

WORK SESSION

MAY 14, 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.

Members of the governing Body present: Mayor Padovano, Council members Morrone, Eisenberg, Meglio, Ballerini, Fleischmann, and Febre. Also present were Borough Attorney Ronald A. Dario, and Borough Clerk Jean M. Pelligra.

Absent: Borough Administrator Roberta Stern.

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. Since the Borough of Maywood's attorney had a conflict, Neglia Engineering Associates has forwarded the requested documents and materials to the Borough's conflict attorney, Nowell Amoroso Klien Bierman. During negotiations with the Borough of Paramus Attorney, a conflict was found. The Borough of Paramus is in the process of selecting its own conflict attorney.

Subsequent to completing this agreement, Borough would pursue the easement purchases for the Spring Valley Avenue, Maywood office building property and the Hanjin, Paramus property. Once the inter-local connection agreement is finalized with the Borough of Paramus and the easement acquisitions are completed, the project would be bid.

2. SPRING VALLEY ROAD – WEST PASSAIC STREET TO MUNICIPAL BOUNDARY

Scope: The project consists of roadway improvements along Spring Valley Road from West Passaic Street to the municipal boundary with Paramus. The Borough acquired an NJDOT Municipal Aid Grant in the amount of \$146,500.00 for these improvements.

Advertise Date:	06/18/2012
Bid Date:	7/25/2012
Award Date:	8/14/2012
Start of Work:	10/22/12
Projected Completion Date:	11/16/12

Status: The project was designed with the following Base Bid and Alternate Bids per the direction of the Borough:

1. Base Bid – Spring Valley Road from West Pleasant Avenue to approximately two hundred feet south of Cumming Avenue
2. Alternate Bid A – Felter Avenue
3. Alternate Bid B – Spring Valley Road from approximately eighty feet south of Sanzari Place to Coolidge Avenue (Memorial Park frontage)
4. Alternate Bid C – Spring Valley Road from approximately two hundred feet south of Cumming Avenue to eighty feet south of Sanzari Place (middle section to complete roadway)

The bid opening for this project occurred on Wednesday, July 25, 2012 at Borough Hall. On August 14, 2012, 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 \$177,367.80. The project improvements included milling, paving, roadway reconstruction, curbing, ADA accessible ramps, and striping.

Project construction began on October 26, 2012 with a schedule delay due to Hurricane Sandy. Paving operations were completed on Friday, November 16, 2012. The contractor completed all punch list items for this project other than limited grading, topsoil, and seeding at the Parkway intersection in late 2012. The remaining items were to be completed in the Spring 2013 to ensure lawn surface survival. In late January 2013, an NJDOT Final Inspection letter and Keytech Laboratories asphalt testing report were received stating that no contractor corrective work was required.

At this time, Neglia Engineering Associates has completed the project closeout documents and are prepared to request the maintenance bond from the project contractor unless instructed otherwise by the Borough. Subsequent to Borough concurrence, our office would close out the project. Thereafter, NJDOT closeout would proceed.

3. OAK AVENUE – SIDEWALK AND ROADWAY REPAIR

Scope: Per the request of the Borough, a quote solicitation was prepared to address sidewalk and roadway repair on Oak Avenue in the vicinity of 691 Oak Avenue.

Status: On February 22, 2013, Neglia Engineering Associates prepared and issued a revised, quote solicitation for sidewalk and roadway repair as requested by the Borough. It also included but was not limited to curbing and driveway aprons. On March 04, 2013, our office issued a recommendation letter to the Borough to authorize D&L Paving Contractors, Inc. (the lowest of four received quotes) to perform the sidewalk and roadway improvements as listed within our solicitation in the amount of \$33,620.47 pending the availability of funds and review by the Borough Auditor.

On March 27, 2013, Neglia Engineering Associates forwarded the Borough's authorizing resolution to D&L Paving. Construction activities began on Monday, April 29, 2013 and were substantially completed on Wednesday, May 01, 2013. The remaining open item is the roadway striping which is to be completed shortly pending weather conditions.

