

**WORK SESSION**  
**SEPTEMBER 10, 2019**

Borough Clerk Barbara Dispoto called the September 10, 2019 Work Session of the Mayor and Council to order at 7:32 pm.

**SALUTE TO THE FLAG**

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

“On January 3, 2019, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2019, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, and The Community News newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act.”

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

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

**ROLL CALL**

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

**PROCLAMATIONS, PRESENTATIONS, ETC.**

NONE

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

**1. MAYWOOD AVENUE STREETScape – PHASE II (NJDOT MUNICIPAL AID GRANT)**

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

Status: Per discussions with the contractor, construction will proceed on August 7, 2019. The construction activities will include the installation of Belgian Block curbing on the eastern side of Maywood Avenue. This will permit Bergen County to mill and pave Maywood Avenue in mid-August 2019.

**2. PALMER AVENUE & WEST PASSAIC STREET ROADWAY CROSSING (BUS STOP) AND PALMER AVENUE (NJDOT MUNICIPAL AID GRANT)**

As requested at the March 13, 2018 Mayor and Council meeting, our office issued a conceptual plan and engineer’s estimate for the West Passaic Street – Palmer Avenue intersection. Our office also confirmed with Bergen County that a mid-block crossing resolution was not required as the County considers it a T-intersection crossing. The County required detailed engineering plans to illustrate compliance with the ADA ramp and crossing regulations prior to any construction activity occurring.

Status: With the receipt of the aforementioned NJDOT final inspection letter, our office has proceeded with municipal project closeout and is awaiting documentation from the contractor. Thereafter, we would proceed with NJDOT closeout to permit the Borough to receive the remainder of its grant funding.

**3. YEAR 2019 ROADWAY IMPROVEMENTS PROGRAM**

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

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

Status: The Bid Notice lists the document availability and bid opening dates as July 19, 2019 and August 8, 2019. We anticipate construction to occur during Summer/Fall 2019.

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

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

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

**5. QUOTE SOLICITATION - SPRING VALLEY AVENUE SETTLEMENT REPAIR**

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

Status: Administrator Stern will speak with the Chief of Police and Greg to get a quote on the study. Council President Garofalow stated Briarcliff and Edel should be on the next paving project. 2019.

**6. SPRING VALLEY AVENUE – ROADWAY CORRIDOR TRAFFIC STUDY**

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

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

Council President Garofalow made inquiries and suggestions regarding the proposed bike lane on Spring Valley. Ms. Stern will follow up as to whether an interest exists with Hackensack and Paramus regarding the bike lane. Discussion ensued as to the traffic study on Spring Valley. Council Member Bolan discussed motorists not heeding to pedestrians at crosswalks.

**MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)**

Mayor Febre opened the meeting to the public for any comments on or off the agenda.

Lou Roer, Maywood Avenue, discussed the bike lane project on Spring Valley and suggested the study take place during the time period of Memorial Day to Labor Day.

Joan Rivera, Spring Valley Road, discussed her concerns about the bike lane on Spring Valley. She believes the bike path will be a liability to Maywood.

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

**ORDINANCE # 17-19**

**AN ORDINANCE TO AMEND CHAPTER 201 OF THE MAYWOOD CODE ENTITLED WHICH GOVERNS THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH SO AS TO PROVIDE FOR REGULATIONS FOR EMPTY STORE FRONTS**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

**WHEREAS**, the Mayor and Council of the Borough of Maywood wish promote the economic growth of the special improvement district and wishes to mitigate the impact caused commercial vacancies within same. This Ordinance is enacted to lessen the impact that empty store vacancies cause.

