

**WORK SESSION MINUTES  
OCTOBER 8, 2019**

Borough Clerk Barbara Dispoto calls the October 8, 2019 Work Session of the Mayor and Council to order at 7:35pm.

**SALUTE TO THE FLAG**

**STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

“On January 3, 2019, 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 2019, 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.

**ROLL CALL**

**Members of the Governing Body present:** Mayor Febre, Council members Bennin, Bolan, Ullman, Gervino, Lindenau, Garofalow. Also present were Borough Attorney Brian E. Eyeran, and Borough Clerk Barbara Dispoto. Borough Administrator Roberta Stern was absent.

**POLICE DEPARTMENT PROMOTIONS**

**RESOLUTION # 183-19**

**RESOLUTION APPROVING A PROMOTION WITHIN THE  
MAYWOOD POLICE DEPARTMENT  
IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY  
DARRYL WUHRL**

**WHEREAS**, there exists a need to approve promotions of Police Officers within the Police Department in the Borough of Maywood, County of Bergen, State of New Jersey; and

**WHEREAS** upon the recommendation of the Chief of Police, the Mayor and Council of the Borough of Maywood wish to make the following appointment:

**Police Sergeant Darryl Wuhrl promoted to the rank of Lieutenant**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary to effectuate the afore mentioned promotion with the Maywood Police Department according to Borough policy and the applicable collective bargaining agreement; and

**BE IT FURTHER RESOLVED**, that a copy of the within resolution and the governing collective bargaining agreement be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Maywood.

Council President Garofalow moved for the adoptions, seconded by Council member Bolan. Motion carried unanimously.

**RESOLUTION #184-19**

**RESOLUTION APPROVING A PROMOTION WITHIN THE  
MAYWOOD POLICE DEPARTMENT  
IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY  
JASON LIABAN**

**WHEREAS**, there exists a need to approve promotions of Police Officers within the Police Department in the Borough of Maywood, County of Bergen, State of New Jersey; and

**WHEREAS** upon the recommendation of the Chief of Police, the Mayor and Council of the Borough of Maywood wish to make the following appointment:

**Police Officer Jason Liaban promoted to the rank of Sergeant**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary to effectuate the afore mentioned promotion with the Maywood Police Department according to Borough policy and the applicable collective bargaining agreement; and

**BE IT FURTHER RESOLVED**, that a copy of the within resolution and the governing collective bargaining agreement be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Maywood.

Council member Bolan moved for the adoptions, seconded by Council President Garofalow. Motion carried unanimously.

**PROCLAMATIONS, PRESENTATIONS, ETC.**

Mental Health Awareness Week & Maywood's Stigma Free Day

Mayor Febre announced the Week of October 7 to October 13, 2019 will be known as Mental Health Awareness Week and October 8, 2019 is Stigma Free Day.

Some 8<sup>th</sup> grade students from Maywood Avenue School attended the meeting to thank the Mayor and Council for making the town and others aware of mental illness. Student Council President Abigail Benish spoke for the students.

**ITEMS FOR DISCUSSION**

1. 2018 Annual Audit & 2019 Best Practices Checklist – CFO Charles Cuccia  
CFO Charles Cuccia discussed the 2018 Municipal Audit and the Corrective Action Plan associated with the audit. He further discussed the 2019 Best Practices Inventory. An updated checklist will be provided to the Council showing the responses for the questions.
2. Electric Car Charging Station – George Kautsouradis from Brian Electric  
Discussed charging station and how the plan works and answered all questions that were posed by the governing body.

**Greg Polyniak, Borough Engineer – Monthly Engineer Report**

1. **MAYWOOD AVENUE STREETSCAPE – PHASE II (NJDOT MUNICIPAL AID GRANT)**  
Neglia Engineering Associates understands that per the Year 2017 NJDOT Municipal Aid Grant awarded grant project list that the Borough has received a grant in the amount of \$165,627.00 for the Maywood Avenue Streetscape – Phase II. We understand that the NJDOT will forward a grant agreement package to the Borough for review and signature. The required project completion schedule would be listed within the grant agreement package.