4. 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: On Monday, April 29, 2013 at 10AM, a site inspection meeting with the Borough of Maywood, Neglia Engineering Associates, Bergen County, and the Bergen County paving 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. Our office intends to submit the ADA ramp drawing package to Bergen County for review on or prior to May 18, 2013.

Mr. Polyniak stated his office anticipates approximately \$100,000.00 in concrete costs to replace all of the ADA ramps along the roadway as stipulated by the County, adding the Borough would pay the contractor up front and then submit a voucher to the County for reimbursement.

5. NJDOT MUNICIPAL AID GRANT – EAST HUNTER AVENUE

Scope: Per the direction of the Borough, Neglia Engineering Associates submitted an NJDOT Municipal Aid Grant package for East Hunter Avenue to the NJDOT on September 19, 2012.

Status: Neglia Engineering Associates was copied on a letter to Mayor Padovano from Governor Christie. The May 01, 2013 letter stated that the Borough of Maywood was selected to receive \$150,000 as an NJDOT Municipal Aid Grant for East Hunter Avenue.

6. SPRING VALLEY AVENUE AND BRIARCLIFF AVENUE – SEWER EMERGENCY

Scope: A sanitary sewer blockage existed within an 8” sanitary sewer within the Borough in the vicinity of the intersection of Spring Valley Avenue and Briarcliff Avenue.

Status: On Monday, April 22, 2013, Neglia Engineering Associates received a telephone call from the Borough DPW as it related to a blocked sanitary sewer main in the vicinity of the intersection of Spring Valley Avenue and Briarcliff Avenue. An attempt was made to remove the blockage by the Saddle Brook DPW, but it was unsuccessful. Since two dwellings on Spring Valley Road were having sewage back-ups due to this condition, Abletex was contacted to remove the obstruction due to this emergency situation as it related to public health and safety.

The obstruction (brick and grease) was removed that date by Abletex. On April 30, 2013, Neglia Engineering Associates issued a voucher package in the amount of \$1,000.00 for payment to Abletex for their services. It should be noted that an overflow to the drainage system did not occur and did not require NJDEP Enforcement notification.

Mayor Padovano opened the meeting to questions from the council.

Council member Eisenberg questioned what was done regarding the resident who resides at the corner of Parkway and Spring Valley Road who came before the council regarding their curb and sprinkler system.

Mr. Polyniak responded we will be withholding payment as it relates to the damaged sprinkler head and the contractor will be responsible for the repair, adding the top soil and grass seed has been taken care of by the curb area.

Council member Fleischmann followed up on the same project and asked if there was a possibility of reconfiguring the curb.

Mr. Polyniak responded we will look into brick and stone facing to address esthetics.

Council member Fleischmann questioned the method of payment for the Oak Avenue repairs.

Mayor Padovano and CFO Cuccia responded we will be reimbursed by FEMA.

Council member Fleischmann spoke regarding a water problem at the corner of Sanzari Place and Briarcliff Avenue created by sump pumps draining from a Sanzari property and asked what could be done.

Mayor Padovano responded the Administrator and Building Department have been handling this issue and asked Mr. Polyniak to follow up with them.

Mr. Polyniak responded he will contact United Water and request a leak test.

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

Council member Febre made a motion to suspend the regular order of business for the purpose of a presentation; seconded by Council member Ballerini - All in favor.

PROCLAMATIONS, PRESENTATIONS, ETC.

Members of Maywood American Legion Post and Auxiliary Unit # 142 were present to kick off their “poppy” sale.

Mayor Padovano thanked the members of the auxiliary for their efforts and for everything they do to support the town.

Council member Ballerini moved to go into a regular order of business; seconded by Council member Febre - All in favor.

PUBLIC HEARING ON PENDING ORDINANCES – ADOPTION OF ORDINANCES

RESOLUTION # 79-13
READING OF 2013 MUNICIPAL BUDGET BY TITLE

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey pursuant to N.J.S.A. 40A:4-8, by not less than a majority of the whole number, that the 2013 Municipal Budget for the Borough of Maywood shall be read by title only at the commencement of the public hearing thereon; and

BE IT FURTHER RESOLVED that at least one week prior to the date of the hearing, a copy of the approved budget as advertised by Revenue and Appropriation Summaries was posted in Borough Hall, delivered to the Maywood Public Library for public inspection with said delivery certified by the Library Director and that a copy of said budget was made available to each person requesting the same during said week and during the public hearing.

