

“On January 7, 2013, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2013, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, The Community News and The County Seat newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

In case of an emergency or fire alarm you must evacuate the building by using any of the exit doors in the room. They are immediately to my right and the double doors at the rear of the room. Occupants must exit the building by using the staircase and not the elevator.

This meeting is being recorded by both video and audio and may be rebroadcast.

**SALUTE TO THE FLAG**

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

**Gregory Polyniak of Neglia Engineering was present to give the monthly report.**

**1. 2009 NJDEP ECONOMIC RECOVERY PROGRAM**

**Scope:** This project consists of improvements to the Lincoln / Mendez Intersection Drainage and the cleaning, televising, and lining of the Westerly Brook (see revised scope below).

**Advertise Date:**

**Bid Date:** 7/20/2011

**Awarded:** 8/4/2011

**Start of Work:** 10/17/2011

**Projected Completion Date:** 12/13/2012 (Phase #1)

**Status:** This project was awarded to Montana Construction in the amount of \$602,201.72 which was NJDEP - approved. In mid-April 2012, our office submitted a project revision plan package to the NJDEP that was approved in July 2012. The revisions included the Magnolia Avenue sewer replacement (approximately 550 linear feet), the Brook Avenue manhole / siphon configuration, and the Lawrence Avenue siphon obstruction. This project was closed out by the Borough in March 2013.

The Spring Valley Avenue Pump Station project requires two separate legal tasks to be performed prior to project bidding. The first, the interlocal sanitary connection agreement is being addressed by legal counsel for both the Borough of Maywood and Paramus.

The Borough's conflict attorney forwarded a final draft agreement to the Borough of Paramus' conflict attorney on July 19, 2013. Per written correspondence by the Borough's attorney on

August 07, 2013, we understand that negotiations and review are ongoing. 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. **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.

<b>Advertise Date:</b>	06/18/2012
<b>Bid Date:</b>	7/25/2012
<b>Award Date:</b>	8/14/2012
<b>Start of Work:</b>	10/22/12
<b>Projected Completion Date:</b>	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.

Per correspondence with the NJDOT on August 07, 2013, the NJDOT has received the required closeout documents. They are in the process of closing out this project. Thereafter, the Borough will acquire the remaining 25% grant reimbursement for the project.

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

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

**Status:** In late April 2013, a site inspection meeting with the Neglia Engineering Associates, Bergen County, and the Bergen County contractor occurred to inspect the location of existing and proposed ADA ramps along Maywood Avenue prior to the County implementing milling and paving activities. On May 09, 2013, Neglia Engineering Associates received an E-mail listing the requested ramp locations to be constructed prior to paving operations.

In late May 2013, Neglia Engineering Associates was informed that the Borough and the Board of Education decided to relocate the Maywood Avenue School crossing from its existing location at concrete stairs along the Maywood Avenue frontage to the north in the vicinity to the School's northern access drive on Maywood Avenue. This shift was required by Bergen County.

On August 08, 2013, Neglia Engineering Associates was informed by the County's concrete contractor that it is anticipated that construction will begin on Monday, August 26, 2013. We have requested that the contractor forward a revised resident / business notice for review prior to beginning any construction activities. In addition, we have requested that any ramp construction in the vicinity of the Maywood Avenue School begin first to limit impact to the start of school.

4. **NJDOT MUNICIPAL AID GRANT – EAST HUNTER AVENUE (YEAR 2013 PROGRAM)**

**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:** As requested by Borough, Neglia Engineering Associates issued a proposal for surveying, engineering, and construction management services for a roadway project with a construction budget of \$315,000 on June 13, 2013 for review and consideration by the Borough. Within this proposal, our office included scope and budget to address Spring Valley Road from approximately two hundred feet south of Cumming Avenue to eighty feet south of Sanzari Place (middle section to complete roadway).

5. **BERGEN COUNTY OPEN SPACE**

**Scope:** Bergen County Open Space has issued a request for projects for the Year 2013 Open Space Grant Program. This grant is a matching grant program. The application packages for this Year 2013 Open Space Program are due on August 29, 2013 with a public hearing with proper notice prior to the submission.

**Status:** We understand per discussions with the Borough that the Borough Grant Writer will prepare the Bergen County Open Space submission. Our office would be glad to prepare / aid in the preparation of the grant submission package if requested.

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

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

**Status:** Our office would be glad to prepare / aid in the preparation of the grant submission package if requested. Should the Borough request our office to prepare the Grant Application package, we would respectfully request that the Borough provide its requested project to our attention at or prior to the August 27, 2013 Mayor and Council Meeting as an endorsing resolution for the selected project must be prepared and moved at the September 10, 2013 Mayor and Council meeting.