Status: Construction proceed in mid-September 2019 with sidewalks and driveway aprons completed on Maywood Avenue's eastern side. The remaining open items include the PSE&G lighting installation and concrete replacement on the west side of Maywood Avenue.

## **2. YEAR 2019 ROADWAY IMPROVEMENTS PROGRAM**

The Borough intends to proceed with a Year 2019 Roadway Improvement Program. The following roadways are to be included:

1. Park Avenue (from Elm Street to City of Hackensack Border)
2. Romaine Avenue (from Golf Avenue to terminus)
3. Edgewood Place (from South Elm Street to Golf Avenue)
4. Spring Valley Road (from Spring Valley Avenue to Borough of Paramus Border)
5. Spring Valley Avenue – One Lane (from Spring Valley Road to Lincoln Avenue plus 100 feet)

Status: The pre-construction meeting was held on September 05, 2019. In mid-September 2019, concrete construction proceeded on Spring Valley Road and Spring Valley Avenue and is anticipated to be completed within next two weeks. Paving on these two roadways would occur so not to affect the holiday shopping season. Once paving is completed, construction activities would proceed on Park Avenue, Romaine Avenue, and Edgewood Place.

## **3. GOLF AVENUE FROM ROMAINE AVENUE TO EAST PASSAIC STREET (YEAR 2019 NJDOT MUNICIPAL AID GRANT FUNDED)**

The Borough received a letter from the NJDOT awarding \$197,000 to the Golf Avenue improvement project. Since the NJDOT Funded Roadway (Golf Avenue) requires a thirty-day pre-bid review and approval prior to bid, our office prepared construction documents and forwarded them to the NJDOT on July 09, 2019. We also forwarded copies of the construction documents to the Borough.

Status: The Bid Notice lists the document availability and bid opening dates as August 09, 2019 and September 05, 2019. We anticipate construction to occur during Fall 2019.

## **4. QUOTE SOLICITATION - SPRING VALLEY AVENUE SETTLEMENT REPAIR**

As requested by the Borough, Neglia Engineering Associates prepared a quote solicitation and issued it to contractors on July 23, 2019 to address a settlement area within Spring Valley Avenue, east of the signalized entrance to the Bergen Town Center. Quotes were received on July 30, 2019 with a recommendation package issued to the Borough for consideration on August 01, 2019.

Status: The contractor proceeded with construction in mid-September 2019. At this time, they are awaiting base settlement. Thereafter, the pavement top surface will be constructed.

## **5. SPRING VALLEY AVENUE – ROADWAY CORRIDOR TRAFFIC STUDY**

As requested by the Borough, Neglia Engineering Associates prepared and issued a proposal on August 29, 2019 to perform a detailed traffic study of Spring Valley Avenue. The study would determine the impacts of a roadway diet in accordance with Complete Streets. This analysis would include the potential addition of a shared, center lane for left turns and dedicated bicycle lanes. In addition would study the potential impacts to traffic diversion to local roadways.

Status: The Borough Engineer's response is to perform the Traffic study during school hours and additionally during inclement weather.

## **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.

Hildegard Ampssler, Edgewood Place, was concerned about vandalism to the charging station. She discussed Spring Valley Avenue and proposed making metered parking to reduce the size of the roadway.

John Brown, Stelling Avenue, inquired as to when leaf bags will be available and the settlement amounts for the tax appeals for Resolutions 193-19 and 194-19.

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

**ORDINANCE # 18-19**

**AN ORDINANCE TO ADOPT THE REVISED DRUG FREE ZONES AND DRUNK DRIVING ZONES MAPS OF THE BOROUGH OF MAYWOOD**

**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**, the Mayor and Council of the Borough of Maywood wish update the drug-free and drunk-driving-free zones maps of the Borough to promote a safe community; and

**WHEREAS**, to accomplish same the Mayor and Council of the Borough of Maywood wish to amend chapters §163-1 and §163-3 of the Borough code to reflect that 2019 map revisions prepared by the Borough Engineer, Neglia Engineering.