RESOLUTION # 86-13
RESOLUTION APPROVING SELF-EXAMINATION OF CY2013 BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Maywood has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the CY2013 budget year.

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

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

Mayor Padovano asked CFO Cuccia to explain the self-examination process.

CFO Cuccia explained the State is behind in their budget approvals and after he contacted the State, they suggested the Auditor and himself proceed with the self-examination process to enable the budget to be adopted. He stated the resolution is necessary to certify the CFO has ensured all requirements have been met.

Council member Ballerini asked if there is a follow-up process to the self-certification.

CFO Cuccia responded there are years the State requires you to do it and others they do not; however, they always have the option to tell you to do it.

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

PUBLIC HEARING ON THE 2013 MUNICIPAL BUDGET

Mayor Padovano opened the meeting to the public for any comments or questions relative to the 2013 Municipal Budget.

John Brown – 41 Stelling Avenue – thanked and complimented the governing body and CFO for coming in with a budget for a second year in a row at or below the rate of inflation.

Mr. Brown stated the surplus has decreased and warned that we do not spend any additional revenue incurred.

RESOLUTION # 87-13
2013 MUNICIPAL BUDGET

(Only to be Included in the Budget as Finally Adopted)

RESOLUTION # 87-13

Be it Resolved by the Mayor and Council of the Borough of Maywood, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 11,628,970.72 (Item 2 below) for municipal purposes, and
- (b) (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 426,738.00 (Item 5 below) Minimum Library Tax

RECORDED VOTE

(Insert last name)

Ayes {
MORROWE
EISENBERG
MEGLIO
BALLERINI
FLEISCHMANN
FEBRE

Nays {

Abstained {

Absent {

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated		08-100	\$ 500,000.00
Miscellaneous Revenues Anticipated		13-099	\$ 3,200,941.40
Receipts from Delinquent Taxes		15-499	\$ 325,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$ 11,628,970.72
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 41		07-195	\$
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added to the Certificate for Amount to be Raised by Taxation for Schools in Type II School Districts Only:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		07-192	\$ 426,738.00
Total Revenues		13-299	\$ 16,081,650.12

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	xxxxxxxx	xxxxxxxxxxxxxxxx
Within "CAPS"	xxxxxxxx	xxxxxxxxxxxxxxxx
(a&b) Operations including Contingent	34-201	\$ 9,513,875.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 1,359,564.35
(g) Cash Deficit	46-885	\$ -
Excluded from "CAPS"	xxxxxxxx	xxxxxxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 3,003,130.77
(c) Capital Improvements	44-999	\$ -
(d) Municipal Debt Service	45-999	\$ 1,531,080.00
(e) Deferred Charges - Municipal	46-999	\$ 124,000.00
(f) Judgements	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 &17.3)	29-405	\$ -
(g) Cash Deficit	46-885	\$ -
(k) For Local District School Purposes	29-410	\$ -
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	\$ 550,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	\$ -
Total Appropriations	34-499	\$ 16,081,650.12

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 14th day of May, 2013. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 14th day of May, 2013 *Green M Pelligra*, Clerk
signature

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

Be it resolved by the Mayor and Council of the Borough of Maywood, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$11,628,970.72 for municipal purposes and \$426,738.00 for minimum library tax.

Mayor Padovano congratulated the council for their work on adopting the budget.

CORRESPONDENCE AND REPORT OF BOROUGH CLERK

Borough Clerk Pelligra reported on the following:

1. She reminded everyone that today is the last day to register to vote prior to the primary election, adding our Borough Clerk's office is open this evening until 9:00 pm.

REPORT OF ADMINISTRATOR

Administrator Stern was absent from tonight's meeting.

REPORT OF ATTORNEY

Attorney Dario stated he has no report this evening.

