

**WORK SESSION
15 PARK AVENUE
MAYWOOD, NJ 07607**

**DECEMBER 5, 2017
TUESDAY 7:30 PM**

“On January 3, 2017, and as revised on June 27, 2017 and October 24, 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.

Mayor Febre spoke regarding the passing of former Fire Police member, Michael Jaeger, and asked for a moment of silence.

SALUTE TO THE FLAG

ROLL CALL

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

PROCLAMATIONS, PRESENTATIONS, ETC.

Mayor Febre read a Proclamation supporting the *Drive Sober or Get Pulled Over 2017 Year End Holiday Crackdown*

Whereas, impaired drivers on our nation’s roads killed 10,497 people in 2016; and

Whereas, 20% of motor vehicle fatalities in New Jersey are alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 8, 2017 through January 1, 2018; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED that I, Mayor Adrian J. Febre and the Governing Body of the Borough of Maywood, Bergen County, New Jersey declares its support for the *Drive Sober or Get Pulled Over 2017 Year End Holiday Crackdown* from December 8, 2017 through January 1, 2018 and pledges to increase awareness of the dangers of drinking and driving.

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

NONE

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She asked the Mayor and Council to discuss a date for the 2018 Reorganization Meeting.

Mayor Febre responded Tuesday, January 2, 2018 at 7:00 pm.

2. She stated there will be two resolutions on the next meeting agenda for equipment and mobile radios for the fire department.
3. She stated Betty Fetzer will be attending the next meeting to present the Lydecker payment in lieu of taxes check.

REPORT OF ADMINISTRATOR

1. She reported the electrician obtained the permit for the meter at the Spring Valley Avenue pump station today; adding everything should be in place in about two weeks.

REPORT OF ATTORNEY

Attorney Dario stated he has a report for closed session.

COMMITTEE REPORTS

Council member Padovano reported on the following:

1. She stated the Maywood Musical Theatre Program will be presenting Elf Jr. on December 16 and 17, 2017 at 7:30 pm at Maywood Avenue School, adding tickets are \$7.00 and are on sale now.
2. She stated the 2018 Rabies and Pet Licensing Clinic will be held on Wednesday, January 10, 2018 from 7:00 – 9:00 pm at the Senior Recreation Center.
3. She reported Shop-Rite of Paramus is offering free healthy holiday cooking classes; adding please contact Lisa Schieli for additional information on this Thursday's class to be held from 2:00 – 4:00 pm.

Council member Gervino stated he has no report this evening.

Council member DeHeer reported on the following:

1. He reported the building department collected \$2,185.00 in permit fees from November 28, 2017 through today.
2. He congratulated Fire Chief Tuttle, Assistant Chief McManus and Deputy Chief Reiner on their re-election for another term at last night's Fire Board meeting.
3. He reported from the Teterboro Noise Abatement Committee meeting that the committee will continue to work on the new flight path and a letter will be sent to the FAA. He explained even if the FAA moves forward with this new plan, it is strictly voluntary and the pilots do not have to follow the route.

Council member Lindenau stated he has no report this evening.

Council member Morrone stated he has no report this evening.

REPORT OF MAYOR

1. He extended his condolences to the Jaeger family; adding he was a veteran and dedicated volunteer and his passing is a huge loss.

2. He thanked Sergeant Wuhrl for obtaining the grant for the “Drive Sober or Get Pulled Over” campaign.
3. He stated he is in possession of several resignation letters from the First Aid Squad and it is the consensus of the squad that they will no longer be able to cover duty nights as of December 31, 2017; adding they have requested that the borough seek other avenues for coverage. He assured the public the daytime coverage will remain the same and coverage will continue by Hackensack as it has in the past when the squad could not cover a call.

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 # 149-17
AUTHORIZING EXECUTION OF AN AGREEMENT WITH BERGEN COUNTY
DEPARTMENT OF HEALTH SERVICES FOR THE BLOODBORNE
PATHOGENS PROGRAM FOR 2018-2019

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 2018-2019; and

WHEREAS, the fee is to be in an amount of \$18.00 per each trained employee; \$64.00 per dose of Hepatitis B Vaccine, for a total cost which includes the three (3) dose series cost per participant being \$192.00; 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, 2018 through December 31, 2019; and

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

RESOLUTION # 150-17
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
PHYSIO-CONTROL INC. AND THE BOROUGH OF MAYWOOD FOR TECHNICAL
SERVICE SUPPORT FOR THE BOROUGH'S DEFIBRILLATORS

WHEREAS, the Borough of Maywood operates a First Aid and Emergency Squad as a municipal department; and

WHEREAS, the Borough of Maywood has two LIFEPAK 1000 defibrillators used in connection with the operation of the First Aid and Emergency Squad; and

WHEREAS, the Borough of Maywood is in need of technical service support, including onsite inspection and on site repair, respecting such defibrillators; and

WHEREAS, Physio-Control, Inc. has submitted a proposal for a one year contract to perform such services, including onsite inspection and on-site repair at a total price of \$ 792.00 for the one year contract,

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 is hereby authorized to execute and the Borough Clerk to attest, an Agreement between the Borough of Maywood and Physio-Control, Inc. for Technical Service Support for the Borough's defibrillators for the year 2018 effective January 1, 2018 for the total sum of \$ 792.00 for the one year contract, of a form approved by the Borough Attorney.