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

**Section 1.** That the 2019 map revisions prepared by Neglia Engineering identifying the drug-free and drunk driving free zones of the Borough are hereby adopted and shall be applicable to the laws of the United States, the State of New Jersey, the County of Bergen and to all sections of the Borough of Maywood Code including, but not limited to Chapter 163. Further, it is understood that the maps and list approved and adopted pursuant to chapter 163 were prepared and are intended to be used as evidence in prosecutions arising under applicable criminal and traffic laws.

**Section 2.** Chapter §163-1 subsection A of the Borough Code entitled “ Adoption of map for drug-free zones and drunk-driving-free zones.” shall be amended to read as:

- A. The drug-free and drunk-driving-free zone map. The Drug-Free/Drunk-Driving-Free Zone Map of the Borough of Maywood, dated March 2015 and revised May 2019 and prepared by Neglia Engineering Associates, Borough Engineer, is approved and adopted as an official finding and record of the location and areas of said zones within the Borough. These zones are defined as 1,000 feet on or near school property and 500 feet from a public housing facility, public park or a public building. Additionally, pursuant to New Jersey D.W.I. law, N.J.S.A. 39:4-50(g), said zones cover driving under the influence within 1,000 feet of a school facility.

**Section 3.** Chapter §163-3 subsection A of the Borough Code entitled “ Adoption of map for drug-free zones ” shall be amended to read as:

- A. Pursuant to N.J.S.A. 2C:35-7 and 2C:35-7.1, the map entitled “Drug-Free Zones of the Borough of Maywood, Bergen County, New Jersey, dated March 2015 and revised May 2019 and prepared by Neglia Engineering Associates, Borough Engineer,” shall be approved as the official finding and location of drug-free zones in the Borough of Maywood pursuant to the provisions of the above-referenced statutes

**Section 4. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 5.** This ordinance shall be effective upon passage.

**ORDINANCE # 19-19**

**AN ORDINANCE TO ADOPT THE PARK NAMES OF THE BOROUGH OF MAYWOOD AND TO AMEND ALL MAPS OF THE BOROUGH OF MAYWOOD TO REFLECT SAME**

**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**, the Mayor and Council of the Borough of Maywood wish update the Official Maps of the Borough of Maywood including but not limited to the Borough of Maywood’s Official Tax Assessment Map to reflect the names of the various Public Parks of the Borough.

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

**Section 1.** That the Borough hereby adopts the following as the official names for the following parks:

<u>OFFICIAL NAME</u>	<u>LOCATION</u>
J&J Panos Jr. Field	Field #1 at Memorial Park
Cleveland Field	Field #3 at Memorial Park
Fetzer Park	Cedar Avenue
Nickerson Park	Maywood Avenue and Passaic Street
Padovano Holiday Island	West Pleasant Avenue and between Lincoln Avenue and William Street
Fred Zigrest Centennial Park	Grove Avenue
Coaches Park	Thoma Avenue
Arthur Fenniman Park	Senior Center

**Section 2.** All maps of the Borough of Maywood including but not limited to the official Borough Tax Assessment Map shall be updated to reflect the above designations.

**Section 3. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 4.** This ordinance shall be effective upon passage.

**ORDINANCE # 20-19**

**AN ORDINANCE TO AMEND CHAPTER §201-7 (E) GOVERNING THE FEES OF THE SPECIAL IMPROVEMENT DISTRICT**

**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**, the Mayor and Council of the Borough of Maywood wish to amend Chapter §201-7 (E) governing the fees of the Special Improvement District to reflect the fees adjustment regularly adopted by the Mayor and Council by resolution.

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

**Section 1.** Chapter §201-7 subsection E of the Borough Code shall be amended to read as:

E. The annual license fee shall be:

1. A fee of \$200.00 for those businesses with an aggregate square footage exceeding 3000 feet.
2. A fee of \$150.00 for those businesses with an aggregate square footage of 1500 to 2999 square feet.