COMMITTEE REPORTS

Council member Morrone reported on the following:

1. He reported there is an electronics recycling event scheduled for Saturday, June 1, 2013 from 9:00 am to 1:00 pm at Maywood Avenue School.
2. He reported at last night's pool meeting, Ralph Manno, Manager of the swim pool, submitted his resignation. He stated Mr. Manno has worked for the pool for seventeen years, adding, he will be missed and wished him well.
3. He reported the preparation for the opening of the swim pool is well underway.

Council member Eisenberg reported on the following:

1. He reported on an article in The Record regarding Englewood placing their entire building department on line, adding the software is costly and he will continue to look into other vendors.
2. He spoke regarding a letter submitted by a Maywood resident to The Record regarding tax appeals.

Council member Meglio stated he has no report this evening.

Council member Ballerini stated he has nothing of a policy nature to report this evening.

Council member Fleischmann reported on the following:

1. He stated on April 29, 2013 he attended the Arbor Day and Earth Day Celebration at Memorial School with Mayor Padovano. He congratulated George Trapp and the Shade Tree Commission, adding this is the twenty-ninth year Maywood has been recognized as a "Tree City".
2. He stated Ralph Manno will be missed as manager of the swim pool.

Council member Febre reported on the following:

1. He reported the senior clubs have requested additional drop-offs and pick-ups at the Senior Center by the borough shuttle bus.
2. He stated he attended the Green Team's Community Garden planting, adding it was a successful culmination of one and one-half years worth of work.
3. He thanked the finance committee for their input on this year's budget.

REPORT OF MAYOR

Mayor Padovano reported on the following:

1. He wished Council member Morrone a Happy Birthday for tomorrow.
2. He stated the borough received a \$15,000.00 Clean Communities Grant, up \$4,000.00 from last year.
3. He stated we received a \$150,000.00 grant towards the paving of East Hunter Avenue.
4. He congratulated members of the Maywood Train Station Historical Committee who received an award from the Bergen County Cultural Affairs and Historic Preservation Committee.
5. He spoke regarding the grand opening of the new consignment shop on West Pleasant Avenue.
6. He spoke regarding the following upcoming events:
 - June 1, 2013 Electronics Recycling Event
 - July 4, 2013 Independence Day Parade – Former Councilman Jack Savage is Grand Marshall
 - July 6, 2013 Fireworks Display with Live Entertainment
 - October 6, 2013 Fall Festival
7. He stated there are still two beds available in the Community Garden.
8. He stated the Rotary 5K race is scheduled for this Saturday, May 18, 2013.
9. He reviewed the Action List with the council:
 - **First Aid By-law Revision**: Attorney Dario will review the proposed revision and advise the Mayor and Council at the next meeting.

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.

Tom Richards – 347 Golf Avenue – stated he is delighted the Mayor and Council are getting back to a program to redo the roads.

Mr. Richards spoke regarding the daytime EMT's and stated they are both very good at their jobs; however, they do not wear decent uniforms. He strongly suggested they be provided with professional uniforms because they represent the borough.

Mr. Richards stated he is sorry the borough did not take advantage of the certified tax collector they have on staff.

Mr. Richards strongly suggested all emergency personnel, firefighters and EMT's over the age of fifty-five, be required to have an annual physical.

Mr. Richards stated he would like to thank Dr. Meglio for what he did on 9/11 and will recommend to the American Legion that he receive the same award all other responders received.

Joan Rivera – 57 Parkway – spoke regarding the new pancake house and stated parking needs to be addressed.

Mayor Padovano responded the Planning Board is still looking into the recommendation of rezoning Pleasant Avenue and outlying areas into its own downtown district.

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

RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING

1. Kathy Avon as a School Crossing Guard effective April 1, 2013.
2. Marie Dezart as member of the Board of Health effective February 15, 2013.
3. Ralph Manno as Swim Pool Manager effective 5-14-13.
4. Frank Calabro Jr. and Louis Smaragdakis as part-time telecommunicators.

