

WORK SESSION

DECEMBER 10, 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 has not been recorded by video or audio.

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 and Borough Clerk Jean M. Pelligra.

Absent: Council member Meglio

Late: Council member Fleischmann

PROCLAMATIONS, PRESENTATIONS, ETC.

Mayor Padovano read a Proclamation in celebration of Walter A. Schmitt's 100th Birthday on December 12, 2013. Son-in-law Michael Panos and former Mayor James Panos were present to accept the proclamation.

WHEREAS, Walter A. Schmitt who was born on December 12, 1913 and who will now attain the age of 100 years can no longer be considered a nonagenarian but instead will become a member of an elite group of Maywoodians who are known as centenarians; and

WHEREAS, in his one hundred years he has proven himself a devoted husband, loving and understanding father and grandfather; and

WHEREAS, Walter A. Schmitt, an Army veteran of World War II served as a Sergeant in the Army Corp of Engineers and his service included deployment throughout Africa, France and Germany; and

WHEREAS, Walter moved to Maywood 56 years ago to raise his family with his lovely wife, Mary and three children, Rose, Walter and Robert; and

WHEREAS, Walter retired from his 35 years of employment from the International Longshoreman’s Association in 1981 which enabled him to spend more time pursuing one of his passions, fishing off the Atlantic Highlands; and

WHEREAS, Walter has continued as an active member of the Maywood American Legion Post for the past 18 years, a parishioner of Our Lady Queen of Peace Church for the last 56 years and a member of the Maywood Senior Citizens Club.

NOW THEREFORE, I, Gregg A. Padovano, Mayor of the Borough of Maywood in the County of Bergen, State of New Jersey, on behalf of the Council and myself do hereby proclaim on this day that the Borough of Maywood wishes Walter A. Schmitt a Happy Birthday and Best Wishes for Many More Years of Health and Happiness.

Gregory Polyniak of Neglia Engineering was present to give the year end engineers 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. On November 04, 2013, Neglia Engineering Associates received a revised draft agreement as revised by the Borough of Paramus for our review and comment. That same date, our office issued our comments concerning the revised draft agreement to the Borough’s conflict attorney with the Borough copied. 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.

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

Scope: The project consists of roadway improvements along East Hunter Avenue and Spring Valley Road along with parking improvements at the West Fairmount Avenue Parking Lot. The Borough acquired an NJDOT Municipal Aid Grant in the amount of \$150,000.00 for the East Hunter Avenue improvements.

Advertise Date:	9/16/2013
Bid Date:	10/03/2013
Award Date:	10/08/2013
Anticipated Start of Work:	11/18/13
Anticipated Projected Completion Date:	Spring 2014

Status: Per the direction of the Governing Body at the August 27, 2013 Mayor and Council meeting, the Borough authorized the bid of construction documents for 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

The project improvements include milling, paving, roadway reconstruction, curbing, ADA accessible ramps, and striping.

The bid opening for this project occurred on October 03, 2013 at 11AM at Borough Hall. On October 08, 2013, the Borough awarded the project to the lowest responsible, AJM Contractors, Inc, 300 Kuller Road, Clifton, New Jersey 07011 for the Base Bid, Alternate Bid A, and Alternate Bid B in the amount of \$445,384.40.

Subsequent to the project award, a pre-construction meeting was held at Borough Hall on October 29, 2013 at 3pm at Borough Hall. After the meeting, our office issued a Notice to Proceed. Per a draft resident notice prepared by the contractor and submitted to the Borough for review, it is anticipated that construction activities will first begin on Spring Valley Road on November 18, 2013. Both East Hunter Avenue and the West Fairmount Avenue parking lot would follow thereafter depending upon prevailing weather conditions.

Mayor Padovano advised we will have to coordinate with the school prior to the start of paving the Memorial School parking lot.

Mr. Polyniak responded his office will contact the school.

3. **GRANT AVENUE – TRAFFIC ENGINEERING SERVICES (TRAFFIC FLOW)**

Per the request of the Borough, Neglia Engineering Associates prepared and issued a proposal for traffic engineering services on November 22, 2013 to perform a study of the existing traffic patterns in the vicinity of the Memorial School. In particular, Our office understands that the Borough would like to review a one-way designation of a portion of Grant Avenue to improve vehicular circulation in the vicinity of Memorial Park and Memorial School.

Council member Ballerini stated he believes making Grant Avenue a one-way street from Fairmount Avenue north might help to ease congestion, adding we may want to consider including this change for next year.

Mr. Polyniak stated Mr. Connolly of the Bergen County DPW was contacted regarding the flooding on Maywood Avenue by one of the newly installed handicap ramps.

Frank Covelli, Risk Manager of PIA was present to give the Mayor and Council the Annual Report regarding the property, casualty and related insurance coverages provided by the municipality's membership in the MEL and JIF.

Mr. Covelli explained changes to the employee manual, although minor, are required to be in place by May 1, 2014.

PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES

NONE

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra had no report this evening.

REPORT OF ATTORNEY

Attorney Dario stated he has a report for closed session.

COMMITTEE REPORTS

Council member Morrone reported on the following:

1. He reported we are working in conjunction with Fair Lawn on a plastic toy collection, adding they are requesting only clean plastic toys.

Council member Eisenberg stated he has no report this evening but questioned the notice the council received regarding the property the borough owns in Hackensack.

Mayor Padovano explained it is a very small piece of property, adding we will have Attorney Dario research this further.

Council member Ballerini stated he has no report this evening.

Council member Fleischmann reported on the following:

1. He stated we had our first snow event today and the DPW was well prepared, adding he will meet with the DPW tomorrow for a complete report.