3. A fee of \$100 for those businesses with an aggregate square footage of less than 1499 square feet.
4. For the purpose of computing the annual license fee, the following definitions shall apply:
  - a. **AGGREGATE FLOOR AREA**  
The sum of the gross horizontal areas of all the floors of a building or buildings, measured from the exterior faces of exterior walls or the vertical extension of unenclosed roofed areas, or from the center line of walls common to two buildings, excluding cellars, attics and off-street parking facilities.
  - b. **ATTIC**  
A portion of a building in which less than 25% of the space between the finished floor and the ceiling level has a clear height of seven feet four inches or more.
  - c. **BUILDING**  
A structure having a roof used or designed to be used for the occupancy of persons or the storage or display of property of any kind.
  - d. **BUSINESS**  
The occupancy, lease, offering for lease, holding for investment purposes or ownership of any building upon properties located within the special improvement district except for premises used exclusively for residential uses, churches, municipal facilities and premises operated by nonprofit corporations or associations exclusively for charitable purposes.
  - e. **CELLAR/BASEMENT**  
A portion of a building, the floor level of which is below grade at any point on the periphery of the building having 1/3 or more of its exterior wall area measured from floor to ceiling below the final grade. A cellar/basement shall not be considered a "story." If a garage is located at the level of a cellar/basement, it shall be considered to be a part thereof.

**Section 2. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 3.** This ordinance shall be effective upon passage.

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

Council President Garofalow moved for the adoptions, seconded by Council member Bolan and so carried by unanimous rollcall vote.

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinances # 18-19, #19-19, and #20-19 are passed upon second and final reading and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

**CORRESPONDENCE AND REPORT OF BOROUGH CLERK**

Borough Clerk Dispoto stated Oct 15<sup>th</sup> is the last day to register for voting in the general election. The office will be open until 9:00pm on that day. Proposal for any of the Energy Assessment Services will be available in the office as of Friday, October 11<sup>th</sup> and must be returned no later than October 31, 2019. Proposal packets are available in our office.

**REPORT OF ADMINISTRATOR**

NONE

**COMMITTEE REPORTS**

**Council Member Bennin**

- Leaf Bags for fall clean up are now available for pickup at Borough Hall
- The DPW is repairs the fields in and around the schools and parks

**Council Member Bolan**

- In September, Canine Remi and Officer Nichols were called out to find a woman. It was a success; she was found.

**Council Member Ullman**

- Green Team Fair is November 2 and there selling T-shirts for \$10.
- Town Shred it Program is also on November 2, 2019
- Clean up day was Saturday and the Community Garden is now closed.
- Public comment period for the changing High Schools is now. Please feel free to write a letter to the Commissioner of Education with your recommendation regarding the future high school for Maywood students.

**Council Member Gervino**

- OEM meeting next week at Maywood Avenue School
- Hidden in Plain Sight is Tuesday, November 12 at Maywood Avenue School

**Council Member Lindenau**

- Townwide yard sale is October 19 and 20, 2019.
- Fall Festival was an amazing this year. Nice town event.

**Council President Garofalow**

- TAANAC next meeting is October 30 at 7:00pm. In the month of September, Maywood made 3134 complaints. The revised plan for the new approach to the runway is going to be discussed.

**REPORT OF MAYOR**

- Commented that the Fall Festival was fabulous.
- The Mayor would like to have a dedication ceremony with some family members at the parks when they are dedicated.

**ACTION LIST ITEMS**

NONE

**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 # 185-19**

**RESOLUTION AUTHORIZING AN OFFER OF EMPLOYMENT FOR CROSSING GUARD IN THE BOROUGH OF MAYWOOD**

**WHEREAS**, the Borough of Maywood has determined the need to hire School Crossing Guards; and

**WHEREAS**, upon the recommendation of the Chief of Police, the Borough of Maywood has identified candidates for offer of employment, to wit, Lisa M. Hess and Kathleen Coughlin-Foster; and

**WHEREAS**, the Borough of Maywood has determined that, Lisa M. Hess and Kathleen Coughlin-Foster possess the necessary skills and experience to hold the position of School Crossing Guard; and

**WHEREAS**, said offers are contingent upon successful completion of background and reference investigation.

**NOW THEREFORE, BE IT RESOLVED**, that, Lisa M. Hess and Kathleen Coughlin-Foster are hired as School Crossing Guards pursuant to the terms and policies for such position with hours and assignment subject to availability and at the discretion of the Chief of Police.