Council member Fleischmann moved the resignation be accepted, seconded by Council member Morrone; and so carried by unanimous roll call vote.

APPOINTMENTS – APPROVAL OF THE FOLLOWING

1. Maywood Recreation Summer Club Employees: Ivette Davilla \$10.00 per hour; Alyssa Damstrom-\$9.00 per hour; Daniel Marchesani-\$7.75 per hour; Jimmy Jeffers, Gabrielle Ulubay, Eliza DiTomasso, Stephanie Engstrom, Alex Vendola and Taylor Strothman - \$7.50 per hour; Gina Lione-Napoli-\$7.25 per hour.
- All appointments are subject to the completion of all requirements set forth by the Borough.
2. David Wells as Swim Pool Manager for the 2013 season at a salary of \$11,000.00 effective May 14, 2013.
3. Peter Seretis as a part-time Telecommunicator, \$15.50 per hour effective 5-14-13.

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

COUNCIL APPROVAL OF THE FOLLOWING

1. From Our Lady Queen of Peace – permission to hold an On-Premise Draw Raffle on October 11, 2013 from 6:00 pm to 10:00 pm at 400 Maywood Avenue.
2. From Moon Doggie Coffee Roasters request for an outdoor dining permit.
3. From Board of Fire Officers request permission to attend the Rochelle Park Memorial Day Parade on 5-27-13 at 11:30 am and the Saddle Brook Parade on 5-26-13 at 11:00 am.

Council member Ballerini moved for approval, seconded by Council member Eisenberg.

Council member Morrone asked if the outdoor dining permit is done annually.

Mayor Padovano responded yes.

Council member Eisenberg questioned the definition of outdoor dining.

Mayor Padovano responded it is defined under the ordinance and the business utilizes the sidewalk area outside its establishment.

Borough Clerk Pelligra explained the applicant must supply a sketch and certificate of insurance and the location is inspected by the building inspector.

Roll call vote was taken and so carried with the exception of Council member Febre abstaining from Approval #3.

RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING

RESOLUTION # 80-13
AMENDING THE CHANGE FUNDS AND PETTY CASH
FUNDS CUSTODIAN

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey that the Custodian of the following change funds and petty cash funds be amended naming Donna DeGregorio, Finance Office Administrative Assistant, as Custodian effective upon the passage of this resolution.

CHANGE FUND

Municipal Court	\$150.00
Finance	400.00
Swim Pool	30.00

PETTY CASH

Police	200.00
Swim Pool	120.00
Department of Public Works	200.00
Administrative/Executive	250.00

RESOLUTION # 81-13
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO
CONCRETE CONCEPTS INC., TO INSTALL ADA COMPLIANT RAMP
WITH REINFORCING WITHIN THE KIDDY SWIM POOL

WHEREAS, Concrete Concepts, Inc., located at 62 Voorhis Lane, Hackensack, NJ 07601 has submitted a proposal for the installation and reinforcing of an ADA compliant ramp in the Kiddy Swim Pool at the Maywood Municipal Pool, as required by law for compliance in accordance with ADA requirements and including all labor and materials, in the sum of \$15,900.00; and

WHEREAS, the award of a contract to Concrete Concepts, Inc., in accordance with its proposal, as most advantageous to the Borough of Maywood, price and other factors considered; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough of Maywood hereby authorizes the award of a contract to Concrete Concepts, Inc., located at 62 Voorhis Lane, Hackensack, NJ 07601, for installation of an ADA compliant ramp at the kiddy swim pool within the Borough of Maywood, as required by law for compliance in accordance with ADA requirements and including all labor and materials, in the sum of \$15,900.00, in accordance with its proposal, a copy of which proposal is on file in the office of the Borough Clerk; and be it further

RESOLVED that the Borough Administrator is hereby authorized to execute a purchase order for Concrete Concepts Inc., to carry out the foregoing purposes of a form approved by the Borough Attorney, subject to the Chief Financial Officer certifying that sufficient funds are currently available.

