Driving for his 2016 DWI arrests.

REPORT OF MAYOR

1. He reported Betty Fetzer presented Martha DeYoung with the "Scouter of the Year" award this past Saturday, April 1, 2017; adding last year the presentation was reversed.
2. He wished everyone a Happy Easter and Passover.

ACTION LIST ITEMS

NONE

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

NONE

APPOINTMENTS – APPROVAL OF THE FOLLOWING

1. Victoria-Len Lumapan, Yasoda Mantena, and Pierce Payumo as Youth Squad members of the Maywood Volunteer First Aid Squad effective April 4, 2017.
2. Natalia Tello as a Police Matron effective April 4, 2017.
3. Ronald Hellpap as a regular full member of the Maywood Fire Department assigned to Protection Hook and Ladder Co. # 1, effective April 4, 2017.
4. Mac DiTomasso as a regular full member of the Maywood Fire Department assigned to Protection Hook and Ladder Co. # 1, effective April 4, 2017.

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

COUNCIL APPROVAL OF THE FOLLOWING

1. From Saint Peter's HSA request to hold a Pocket Book Bingo fund raiser and a 50/50 Raffle at Our Lady Queen of Peace Church Auditorium on May 17, 2017 from 6 pm to 10 pm.
2. Request from the Senior Citizens Club of Maywood to park their personal cars in the swim pool parking lot from April 23 – 29, 2017.

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

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING

RESOLUTION # 69-17
2017 MUNICIPAL BUDGET NOTICE

RESOLUTION # 69-17
 MUNICIPAL BUDGET NOTICE

SECTION 1.

Municipal Budget of the Borough of Maywood, County of Bergen for the Fiscal Year 2017

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2017;

Be It Further Resolved, that said Budget be published in the Our Town _____

in the issue of April 13th, 2017

The Governing Body of the Borough of Maywood does hereby approve the following as the Budget for the year 2017:

RECORDED VOTE
 (insert last name)

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Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Maywood, County of Bergen, on April 4th, 2017.

A Hearing on the Budget and Tax Resolution will be held at Borough Hall, on May 23rd, 2017 at

7:30 o'clock ^(A)
 (P.M.)
 (cross out one)

at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

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

NOTICE is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Maywood, County of Bergen, on April 4, 2017.

A Hearing on the Budget and Tax Resolution will be held at the Maywood Municipal Complex, 2nd floor Council Chambers on May 23rd, 2017 at 7:30 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

Mayor Febre spoke regarding the budget and stated there is a 1.95% increase over last year which equates to an additional \$65.00 per average household; adding we have a \$2.9 million surplus which is the largest surplus the borough has ever had.

He thanked our professionals, members of the Budget Committee and the Council for their hard work on this budget.

RESOLUTION # 70-17
RESOLUTION APPROVING SELF-EXAMINATION OF 2017 BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the

Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Maywood has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Maywood that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

INTRODUCTION OF ORDINANCES

ORDINANCE # 4-17

CALENDAR YEAR 2017 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 0.5 % 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 2017 budget by up to 3.5% 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 \$360,858.48 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 an exception 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 2017 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 \$421,001.56, and that the CY 2017 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.

Council member Messar moved for the introduction, 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 # 4-17, pass on first reading and that said Ordinance will be further considered for final passage at a meeting of the Mayor and Council to be held on April 25, 2017 at 7:30 pm at the Borough Hall, 15 Park Avenue, Maywood, New Jersey at which time and place all persons interested therein will be given an opportunity to be heard concerning the same, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

CLOSED SESSION – IF APPLICABLE

NONE

ADJOURNMENT

Council member Messar moved the meeting be adjourned; seconded by Council member DeHeer and so carried at 8:50 p.m.

Borough Clerk