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

Section 1. Chapter 201 of the Borough Code entitled "Special Improvement District" which governs the Special Improvement District of the Borough of Maywood shall be amended to add subchapter §201-12 to mitigate the impact on empty store front and shall read as:

**§201-12 Vacant commercial structures within the District containing store fronts/display windows.**

- A. The owner of any vacant commercial structure that contains a storefront, display window, and/or any area intended to exhibit or display merchandise or conduct advertising, shall keep the property internally illuminated during the hours of 9 A.M. to 8:30 P.M. so as not to appear vacant and shall place some visual medium, such as art work, or some form of decorative display, which will not, by its appearance, create a blighting effect on the immediate neighborhood. Such art/display shall not be of a nature that would be offensive to the public. The following methods of obstructing windows and/or storefronts are prohibited: the placement of newspaper or other types of newsprint on windows and/or storefronts; the painting, soaping or hazing of windows and/or storefronts; the boarding and/or placement of cardboard or other similar material in windows and/or storefronts. The aforementioned list is not intended to be exhaustive but rather illustrative as to those types of conditions which are specifically prohibited under this section.
- B. The Mayor and Council of the Borough of Maywood may, by a selection method of their choosing, commission/choose such visual works of arts to be displayed by properties affected by this ordinance.
- C. Commercial property owners must erect a display/art pursuant to this ordinance. Fail to erect the art/display as described herein shall be a violation subject to a fine of not less than \$250.00 dollars and shall not exceed \$500.00. Each subsequent day the violation continues shall be considered a separate punishable offence.

**Section 2. Severability.**

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

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

Mayor Febre opened the meeting to the public for any comments or questions relative to the foregoing ordinances. No one wished to be heard. Mayor Febre closed the public portion.

Council President Garofalow moved for the approval, seconded by Council member Bolan. Motion carried by the members present.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood that Ordinance # 17-19 be and is hereby passed upon second and final reading and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

**APPROVAL OF MINUTES**

Council member Lindenau moved for approval of the July 23, 2019 Council Meeting and Closed Session and the August 13, 2019 Work Session; seconded by Council member Bennin. Motion carried by the members present. Council President Garofalow abstained from the August 23, 2019 minutes.

## **CORRESPONDENCE AND REPORT OF BOROUGH CLERK**

Borough Clerk Dispoto stated a letter she received from Betty Fetzter was forwarded to the Mayor and Council for their review and stated that pocketed liquor licenses are in the beginning stages of being transferred.

## **REPORT OF ADMINISTRATOR**

Ms. Stern discussed visiting the PSE&G location with DPW Superintendent that will be cleared out and the installation of new KB6a poles. She further discussed the updated landscaping that will be completed as part of the project at the PSE&G substation. Ms. Stern also discussed the removal and replenishing of trees within the Borough.

## **COMMITTEE REPORTS**

### **Council Member Bennin**

1. Reported on the Department of Public Works and Building Department:
  - Discussed mosquito spraying that is available
  - The Grand Opening of Pleasant Avenue Dental
  - Any questions regarding permits should be directed to the Building Department
  - Permits for garage sales are needed and discussed the upcoming town wide garage sale on October 20, 2019 and reminded residents signs need to be removed at the end of the sale.

### **Council Member Bolan**

1. He reported the following from the Police Department; adding a copy of the report will be available at borough hall:
  - There were 288 "911" calls
  - The Detectives had 56 new cases
  - They charged 5 with Robbery
  - 1 with Prostitution
  - 3 with Illegal Dumping
  - 1 with theft of services.
  - There were 441 motor vehicle stops resulting in 235 issued summonses
  - There were 13 arrested on criminal charges, 4 with outstanding warrants and 6 with DUI's.
  - The dogs were called out 9 times
  - The K9 unit received free Narcotics Training
2. Reporting on the status of the time capsule
  - Kids writing a postcards to be placed into the capsule
  - School assembly will take place to seal the time capsule
  - Local businesses are encouraged to supply memorabilia
  - Still have room for additional items

**Council Member Gervino** was absent.

### **Council Member Ullman**

1. Green Team Information:
  - Meeting this Tuesday
  - Green Team Fair is November 2<sup>th</sup>
  - Have 7 organization guaranteed for the fair; would like 15!
2. Pool Commission had a great year
3. Soccer season opened
  - Fields look great
4. Resident Pam Jengo is the Bergen County American Legion Auxiliary President - first Maywoodian for that position.