RESOLUTION # 82-13
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO
CONCRETE CONCEPTS INC., TO PROVIDE CONCRETE WORK AND
REPAIR WITHIN THE KIDDY SWIM POOL AREA

WHEREAS, Concrete Concepts, Inc., located at 62 Voorhis Lane, Hackensack, NJ 07601 has submitted a proposal for the removal and replacement of concrete around the Kiddy Swim Pool area at the Maywood Municipal Pool including all labor and materials, in the sum of \$8,000.00; and

WHEREAS, the award of a contract to Concrete Concepts, Inc., in accordance with its proposal, as most advantageous to the Borough of Maywood, price and other factors considered; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough of Maywood hereby authorizes the award of a contract to Concrete Concepts, Inc., located at 62 Voorhis Lane, Hackensack, NJ 07601, for removal and replacement of concrete around the Kiddy Swim Pool area at the Maywood Municipal Pool including all labor and materials, in the sum of \$8,000.00 in accordance with its proposal, a copy of which proposal is on file in the office of the Borough Clerk; and be it further

RESOLVED that the Borough Administrator is hereby authorized to execute a purchase order for Concrete Concepts Inc., to carry out the foregoing purposes of a form approved by the Borough Attorney, subject to the Chief Financial Officer certifying that sufficient funds are currently available.

RESOLUTION # 83-13
A RESOLUTION TO AMEND THE EFFECTIVE DATE ADOPTING THE PROVISIONS OF
CHAPTER 48 (N.J.S.A. 52:14.17.38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE
TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) IN THE BOROUGH
OF MAYWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, under the advice and recommendations of the Insurance and Financial professionals of the Borough, the Borough of Maywood wishes to adopt the provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a public employer may agree to pay for the State Health Benefits Program (SHBP) coverage of certain retirees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that :

1. The Borough of Maywood, Id Number 22-600-2067 hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.
2. This resolution affects employees as shown on the attached Chapter 48 Resolution Addendum and is AMENDED to be effective on the 1st day of August, 2013.

3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any Chapter 88 Resolution or Chapter 48 Resolution adopted previously by this governing body.
4. We agree that this Resolution will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached Chapter 48 Resolution Addendum for all employees who qualify for this coverage while this Resolution is in force.
5. We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this Resolution.

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, any agreement or documentation necessary between the Borough of Maywood and the State of New Jersey.; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement and documentation, if any, be on file in the Office of the Borough Clerk and 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

HR-0426-0610

**DIVISION OF PENSIONS AND BENEFITS
STATE HEALTH BENEFITS PROGRAM — SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM
RESOLUTION ADDENDUM — CHAPTER 48, P.L. 1999**

Please read instructions on reverse side BEFORE completing this form.

Effective date of Resolution August 1, 2013
MONTH YEAR

Form to be used for: Medical Dental BOTH
CHECK APPROPRIATE BOX

Employer Name Borough of Maywood CORPORATE NAME OF EMPLOYER, COUNTY, SHBP/SEHBP IDENTIFICATION NUMBER 22-6002067

CLASS OF EMPLOYEES Examples: police officers, clerical workers, bargaining unit (PBA,CWA), nonaligned, or individual(s)	N.J.S.A. 52:14-17.38 Provisions Adopted				Premium Payment Retirees' If Yes % No	Premium Payment Dependents If Yes % No	Medicare Reimbursement If Yes % No	Premium Payment Surviving Spouses If Yes % No	Do Benefits Apply To Current Retirees' If Yes % No	If Benefits do not Apply to Current Retirees' Give Effective Date
	1) Retired on a Disability Pension	2) Retired w/25 or + years of service	2a) Number years service w/employer Retired age 65 +	3) Retired age 65 + w/25 years service						
Police	X				100%	100%	X	100%	100%	100%
DPW	X				100%	100%	X	100%	100%	100%
Non-Contractual Broadus Jones	X			X	100%	100%	X	100%	100%	100%
Khandeng Namawong				X	100%	100%	X	100%	100%	100%

NOTE: An age requirement is not permitted on option 1, or 2, option 3 and 4 already have an age requirement.

