

WORK SESSION

OCTOBER 8, 2013

“On January 7, 2013, 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 2013, 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 Morrone, Eisenberg, Ballerini, and Febre. Also present were Borough Attorney Ronald A. Dario, Borough Clerk Jean M. Pelligra and Borough Administrator Roberta Stern.

Absent: Council member Meglio

Late: Council member Fleischmann arrived at 7:45 pm

Youth Counterparts present: Siobhan Crompton, Kelly O'Donnell, Max Eisenberg and Alyssa Gargagliano

PROCLAMATIONS, PRESENTATIONS, ETC.

Mayor Padovano presented a Certificate of Recognition to the 2013 Maywood Dolphins Swim Team.

Mayor Padovano invited members of the 2013 Maywood Dolphins Swim Team to come up to be recognized for their accomplishments this season and for being league champions for the past five years.

Mayor Padovano wished Borough Clerk Pelligra a very Happy Birthday.

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. The revisions included the Magnolia Avenue sewer replacement (approximately 550 linear feet), the Brook Avenue manhole / siphon configuration, and the Lawrence Avenue siphon obstruction. 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 Borough's conflict attorney forwarded a final draft agreement to the Borough of Paramus' conflict attorney on July 19, 2013. We understand that negotiations and review are ongoing per a written correspondence from the Borough's conflict attorney, dated September 27, 2013. After review and approval by both municipalities, the agreement would be finalized.

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

Mr. Polyniak stated his office spoke with the conflict attorneys for both boroughs and advised a draft agreement with "mark-ups" was forwarded from Paramus, adding after questions have been addressed; it appears we can move forward.

2. **BERGEN COUNTY PAVING PROGRAM – MAYWOOD AVENUE**

Scope: Maywood Avenue is included as part of the anticipated Bergen County paving program. Prior to the County performing the roadway section resurfacing, the Borough of Maywood would be responsible to have its engineer design ADA ramps and to have the County paving program contractor construct these said ramps. The Borough would provide the surveying and engineering costs and ramp construction cost funds upfront. Subsequently, Bergen County would reimbursable the Borough of Maywood for these funds.

Status: In late April 2013, a site inspection meeting with the Neglia Engineering Associates, Bergen County, and the Bergen County contractor occurred to inspect the location of existing and proposed ADA ramps along Maywood Avenue prior to the County implementing milling and

paving activities. On May 09, 2013, Neglia Engineering Associates received an E-mail listing the requested ramp locations to be constructed prior to paving operations. We have now been informed that the anticipated paving schedule for Maywood Avenue is in 2015.

On September 04, 2013, the County Contractor began ADA ramp construction. They completed construction at the end of September 2013 other than the ADA crossing located at the Maywood Avenue School and Maywood Public Library. It is anticipated that this crossing will be construction on Monday, October 14, 2013 to limit impacts to the School. After completing this ramp construction, construction activities will have been completed.

Mr. Polyniak explained the paving of Maywood Avenue will not occur until 2015 after the County has been able to rectify the existing drainage issues at Magnolia and Central Avenues.

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

Scope: Per the direction of the Borough at it August 27, 2013, the Borough has authorized the bid of construction documents for the following:

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

Status: As requested by Borough, Neglia Engineering Associates prepared a Resolution to Advertise as adopted by the Borough at the August 27, 2013 Mayor and Council Meeting. In addition, we issued a Bid Notice to the Borough which listed contractor document availability and the project bid opening as Monday, September 16, 2013 and Thursday, October 03, 2013, respectively.

The bid opening occurred on Thursday, October 03, 2013 at 11AM at Borough Hall. Our office intends to issue a recommendation letter to the Borough on Friday, October 04, 2013. The bid packages along with a copy of our recommendation letter will be forwarded to the Borough Attorney for review on Friday, October 04, 2013.

Mr. Polyniak stated after the bid results were reviewed, his office recommended all three alternatives be awarded.

4. **NJDOT GRANT PROGRAM (YEAR 2014 PROGRAM)**

Scope: On July 09, 2013, the NJDOT issued a letter to the Borough informing of the Year 2014 NJDOT Municipal Aid, Transit Village, Bikeways, and Safe Streets to Transit Grant Programs. The application packages for this Year 2014 NJDOT Grant Program were due on September 20, 2013.

Status: Our office understood that the Borough wished to submit two NJDOT Municipal Aid Program Grant Packages. The first priority submission was the Maywood Avenue Streetscape

from Central Avenue to East Hunter Avenue. The second priority submission was roadway restoration of Oak Avenue and Parkway. The Maywood Avenue Streetscape and Oak Avenue & Parkway application packages were submitted on September 06, 2013 and September 17, 2013, respectively.