Mayor Padovano spoke regarding the Grant Application program and asked council if there was any street they could suggest that was in need of paving other than Elm Street.

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

NONE

**CORRESPONDENCE AND REPORT OF BOROUGH CLERK**

Borough Clerk Pelligra reported on the following:

1. She reminded everyone tomorrow, August 13, 2013, is the Special Primary Election and the polls will be open from 6:00 am to 8:00 pm.
2. She requested members of the council and the administrator to contact her as soon as possible if they are interested in attending the NJLM Conference in November.

**REPORT OF ADMINISTRATOR**

Administrator Stern reported on the following:

1. She stated the borough received the \$13,000.00 from the County for the ADA project at the kiddie pool.

Mayor Padovano asked if the project exceeded \$13,000.00.

Administrator Stern responded yes, by a couple of thousand dollars, adding we did not receive the full amount we applied for on the new application for the ADA improvements to the pool bathrooms which we will begin obtaining prices on soon.

2. She spoke regarding the Fall Festival scheduled for Sunday, October 6, 2013 and reported everything is moving forward, adding if there is anything council would like to see at the festival, please let her know.

### **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 from the Recreation Department:

- October 19, 2013 – Town-wide Garage Sale 9:00 am to 6:00 pm – The cost per household is \$5.00 and pre-registration is required.
- October 29, 2013 – Trip to Caesars Palace Casino in Atlantic City

Council member Eisenberg reported on the following:

1. He stated we met with a software vendor with regards to upgrading the software in the building department, in addition to looking at a web-based product to upgrade all of the departments. He explained the initial cost for the web-based product would be \$33,000.00 with maintenance fees of \$19,000.00 and the software for the building department only, which would be installed on our server, would be \$22,000.00 with maintenance fees of \$8,000.00.

Council member Ballerini stated he has no report this evening.

Council member Fleischmann reported on the following:

1. He reported the following from the DPW:

- He stated he has been questioned regarding the street sweeper and was advised it was out for repairs; however, it is back on the road as of yesterday and he will be working with the Superintendent on a schedule so it is better utilized.
- He explained when a borough tree is taken down; it will be cut into smaller pieces and left on the curb for three to five days with a sign indicating it is available for residents to pick up.

- He stated the department will be doing an assessment of all snow equipment and making any necessary repairs so it is ready for snow season, adding we will be stocking parts to limit excessive down time when a repair is needed during a snow emergency.
- He reported the brine system is in place and will be operational for the first snow storm.

Council member Eisenberg asked how the residents will know where the wood is located.

Mayor Padovano suggested a list be posted by the DPW office with the location of trees scheduled to be taken down.

Council President Febre reported on the following:

1. He stated we are still waiting for a representative from the County to come and look at the old Rescue 23. He explained the Fire Chief is going to have the “no smoke” system removed from the old rescue truck and installed on the new one.

Council member Eisenberg questioned if the County is going to pay us for the rescue truck.

Council President Febre responded yes, adding we will discuss it further in closed session.

### **REPORT OF MAYOR**

Mayor Padovano reported on the following:

1. He thanked the police department for National Night Out and everyone else who participated.
2. He reported the police department received grant funding for the prevention of drunk driving program.
3. He stated he and Administrator Stern met with the director of the Maywood Center for Health to discuss the on-street parking and delivery problems and advised a program has been implemented that requires all vendors to access the center via Hergesell Avenue. He stated he proposed they look into developing a large grass area located on their site into additional parking spots and discussed phasing in the address change.

Administrator Stern stated we also asked them to update the driving directions listed on their web site.

Council member Morrone asked if the private ambulance companies were advised.

Mayor Padovano responded a notice was sent to all their private ambulance companies and vendors, adding they provided us with copies of the memos that were sent.

Council member Morrone asked when this will be effective.

Mayor Padovano responded it will be effective immediately and the borough's enforcement agencies will keep monitoring the situation.

4. He stated the Street Fair will be held Sunday, August 18, 2013 and suggested the council come to a decision by the end of September if they are in agreement to host one street fair in lieu of two next year so the Chamber of Commerce can be advised. He stated although some of the merchants do well during the street fair, some take a major hit, adding perhaps we could host a car show and focus more on our local merchants.
5. He stated the Fall Festival is scheduled for Sunday, October 6, 2013 in Memorial Park and added the Maywood Hawks 5K will be taking place in the morning.