DATE RESOLUTION SUBMITTED April 23 2013 NAME OF CERTIFYING OFFICER Roberta Stewart
AREA CODE AND PHONE NUMBER 201-845-2900 ext. 203

RESOLUTION # 84-13

**A RESOLUTION AMENDING THE EFFECTIVE DATE TO AUTHORIZE PARTICIPATION
IN THE STATE HEALTH BENEFITS PROGRAM OF THE STATE OF NEW JERSEY IN
THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY**

WHEREAS, under the advice and recommendations of the Insurance and Financial professionals of the Borough, the Borough of Maywood wishes to authorize participation in the State Health Benefits Program of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that :

1. The Borough of Maywood, Id Number 22-600-2067 hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.
2. We will be maintaining Bollinger Insurance as our prescription drug plan except for our retirees.
3. We will be maintaining Delta Dental as our dental plan.
4. We elect 35 hours per week (average) as the minimum requirement for full time status in accordance with N.J.A.C. 17:9-4.6.
5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
6. We hereby appoint Roberta Stern, Borough Administrator to act as Certifying Officer in the administration of this program.
7. This resolution as AMENDED shall take effect as of the initial adoption date of April 23, 2013 and coverage shall be effective as of August 1, 2013 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4).

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, any agreement or documentation necessary between the Borough of Maywood and the State of New Jersey.; and

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Agreement and documentation, if any, be on file in the Office of the Borough Clerk and 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

RESOLUTION # 85-13
RESOLUTION AUTHORIZING INTER-LOCAL GOVERNMENT SERVICES
CONTRACT WITH THE MAYWOOD BOARD OF EDUCATION FOR THE
2013 MAYWOOD SUMMER CLUB PROGRAM

WHEREAS, the Recreation Department of the Borough of Maywood has announced the “2013 Summer Club Program” to be held at the Memorial School beginning on Monday, June 24th, 2013 and running through Friday, August 23rd, 2013;

WHEREAS, the program will run Monday through Friday (except holidays) from 8:15 a.m. to 3:00 p.m. and will include dancing, quiet games, indoor gym, outdoor gym, arts and crafts, card games, use of playgrounds and special events; and

WHEREAS, the program is open to all youth residing within the Borough of Maywood entering 1st through 8th grade in September, 2013; and

WHEREAS, to implement said program, an agreement must be entered into between the Borough of Maywood and the Board of Education of the Borough of Maywood for the use of the facilities Memorial School,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY, that the Mayor, Gregg A. Padovano, is hereby authorized to execute and the Borough Clerk, Jean M. Pelligra, to attest an agreement between the Borough of Maywood and the Board of Education of the Borough of Maywood to carry out the foregoing purposes, of a form approved by the Borough Attorney.

RESOLUTION # 88-13
RESOLUTION APPOINTING MICHAEL T. APICELLA
AS TAX COLLECTOR/OFFICIAL TAX SEARCH OFFICER OF
THE BOROUGH OF MAYWOOD

WHEREAS, the Mayor and Council hereby appoint Michael T. Apicella to the position of Tax Collector/Official Tax Search Officer, of the Borough of Maywood in accordance with the laws of the State of New Jersey for the remainder of a current term to expire on December 31, 2013 to take effect immediately; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the appointment of Michael T. Apicella as Tax Collector/Official Tax Search Officer of the Borough of Maywood for the remainder of the current term of the Maywood Tax Collector to expire on December 31, 2013, at an hourly salary of \$100 per hour not to exceed an annual salary of \$12,000.00, effective May 16, 2013.

Council member Ballerini moved for adoption, seconded by Council member Febre.

Council member Eisenberg questioned why the council is voting on the swim pool resolutions since they are a utility.

Mayor Padovano explained the council members are the commissioners of the utility.

Roll call vote was taken and so carried with the exception of Council member Fleischmann abstaining from Resolution Nos. 83-13 and 84-13.

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 #89-13

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: 05/14/2013 Time: 8:30 pm

ADJOURNMENT

Council member Ballerini moved the meeting be adjourned; seconded by Council member Febre and so carried at 9:44 p.m.

Borough Clerk