5. **MAYWOOD SWIM CLUB – ADA-ACCESSIBLE RESTROOM**

Scope: Neglia Engineering Associates understands that the Borough received a Bergen County Community Development Block Grant in amount of \$27,720.00 to renovate the restroom at the Maywood Swim Club.

Status: As requested by the Borough, Neglia Engineering Associates attended a meeting with the Borough Administrator and an architect to inspect the site and review the project on September 23, 2013. Subsequent to the meeting, a proposal prepared by the architect for design and construction management services was issued on October 01, 2013 for review and consideration by the Borough.

There being no further questions for the Borough Engineer, 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 spoke regarding the change in the polling place location at Memorial School beginning with the Special Election on October 16, 2013 and explained it is being moved from the small gym to the large gym; adding Maywood Avenue School remains the same.

REPORT OF ADMINISTRATOR

Administrator Stern reported on the following:

1. She stated we received another payment from FEMA on the money that is outstanding from Hurricane Sandy, adding there is a \$90,000.00 balance due for debris removal.
2. She thanked everyone who participated in the Fall Festival and all the sponsors who supported the event.

REPORT OF ATTORNEY

Attorney Dario stated he has no report this evening.

COMMITTEE REPORTS

Council member Morrone reported on the following:

Youth Counterpart Alyssa Gargagliano reported on the following upcoming programs:

1. The Recreation Department will be hosting the movie “Argo” at the Library on Sunday, October 13, 2013 at 2:00 pm.
2. The town-wide garage sale scheduled for Saturday, October 19, 2013 has forty-one participants as of today.
3. The Community Bank is holding a shred event on Saturday, October 19, 2013 from 9:00 am to 12:00 noon.
4. The Recycling Committee is hosting its first special occasion dress event on Monday, October 21, 2013 from 9:00 am to 4:00 pm at the Senior Recreation Center.
5. The Recreation Department is hosting a trip to Cesare’s in Atlantic City on October 29, 2013.

Council member Eisenberg reported on the following:

1. He stated he and Administrator Stern met with the first of several telephone vendors to review changes in the Borough’s telephone service and possible upgrades and/or replacement of the equipment, adding we have appointments with three other vendors.
2. He spoke regarding a house on the Esplanade where a “stop work” order is in effect and stated the neighbor contacted the police department due to ongoing work at the home. He explained the Building Inspector and he met with the homeowner yesterday and suggested he seek legal counsel and make application before the Planning Board.

Attorney Dario cautioned there are several litigations pending in other municipalities relating to properties this individual owns.

3. He stated signs were out thirty-one days prior to Election Day, adding next year we ask that signs not be distributed until thirty days prior to Election Day.

Council member Ballerini reported on the following:

1. He stated for the past year Chief Pegg has been working on obtaining an electronic sign and suggested he work with Administrator Stern regarding location.
2. He stated Lt. Korn has been working on security cameras for Pleasant Avenue and will be moving forward with a pilot camera at the corner of Pleasant and Oak Avenues.

3. He stated the drug take-back program will take place Saturday, October 26, 2013 from 10:00 am to 2:00 pm at the police department.

Council member Fleischmann reported on the following:

He introduced his Youth Counterpart, Max Eisenberg, a sophomore and football player at Hackensack High School, who gave the following report:

1. He stated the Shade Tree Commission meeting was held on September 27, 2013 and the main topic of discussion was the tree planting program, adding seventy trees were ordered and will be scheduled for planting once they are received.
2. He reported the DPW Equipment Specialist has been preparing the department's equipment for the upcoming snow season and is also working on sending out the spare salt spreader for repairs.
3. He asked Administrator Stern if there had been any success in finding another vendor to repair the bay doors at the DPW.

Administrator Stern responded yes and explained why the cost is considerably higher, adding she will report further at the next meeting.

Council President Febre reported on the following:

Youth Counterpart Crompton reported on the following:

1. She stated yesterday was Fire Prevention Day at the Maywood schools and members of the Fire Department, Fire Police and Fire Prevention volunteered their time to teach students about fire safety.
2. She thanked Ex-Fire Chief Joseph Mellone for the use of the Hackensack Smoke House trailer at Sunday's Fall Festival.
3. She thanked members of the Fire Police, EMS and CERT Team for their assistance with the Maywood Hawks 2nd Annual 5K Run on October 6, 2013, adding another wonderful job was done by Jean Mercedes.

Council President Febre said a few words on the importance of teaching fire safety to our children and reiterated a job well done by Jean Mercedes on the Maywood Hawks 5K Run.