**BE IT FURTHER RESOLVED**, that a copy of the within resolution be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Maywood.

**RESOLUTION # 186-19**

**A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A CHIPPER BODY FOR USE WITH THE BOROUGH OF MAYWOOD DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Department of Public Works have a need to purchase a replacement chipper body for use and installation on a DPW vehicle; and

**WHEREAS**, Cliffside Body Corp, of Fairview, New Jersey and has been identified as being the most cost effective provider of such equipment and is the exclusive manufacturer/retailer of such equipment for the amount of \$16,638.00; and

**WHEREAS**, the Borough has appointed a Qualified Purchasing Agent in accordance with N.J.A.C. 5:34-5 et seq. and pursuant to N.J.S.A. 40A: 11-1 et. seq. the Borough may by resolution and without advertising for bids, purchase any goods or services if said contract amount is below the bidding threshold;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue purchase orders for the purchase of various equipment identified herein for the sum of \$16,638.00, payable to Cliffside Body Corp, of Fairview, New Jersey.

**RESOLUTION # 187-19**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF MAYWOOD AND BOROUGH OF PARAMUS FOR LEAF COLLECTION AND DISPOSAL**

**WHEREAS**, N.J.S.A. 40A:8A-1 *et seq.*, the “Interlocal Services Act,” authorizes an agreement between municipalities for the provision by one to the other of any services that one may lawfully provide on its own; and

**WHEREAS**, the Borough of Maywood seeks to be included in such leaf collection and disposal; and

**WHEREAS**, bagged leaves will be picked up curbside fourteen (14) times as scheduled for a total collection cost of \$14,000.00 and a total leaf disposal cost of \$8.75 per yard;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that they duly authorize the Mayor to execute and the Borough Clerk to attest an “Agreement” between the Borough of Paramus and the Borough of Maywood for leaf collection and disposal for the 2019 season and that a copy of said agreement shall be placed on file in the office of the Borough Clerk and shall be available for inspection during regular business hours thereof.

**RESOLUTION # 188-19 (PULLED FROM AGENDA – NO ACTION TAKEN)**

**ACKNOWLEDGMENT OF 2019 BEST PRACTICES INVENTORY**

**WHEREAS**, the State of New Jersey issued Local Finance Notice 2019-12 on September 9, 2019 for the annual Best Practices Inventory for CY 2019; and



**WHEREAS**, the deadline for the submission of the completed inventory is Friday, October 30, 2019; and

**WHEREAS**, Municipalities must receive a score of 30 or better in order to avoid the withholding of State aid; and

**WHEREAS**, the Municipal Clerk must certify that the Best Practices Inventory was discussed by the governing body as an agenda item at a public meeting; and

**WHEREAS**, the Best Practices Inventory must also be certified by the Chief Financial Officer; and

**WHEREAS**, the CY2019 Best Practices Inventory was reviewed and discussed by the Mayor and Council as a work session agenda item during the public work session of the October 8, 2019 meeting;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood that the 2019 Best Practices Inventory has been reviewed and acknowledges a score of 38%; and

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Maywood that the Chief Financial Officer and the Municipal Clerk shall certify the results certification.

### **RESOLUTION 189-19**

#### **ADOPTION OF CORRECTIVE ACTION PLAN FOR ANNUAL AUDIT**

**WHEREAS**, the Annual Report of Audit for the year 2018 was filed with the Municipal Clerk pursuant to N.J.S.A. 40A:5 on September 16, 2019; and

**WHEREAS**, the Governing Body has personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Recommendations," have signed the group affidavit form, and adopted the resolution of certification; and

**WHEREAS**, the CFO has filed the attached Corrective Action Plan pursuant to N.J.S.A 40A: 5; and

**WHEREAS**, N.J.S.A. 40A:5 requires the Governing Body to adopt by resolution the Corrective Action Plan within 60 days of receipt of audit;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood that the Corrective Action Plan is hereby approved.