RESOLUTION # 151-17
RESOLUTION AUTHORIZING CONTRACT WITH EMSCHARTS, INC.,
IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, the Borough of Maywood has recognized the benefits of utilizing web based patient medical pre-hospital charting system to be utilized by the Borough's first responders; and

WHEREAS, the Borough has identified emsCharts, Inc. of Pennsylvania as having the experience and facilities necessary to provide such services necessary to facilitate these internet payments; and

WHEREAS, emsCharts, Inc, shall provide such services pursuant to the terms of the proposal and contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the award of contracts for "Professional Services" and/or contracts that fall below the bidding threshold to be entered into without competitive bids.

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 is hereby authorized and directed to execute, and the Borough Clerk to attest to any and all documents necessary to execute the agreement with emsCharts, Inc. to provide the necessary services to facilitate web based patient medical pre-hospital charting system to be utilized by the Borough's first responders. A copy of such contract shall be on file in the office of the Borough Clerk, and shall be available for public inspection.

RESOLUTION # 152-17
APPROVING THE COLLECTIVE BARGAINING AGREEMENT WITH THE
DEPARTMENT OF PUBLIC WORKS EMPLOYEES AND AUTHORIZING THE MAYOR
TO EXECUTE AGREEMENT ON BEHALF OF THE BOROUGH

WHEREAS; the Borough has engaged in negotiations for a successor collective bargaining agreement (“CBA”) with the International Brotherhood of Teamsters, Local 97 who represent the Department of Public Works employees, and

WHEREAS; as a result of the said negotiations the Borough and the International Brotherhood of Teamsters, Local 97 have come to an agreement for the provisions to be contained in the Collective Bargaining Agreement for the years 2017 through 2020.

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 is hereby authorized to execute, and the Borough Clerk to attest, to the collective bargaining agreement negotiated with the International Brotherhood of Teamsters, Local 97 who represent the Department of Public Works employees for the term January 1, 2017 through December 31, 2020. A copy of such contract shall be on file in the office of the Borough Clerk, and shall be available for public inspection.

RESOLUTION # 153-17
RESOLUTION AUTHORIZING AND CONFIRMING ENDORSEMENT OF
COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development grant of \$ 6,099.00 has been proposed by the Borough of Maywood for ADA compliant renovations to the public restrooms in the Municipal Building in the municipality of Maywood, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Maywood, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Maywood hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

RESOLUTION # 154-17
RESOLUTION AUTHORIZING THE REDEMPTION OF A
TAX SALE CERTIFICATE FOR BLOCK 91 LOT 12

BE IT RESOLVED, by the Mayor and Council of the Borough of Maywood that the Tax Collector is hereby authorized to issue a check in the amount of \$ 35,004.23, payable to “C & E TAX LIEN FUND I” for the Redemption of Tax Sale Certificate #17-004, dated 11/7/2017 on property known as Block 91, Lot 12, 471 Hill Street. This amount includes a premium of \$23,500.00.

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, \$ 23,500.00 as a Premium to the Borough of Maywood, on the date of sale for Tax Sale Certificate # 17-004.

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 Morrone moved for the adoptions, seconded by Council member Gervino.

Council member DeHeer questioned Resolution #151-17 regarding the agreement with emsCharts, Inc.

Administrator Stern responded as of January 2018 we are required by the State to do electronic charting.

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

INTRODUCTION OF ORDINANCES

None

NEW BUSINESS

Council member DeHeer stated the ceiling at the West Hunter Avenue firehouse needs to be repaired.

Administrator Stern responded it is on our list to be addressed.

OLD BUSINESS

MISCELLANEOUS BUSINESS

CLOSED SESSION – IF APPLICABLE

Council member Lindenau made a motion to go into closed session; seconded by Council member Gervino - All in Favor.

BOROUGH OF MAYWOOD **Closed Session Resolution # 155-17**

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

Contract Negotiations; Personnel; Litigation

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

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

Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege

Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof

Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

Will return to open session after this meeting.

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

Date of Passage: 12-05-2017

Time: 7:55 PM

ADJOURNMENT

Council member Morrone moved the meeting be adjourned; seconded by Council member DeHeer and so carried at 8:57 p.m.

Borough Clerk