**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.

John Brown – 41 Stelling Avenue – questioned the swim pool locker room repairs listed in Bond Ordinance #9-13 and asked if the swim pool will offset any of the costs.

Mayor Padovano responded the pool covers their own salaries and the cost of running the pool during the summer months; however, the size of this capital improvement would totally exhaust their profits but they may be able to offset some of the repair costs.

There being no further comments, 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**

1. From Rosary Society Our Lady Queen of Peace Church – permission to hold an on-premise 50/50 raffle at Our Lady Queen of Peace Church, 400 Maywood Avenue, Maywood on September 22, 2013 from 2:00 pm to 4:00 pm.

2. From Lutheran Church of the Redeemer – request permission to close one block of Taplin Avenue between Maywood Avenue and Oak Street on Sunday, September 22, 2013 from 9:00 am to 3:00 pm to hold their annual Rally Day Outdoor Worship and Picnic to include a petting zoo and pony rides that will be stationed on their lawn on Taplin Avenue; subject to Block Party Permit.
3. From Oak Ale House request to hold an Anniversary/ Labor Day Holiday Party on Saturday, 8-31-13 and 9-1-13 from 12 noon to 9:00 pm with a rain date of Saturday, 9-7-13. Approval contingent upon approval from both Fire and Police Departments.

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

Council member Fleischmann questioned Approval Item #2 and asked if a block party application had been submitted.

Borough Clerk Pelligra responded we did not require it last year; however, they will need to submit a certificate of insurance.

Mayor Padovano asked the council if they were in agreement to amend Approval #2 to read “subject to Block Party Permit” – All in agreement.

Council member Morrone questioned if the Oak Ale House request was for two days.

Borough Clerk Pelligra responded yes but the rain date is only one day.

A brief discussion ensued amongst the council.

Council member Ballerini moved for approval as amended, seconded by Council member Eisenberg; and so carried by unanimous roll call vote.

## **RESOLUTIONS BY TITLE – CONSIDERATION OF THE FOLLOWING**

### **RESOLUTION # 113-13**

#### **A RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF LIFEGUARD CHAIRS FOR THE MAYWOOD MUNICIPAL POOL**

**WHEREAS**, a need exists within the Borough to purchase and replace the life guard chairs with anchors, sidesteps and umbrellas for the Maywood Municipal Pool for the 2013 swim pool season; and

**WHEREAS**, the cost of such life guard chairs with the anchors, sidesteps and umbrellas is estimated to be below the bid threshold of \$36,000, but in excess of \$5,400, being 15% of the bid threshold; and



**WHEREAS**, the Borough Administrator had solicited and received price quotations; and

**WHEREAS**, pursuant to Section 9-7 of the Code of the Borough of Maywood, purchases in excess of \$7,500 require Mayor and Council approval;

**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 purchase, and to sign and issue purchase orders for the life guard chairs with anchors, sidesteps and umbrellas for installation and use at the Maywood Municipal Pool for the sum of \$ 8,050.00, payable to Alpine National, Inc., 39 Grover Drive, Wayne, NJ 07470, pursuant to the price quotations received from Alpine National, Inc. whose response was most advantageous to the Borough, price and other factors considered.

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

Mayor Padovano spoke regarding Bond Ordinance #9-13 and explained it does not mean the total amount of the bond ordinance will be spent, adding the borough recently closed out \$558,000.00 in unused bonds.

**INTRODUCTION OF ORDINANCES**

**ORDINANCE # 8-13**

**AN ORDINANCE AMENDING CHAPTER 312 OF THE CODE OF THE  
BOROUGH OF MAYWOOD TO ADD SECTION 312-7(F) RELATING TO  
HOURS OF RESTRICTED PARKING**

**WHEREAS**, the Mayor and Council, on the advice of the Chief of Police find it necessary to restrict the hours of parking time limits at the following location(s) to ensure the safety and wellbeing of the citizens of the Borough of Maywood; and

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

Section 1: Chapter 312 of the Code of the Borough of Maywood is hereby amended to add thereto Section 312-7(F) to read in full as follows:

312-7 (F) Hours of Restricted Parking

Suitable signage shall designate the restricted hours of parking between 7:30 a.m. and 9:00 a.m. as well as 1:30 p.m. and 3:30 p.m. along the following street(s):

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Grant Avenue	West	Running north between Mendez Avenue and Memorial Park (a distance of 302 feet based upon the current tax map of the Borough of Maywood)