REPORT OF MAYOR

Mayor Padovano reported on the following:

1. He spoke regarding the 2nd Annual Fall Festival and thanked all who were involved. He personally thanked each of the local businesses for their support and contributions to the event. He gave special thanks to Administrator Stern and Gerry Gallitano for their hard work and

Chuck Parodi who was instrumental in obtaining some of the new attractions at the festival such as the Hall of Fame.

2. He reminded everyone of the town-wide garage sale scheduled for Saturday, October 19, 2013, adding a map including a list of participants will be available on the borough web site and in the foyer of borough hall.
3. He spoke regarding the preservation of the historic house on the corner of Maywood and Central Avenues and stated we met with volunteers who are interested in working together to privately raise funds to purchase the house, adding another meeting is scheduled for the end of the month.
4. He spoke regarding resolutions for the next meeting agenda:
 - Interlocal Agreement with River Edge Fire Department for fire services
 - Interlocal Agreement with various fire departments to share the use of a face mask calibration machine
 - Interlocal Agreement with Hasbrouck Heights for use of their range at no cost to either municipality
 - Participation in the 2013-2014 Bergen County Flu Vaccination Program

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

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

Irene Pinkus – 660 Lincoln Avenue - spoke regarding her memories of growing up in Maywood and returning to live here and how she is disappointed in the Democratic council members and their campaign, adding community spirit needs to return to this town.

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

CFO Charles Cuccia was present to review and discuss the Best Practices Check List with the Governing Body.

Mr. Cuccia stated we will be receiving one hundred percent of our state aid and we are in compliance with the Best Practices.

Council member Ballerini questioned if there were any questions where we answered “yes” that the borough could be doing better.

CFO Cuccia responded the State is moving more towards structure and explained we will continue to improve.

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

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

NONE

APPOINTMENTS – APPROVAL OF THE FOLLOWING

Steven Gildea as a probationary member of Protection Hook and Ladder and Jairo Perilla as a probationary member of Peerless Engine Company effective October 8, 2013.

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

COUNCIL APPROVAL OF THE FOLLOWING

1. From Memorial School P.T.O. request to close Fairmount Avenue from Palmer to Grant Avenue from 5:45 pm to 8:15 pm – 10/25/13 for a “Trunk-O-Treat” Halloween event at Memorial School.

Council member Ballerini moved the approval, seconded by Council member Morrone; and so carried by unanimous roll call vote.

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING

RESOLUTION #134-13

**AWARD OF CONTRACT FOR EAST HUNTER AVENUE (NJDOT FUNDED)
AND SPRING VALLEY ROAD PROJECTS**

BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the contract for:

EAST HUNTER AVENUE (NJDOT FUNDED) AND SPRING VALLEY ROAD

be awarded to AJM Contractors, Inc., 300 Kuller Avenue, Clifton, NJ 07011 for the bid amount of Four Hundred Forty-Five Thousand Three Hundred Eighty Four Dollars and Forty Cents (\$445,384.40) (which represents the Base Bid (East Hunter Avenue), Alternate Bid “A” (Spring Valley Road) and Alternate Bid “B” (Fairmount Avenue Parking Lot) being the lowest of six (6) bids submitted; and

BE IT FURTHER RESOLVED, that the Mayor and the Borough Clerk be and are hereby authorized to execute a contract for the aforesaid work. Certification of funds has been provided by the CFO.

RESOLUTION # 135-13

**RESOLUTION AUTHORIZING THE REDEMPTION OF A
TAX SALE CERTIFICATE FOR BLOCK 71 LOT 16**

BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood that the Collector is hereby authorized to issue a check in the amount of \$23,676.91, payable to “Stonefield Investment Fund II” for the Redemption of Tax Sale Certificate #12-003, dated 12/19/12 on property known as Block 71, Lot 16, 79 W. Pleasant Avenue. This amount includes a premium of \$ 0.00

BE IT FURTHER RESOLVED that the taxpayer has paid to the Borough Tax Collector the full amount of said redemption, less the premium, to the Borough of Maywood.

BE IT FURTHER RESOLVED, that the Lien Holder bid and paid, \$0.00 as a Premium to the Borough of Maywood, on the date of sale for Tax Sale Certificate # 12-003.

BE IT FURTHER RESOLVED, that this check is to reimburse the Buyer of the lien; and

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

INTRODUCTION OF ORDINANCES

NONE

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

CLOSED SESSION – IF APPLICABLE

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

BOROUGH OF MAYWOOD
Closed Session Resolution # 136-13

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

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

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- () Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- () Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest
- () Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law
- () Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege
- (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: 10-8-2013 Time: 8:15 pm

ADJOURNMENT

Council member Ballerini moved the meeting be adjourned; seconded by Council member Febre and so carried at 8:25 p.m.

Borough Clerk