**Council Member Lindenau** reported progress.

### **Council President Garofalow**

1. The Fire Department and Police Fire are looking for additional volunteers.
2. State paperless agenda are being prepared
3. Maywood Dental opened this weekend. Also a speech psychologist. Nice addition to the downtown district.

**REPORT OF MAYOR**

Mayor Febre discussed the numerous Eagle Scout projects completed for the Borough. He reminded residents to be more cognizant of the children walking to and from school. Mayor Febre discussed the 9/11 Service at Memorial Park which is attended by the students of Memorial School as well as the Service of Remembrance at First Presbyterian Church.

**ACTION LIST ITEMS**

NONE

**RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING**

1. Rita Papagian submitted her resignation letter from the Green Team for the Borough of Maywood effective August 31, 2019.

Council member Lindenau moved the resignation be accepted, seconded by Council member Ullman. Motion carried by the members present.

**APPOINTMENTS – APPROVAL OF THE FOLLOWING**

NONE

**COUNCIL APPROVAL OF THE FOLLOWING**

1. Request from the Maywood Alumni Initiative for the annual Maywood Hawk 5K Run/Walk to be held during the morning of the Fall Festival of 2019.
2. Maywood Fire Police are requesting the use of the parking lot at Memorial School during their Sands Casino trip on Saturday, November 2, 2019.
3. Senior Citizens Club is requesting the use of the pool parking lot during their trip to Montreal and Quebec City, Canada from 7:00am on September 23, 2019 thru 7:00pm on September 28, 2019.
4. Congressman Gottheimer’s Office requesting the opportunity to schedule a mobile office in the Borough of Maywood from the hours of 5:00pm to 6:00pm for the district constituents to meet their local representative.

Council President Garofalow moved for the approvals, seconded by Council member Lindenau. Motion carried by the members present.

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

**RESOLUTION # 165-19**  
**RESOLUTION AUTHORIZING THE FEE AMENDMENT FOR THE SPECIAL**  
**IMPROVEMENT DISTRICT**

**WHEREAS**, the Mayor and Council of the Borough of Maywood wish to amend the fees paid by those businesses within the Special Improvement District; and

**WHEREAS**, such fees shall now be associated with the square footage of businesses in the following manner:

1. A fee of \$200.00 for those businesses with an aggregate square footage exceeding 3000 feet.
2. A fee of \$150.00 for those businesses with an aggregate square footage of 1500 to 2999 square feet.
3. A fee of \$100 for those businesses with an aggregate square footage of less than 1499 square feet.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Maywood, in the County of Bergen, State of New Jersey that the above fees shall be applicable effective immediately.

**RESOLUTION # 166-19**  
**RESOLUTION APPOINTING ZACHARY STELTER AS A JUNIOR FIREFIGHTER IN THE**  
**BOROUGH OF MAYWOOD**

**WHEREAS**, upon the advice and recommendation of Chief of the Maywood Fire Department, John McManus, the Mayor and Council of the Borough of Maywood wish to appoint Zachary Stelter as a Junior Firefighter with the Borough of Maywood Volunteer Fire Department;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary to appoint Zachary Stelter as a Junior Firefighter with the Borough of Maywood Volunteer Fire Department; and

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

**RESOLUTION # 167-19**  
**RESOLUTION APPOINTING LUCAS VILLANUEVA AS A JUNIOR FIREFIGHTER IN**  
**THE BOROUGH OF MAYWOOD**

**WHEREAS**, upon the advice and recommendation of Chief of the Maywood Fire Department, John McManus, the Mayor and Council of the Borough of Maywood wish to appoint Lucas Villanueva as a Junior Firefighter with the Borough of Maywood Volunteer Fire Department;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary to appoint Lucas Villanueva as a Junior Firefighter with the Borough of Maywood Volunteer Fire Department; and