### **RESOLUTION 190-19**

#### **A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SELF-INSURANCE PROGRAM (NJS 40A:10-1 et seq.)**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, **Self-insurance program (NJS 40A:10-1 et seq.)** provides for payments by the municipality to provide for the costs to operate the self-insurance program established in the Borough; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the **Self-insurance program (NJS 40A:10-1 et seq.)** are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement in support of Self-insurance Program;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of **Self-insurance program (NJS 40A:10-1 et seq.)**

2. The Clerk of the Borough of Maywood, County of Bergen provide two certified copies of this Resolution to the Director of the Division of Local Government Services.

**RESOLUTION 191-19**

**RESOLUTION AUTHORIZING THE VARIOUS DEPARTMENTS IN THE BOROUGH OF MAYWOOD TO MAINTAIN PETTY CASH FUNDS AS FOLLOWS**

**WHEREAS**, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for following departments:

Police Department	\$200.00	Custodian- Dianne Morrell
Department of Public Works	\$200.00	Custodian- Judy Lacey
Swim Pool	\$120.00	Custodian- David Wells
Administrative/Executive	\$250.00	Custodian- Richard Busa

of the Borough of Maywood; and

**WHEREAS**, said Petty Cash Funds were established by resolution of the council of the Borough of Maywood; and

**WHEREAS**, said Petty Cash Fund received approval from the Director of Local Government Services as follows:

Police Department	03/21/85
Department of Public Works	08/19/11
Swim Pool	08/19/11
Administrative/Executive	05/02/08

; and

**WHEREAS**, it is the desire of the Council that said fund be established and be allowed to continue under the control of the appointed custodians so designated above,

**NOW THEREFORE, BE IT RESOLVED**, by the council of the Borough of Maywood, County of Bergen, State of New Jersey as follows:

1. Each custodian of petty cash is authorized and permitted to establish a Petty Cash Fund in the amount designated above pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses not to exceed \$25.00.
2. Each custodian, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

**RESOLUTION # 192-19**

**AUTHORIZING EXECUTION OF AN AGREEMENT WITH BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE BLOODBORNE PATHOGENS PROGRAM FOR 2020-2021**

**WHEREAS**, there exists a need for the Borough of Maywood to provide state mandated health services of a technical and professional nature for the Bloodborne Pathogens Compliance Program; and

**WHEREAS**, the Bergen County Department of Health Services can assure compliance in accordance with P.E.O.S.H.A. as follows: Exposure Control Plan Development; Policies and Procedures; Training Programs; and Record/Report Generation and Retention and billing support documentation; and

**WHEREAS**, the Bergen County Department of Health Services has agreed to provide public health services through a contract agreement with the Borough of Maywood for calendar years 2020-2021; and

**WHEREAS**, the fee is to be in an amount of \$18.00 per each trained employee; \$67.00 per dose of Hepatitis B Vaccine, for a total cost which includes the three (3) dose series cost per participant being \$201.00; and

**WHEREAS**, it has been certified that this meets the statutes and regulations concerning the award of said contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood as follows:

1. That Adrian J. Febre, Mayor, is hereby authorized and directed to execute, and the Borough Clerk is authorized to attest an agreement with the Bergen County Department of Health Services to perform public health services of a professional nature for the Bloodborne Pathogens Program for the period of January 1, 2020 through December 31, 2021; and

2. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2).

**RESOLUTION #193-19**

**RESOLUTION APPROVING SETTLEMENT OF A TAX APPEAL WITH  
MAYBROOK GARDENS IN THE BOROUGH OF MAYWOOD,  
BERGEN COUNTY, NEW JERSEY**

**WHEREAS**, under the advice and recommendations of the Borough Tax Assessor and Tax Appraiser; and

**WHEREAS**, Maybrook Gardens the owners of premises know as Block 131 Lot 10, Block 133 Lot 1 and Block 135 Lot 1 on the tax Map of the Borough of Maywood , has filed a real estate property tax challenge to the 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019 municipal assessment; and

**WHEREAS**, negotiations have resulted in a proposed settlement of such litigation with the Plaintiff agreeing to dismiss tax challenge to the years of 2012, 2013, 2014, 2015, 2016, 2017 and accepting reductions for years 2018 and 2019, such reductions for these years will result in a refund of \$14,316.53; and

**WHEREAS**, it is in the best interest of the Borough to effectuate settlement at this time;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Borough attorney be and is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of this matter pending in the Tax Court of the State of New Jersey, whereby the taxpayer agrees to the attached stipulation of settlement; and

**BE IT FURTHER RESOLVED** that the aforementioned settlement is predicated upon a waiver of any and all pre-judgment interest on any refund to the taxpayer.