Council President Febre reported on the following:

1. He reported on the results of the 2014 Fire Department elections as follows:

Gary Neumann – Chief
Anthony Scozzafava – Assistant Chief
Christopher Tuttle – Deputy Chief

2. He thanked Mayor Padovano, Council member Eisenberg and Assemblyman Eustace for attending the pancake breakfast sponsored by the Fire Police.
3. He thanked all emergency services for their assistance with the annual tree lighting.
4. He stated we have been approved for a matching Open Space grant in the amount of \$82,000.00.
5. He thanked Council member Ballerini for the use of his large screen TV for the annual tree lighting festivities.
6. He thanked everyone for their condolences.

REPORT OF MAYOR

Mayor Padovano reported on the following:

1. He stated the next council meeting will be held on Thursday, December 19, 2013 in lieu of Tuesday, December 17, 2013.
2. He thanked the Girl and Boy Scouts for the decorations they made for the lobby Christmas tree.
3. He reported Standard & Poors increased the borough's bond rating again, adding it is now AA.
4. He thanked the Fire Police, Harmonica Club, Council member Ballerini and everyone else who was involved with the tree lighting.
5. He stated the Board of Health will hold its 2014 rabies clinic at the Recreation Center.
6. He stated we have received a \$143,000.00 grant from FEMA to purchase generators and proposed locating them at the DPW and Recreation Center.
7. He stated 2014 marks the 120th Anniversary of the Borough of Maywood and we will be discussing programs to commemorate this anniversary.
8. He stated during the next few weeks, ordinance updates will be distributed for consideration and review.
9. He stated Council member Morrone and he will be meeting with representatives from the MYAA and Girls Softball League to determine their needs for the upcoming year.
10. He thanked the DPW for their work today in keeping the streets clear.

Mayor Padovano reviewed the Action List with the council:

Police and DPW Vehicles: Mayor Padovano asked Council member Fleischmann for an explanation and vehicle specifications on the DPW vehicle.

Mayor Padovano asked if the DPW pick-up truck that will be replaced could be used by the police department.

Council member Ballerini responded that sounds like a good idea and agrees it makes sense, adding the truck can be painted and a light bar installed.

Mayor Padovano agreed this is a good fit according to the uses Chief Pegg has brought forth and stated we will discuss this further with the Chief.

Council member Fleischmann stated Administrator Stern has the quotation and specifications for the DPW truck and believes it is ready to go.

Traffic Control Signs: Council member Ballerini stated he has asked Chief Pegg to consider putting up four-way stop signs at the intersections of Golf and Romaine Avenues and Grant and Mendez Avenues. He stated after discussions, it has been determined formal traffic studies are not required.

Council member Ballerini stated a “No Outlet” sign should be posted by the cul de sac at the end of West Pleasant Avenue at Spring Valley Road, adding we also need better signage and law enforcement on Pleasant Avenue.

Council member Eisenberg stated the intersection at Parkway and Grant Avenue is also very dangerous.

Board of Health – Temporary food license: Mayor Padovano explained the Board of Health would like this to be implemented.

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.

Arlene Formisano – 608 Edel Avenue – stated we formerly had a bicycle patrol and questioned if it could be set up again during the spring and summer.

Council member Ballerini responded he will ask Chief Pegg.

Mrs. Formisano stated Parkway is terrible and people speed along this street, adding there has also been quite a few accidents. She stated the fire trucks use this street as well and added a speed zone sign would be helpful.

John Brown – 41 Stelling Avenue – questioned the amount received from the Fund as mentioned in Mr. Covelli’s report and asked if it were close to last year’s amount.

Council member Ballerini responded it is usually around the same amount each year.

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

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 # 151-13

RESOLUTION AUTHORIZING THE REFUND FOR OVERPAYMENT OF SEWER CHARGES FOR BLOCK 122 LOT 1

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 \$ 1,476.69, payable to Maywood Realty for a double payment made on sewer charges for property known as Block 122, Lot 1, 217 Hergesell Ave, Maywood, NJ.

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

RESOLUTION #152-13

RESOLUTION TO GRANT TO THE CLERK OF THE BOROUGH OF MAYWOOD EMERGENT POWER TO EXECUTE REQUISITIONS TO PURCHASE AND PURCHASE ORDERS IN THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, the execution of financial instruments and authorization of requisitions to purchase and purchase orders on behalf of the Borough of Maywood is, in part, the purview and responsibility of the Borough of Maywood Borough Administrator in accordance with the Borough Ordinances; and

WHEREAS, the Mayor and Council of the Borough of Maywood desire to grant to the Clerk of the Borough emergent powers to execute requisitions to purchase and purchase orders on behalf of the Borough of Maywood in place of the Borough Administrator in the event that the Borough of Maywood Administrator is unavailable for more than forty eight (48) hours.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey the Borough Clerk is hereby authorized to execute requisitions to purchase and purchase orders on behalf of the Borough of Maywood in the event that the Borough of Maywood Administrator is unavailable for a period of more than forty eight (48) hours.

BE IT FURTHER RESOLVED, that a copy of the within resolution shall 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; and

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

INTRODUCTION OF ORDINANCES

NONE

NEW BUSINESS

OLD BUSINESS

MISCELLANEOUS BUSINESS

CLOSED SESSION

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 # 153-13

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):

Contract

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
- () 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: 12-10-2013 Time: 9:00 pm

ADJOURNMENT

Council member Morrone moved the meeting be adjourned; seconded by Council member Ballerini and so carried at 9:30 p.m.

Borough Clerk