Section 2. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

Section 3. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect upon passage and publication as required by law.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinance # 8-13, pass on first reading and that said Ordinances will be further considered for final passage at a meeting of the Mayor and Council to be held on August 27, 2013 at 8:15 pm at the Borough Hall, 15 Park Avenue, Maywood, New Jersey at which time and place all persons interested therein will be given an opportunity to be heard concerning the same, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

**ORDINANCE #9-13**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$950,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

BE IT ORDAINED by the Borough Council of the Borough of Maywood, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Maywood, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology equipment and a new automotive vehicle, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter

appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of HVAC improvements at the Senior Citizens Building. It is hereby determined and stated that the public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 22,000
Down Payment Appropriated	\$ 1,050
Bonds and Notes Authorized	\$ 20,950
Period of Usefulness	15 years

B. Undertaking of municipal parking lot improvements at Palmer Avenue and West Fairmount Avenue.

Appropriation and Estimated Cost	\$ 40,000
Down Payment Appropriated	\$ 1,910
Bonds and Notes Authorized	\$ 38,090
Period of Usefulness	10 years

C. Construction of Pleasant Avenue turnarounds.

Appropriation and Estimated Cost	\$ 20,000
Down Payment Appropriated	\$ 960
Bonds and Notes Authorized	\$ 19,040
Period of Usefulness	10 years

D. Installation of a new elevator at the Public Library. It is hereby determined and stated that the public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 27,000
Down Payment Appropriated	\$ 1,290
Bonds and Notes Authorized	\$ 25,710
Period of Usefulness	15 years

E. (i) Undertaking of various improvements to Memorial Park and (ii) replacement of signs at various parks.

Appropriation and Estimated Cost	\$160,000
Down Payment Appropriated	\$ 7,620
Bonds and Notes Authorized	\$152,380
Period of Usefulness	15 years

F. Acquisition of new additional or replacement equipment and machinery consisting of turnout gear for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,500
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	5 years

G. Acquisition of new information technology equipment consisting of a computer network system for use in the Municipal Building.

Appropriation and Estimated Cost	\$ 22,000
Down Payment Appropriated	\$ 1,050
Bonds and Notes Authorized	\$ 20,950
Period of Usefulness	7 years

H. Undertaking of various improvements to the Municipal Building. It is hereby determined and stated that the public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 48,000
Down Payment Appropriated	\$ 2,290
Bonds and Notes Authorized	\$ 45,710
Period of Usefulness	15 years

I. Acquisition of new information technology equipment consisting of a computer system for the use of the Building Department.

Appropriation and Estimated Cost	\$ 23,000
Down Payment Appropriated	\$ 1,100
Bonds and Notes Authorized	\$ 21,900
Period of Usefulness	7 years

J. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Department of Public Works consisting of (i) a pickup truck and (ii) a wheel balancing machine.

Appropriation and Estimated Cost	\$ 36,000
Down Payment Appropriated	\$ 1,800
Bonds and Notes Authorized	\$ 34,200
Period of Usefulness	5 years

K. Refurbishing of the locker rooms at the Municipal Pool.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,390
Bonds and Notes Authorized	\$ 47,610
Period of Usefulness	15 years

L. Reconstruction of various roads in the Borough, as set forth on a list prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$425,000
Down Payment Appropriated	\$ 20,240
Bonds and Notes Authorized	\$404,760
Period of Usefulness	10 years

M. Acquisition of new additional or replacement equipment and machinery consisting of various equipment and machinery for the use of the Office of Emergency Management.

Appropriation and Estimated Cost	\$ 27,000
Down Payment Appropriated	\$ 1,800
Bonds and Notes Authorized	\$ 25,200
Period of Usefulness	5 years

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Aggregate Appropriation and Estimated Cost	\$950,000
Aggregate Down Payment Appropriated	\$ 46,000
Aggregate Amount of Bonds and Notes Authorized	\$904,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$46,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$46,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$904,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$904,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance

and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10.88 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$904,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.



Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and

capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Council member Ballerini moved for introduction, 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 that Ordinance # 9-13, pass on first reading and that said Ordinances will be further considered for final passage at a meeting of the Mayor and Council to be held on August 27, 2013 at 8:15 pm at the Borough Hall, 15 Park Avenue, Maywood, New Jersey at which time and place all persons interested therein will be given an opportunity to be heard concerning the same, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

**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 Morrone - All in favor.

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**

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
- (X) 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: 8/12/13 Time: 6:55 pm

**ADJOURNMENT**

Council member Febre moved the meeting be adjourned; seconded by Council member Fleischmann and so carried at 9:15 p.m.

Borough Clerk