**RESOLUTION #194-19**

**RESOLUTION APPROVING SETTLEMENT OF A TAX APPEAL WITH  
MAYWOOD SHERWOOD VILLAGE IN THE BOROUGH OF MAYWOOD,  
BERGEN COUNTY, NEW JERSEY**

**WHEREAS**, under the advice and recommendations of the Borough Tax Assessor and Tax Appraiser; and

**WHEREAS**, Maybrook Gardens the owners of premises know as Block 79, Lot 2 on the tax Map of the Borough of Maywood , has filed a real estate property tax challenge to the 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019 municipal assessment; and

**WHEREAS**, negotiations have resulted in a proposed settlement of such litigation with the Plaintiff agreeing to dismiss the property tax challenges for years property tax challenge to the 2012, 2013, 2014, 2015, 2016, 2017 and accepting a reduction for 2018 and 2019 that will result in a refund of \$17,658.70; and

**WHEREAS**, it is in the best interest of the Borough to effectuate settlement at this time;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Borough attorney be and is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of this matter pending in the Tax Court of the State of New Jersey, whereby the taxpayer agrees to the attached stipulation of settlement; and

**BE IT FURTHER RESOLVED** that the aforementioned settlement is predicated upon a waiver of any and all pre-judgment interest on any refund to the taxpayer.

**RESOLUTION# 195-19**  
**RESOLUTION AUTHORIZING NEGLIA ENGINEERING TO CONDUCT A TRAFFIC**  
**STUDY SPRING VALLEY AVENUE**

**WHEREAS**, the Mayor and Council of the Borough of Maywood deem it necessary to Authorize A Proposal for Traffic Engineering Services for the Spring Valley Avenue Corridor; and

**WHEREAS**, to facilitate same the Borough needs to retain services of an Engineer for the Borough for Traffic Engineering Services; and

**WHEREAS**, the Borough Engineer, Neglia Engineering has submitted a proposal for such services date August 29, 2019 in the amount of \$21,650.00, representing professional services for a traffic study; and

**WHEREAS**, the Borough Engineer, Neglia Engineering has the expertise for such duties and having significant familiarity with the Borough is the best candidate for the appointment;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary to execute between the Borough of Maywood and Neglia Engineering for Traffic Engineering Services for the Spring Valley Avenue Corridor for the Borough of Maywood.

Council member Bennin made a motion to pull Resolution 188-19 from the agenda until updated documents can be provided to the Council, seconded by Council member Ullman and so carried by with no objections. Council member Gervino moved for the adoptions, seconded by Council member Ullman and so carried by unanimous roll call vote with the exception of Resolution 195-19 which Council member Lindenau voted No.

**INTRODUCTION OF ORDINANCES**

NONE

**NEW BUSINESS**

Discussion ensued as to the state of the building on West Pleasant Avenue which once housed a bakery. Mrs. Dispoto stated that letters were sent to the vacant storefront property on West Pleasant Avenue notifying the property owners of the Vacant Storefront ordinance.

**OLD BUSINESS**

Discussion of whether to pursue the turn key or the make ready process for the installation of the charging station. Discussion about having the DPW to prep the area instead of the company supplying the charging station. The Council requested the engineer review the specifications for the charging station to offer the opinion of which would be the best option for the install. Discussion of allowing Maywood residents the ability to charge their vehicles free of charge ensued which Council member Lindenau objected stating anyone who uses the charging station should pay the charging fees. A suggestion was made to reach out to the Chamber of Commerce to see if there is an interest to assist with the cost of the charging station.

**CLOSED SESSION – IF APPLICABLE**

NONE

**ADJOURNMENT**

Council member Lindenau moved for the meeting to be adjourned; seconded by Council member Ullman and so carried at 10:05p.m.

Respectfully submitted;

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Barbara L. Dispoto, RMC  
Borough Clerk