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

**RESOLUTION # 168-19**  
**RESOLUTION APPOINTING CARA DONOHUE AS A FULL FIREFIGHTER IN THE**  
**BOROUGH OF MAYWOOD**

**WHEREAS**, upon the advice and recommendation of Chief of the Maywood Fire Department, John McManus and upon her successful completion of her probationary period, the Mayor and Council of the Borough of Maywood wish to appoint Cara Donohue as a full member Firefighter with the Borough of Maywood Volunteer Fire Department assigned to Peerless Engine Company No 2 and issued Badge No. 517;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest, to any and all documents necessary to appoint Cara Donohue as a full member Firefighter with the Borough of Maywood Volunteer Fire Department assigned to Peerless Engine Company No. 2 and issued Badge No. 517; and

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

**RESOLUTION # 169-19**  
**A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS SHELTERS**  
**NEEDED BY THE BOROUGH OF MAYWOOD FOR THE DUGOUTS OF**  
**MEMORIAL PARK**

**WHEREAS**, a need exists to purchase dugout shelters for use in Memorial Park in the Borough; and

**WHEREAS**, MRC Inc. of Spring Lake, New Jersey has been identified as being the most cost effective provider of such equipment to the Borough utilizing a state contract for the amount of \$21,349.00; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue purchase orders for the purchase of various equipment identified herein for the sum of \$21,349.00, payable to MRC Inc. of Spring Lake, New Jersey.

**RESOLUTION # 170-19**  
**A RESOLUTION AUTHORIZING THE PURCHASE OF LEAF BAGS**

**WHEREAS**, the Borough of Maywood provides to its residents leaf bags to assist with the collection of leaves in the fall season. To facilitate this service the Borough needs to purchase said bags; and

**WHEREAS**, Pabco Industries, LLC of Newark, New Jersey has been identified as being the most cost effective provider of such bags to the Borough for the amount of \$18,000.00; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, that the Borough Administrator is hereby authorized to sign and issue purchase orders for the purchase of materials identified herein for the sum of \$18,000.00, payable to Pabco Industries, LLC of Newark, New Jersey.

**RESOLUTION #171-19**  
**RESOLUTION TO APPOINT ANDREW M. MORAN TO THE POSITION OF PART TIME TELECOMMUNICATOR**

**WHEREAS**, it is the recommendation of Chief Joseph Natale to appoint Andrew M. Moran as a Part Time Telecommunicator for the Borough of Maywood Police Department; and

**WHEREAS**, all required background checks have been performed by the Maywood Police Department;

**THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the appointment is hereby approved with an effective date of September 10, 2019; and

**BE IT FURTHER RESOLVED**, that compensation shall be set at \$15.00 per hour.

**RESOLUTION #172-19**  
**RESOLUTION TO APPOINT SAMANTHA E. CAMPOLI TO THE POSITION OF PART TIME TELECOMMUNICATOR**

**WHEREAS**, it is the recommendation of Chief Joseph Natale to appoint Samantha E. Campoli as a Part Time Telecommunicator for the Borough of Maywood Police Department; and

**WHEREAS**, all required background checks have been performed by the Maywood Police Department;

**THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the appointment is hereby approved with an effective date of September 10, 2019; and

**BE IT FURTHER RESOLVED**, that compensation shall be set at \$15.00 per hour.

**RESOLUTION # 173-19**

**RESOLUTION IN THE BOROUGH OF MAYWOOD AWARDING THE CONTRACT FOR THE 2019 GOLF AVENUE ROADWAY IMPROVEMENTS (NJDOT FUNDED) AND AUTHORIZING THE EXECUTION OF CONTRACT**

**WHEREAS**, the Borough of Maywood did advertise for bids for the 2019 Golf Avenue Roadway Improvements (A NJDOT funded project) the receipt of which bids were duly advertised in accordance with law and were accepted and opened on September 5, 2019 in Borough Hall; and

**WHEREAS**, the apparent low bidder was Cifelli & Son General Contracting bidding at the amount of \$285,546.30 and

**WHEREAS**, the low bid submitted by Cifelli & Son General Contracting has been evaluated and recommended for acceptance by the Borough Attorney and Borough Engineer; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey accepts and awards as the lowest responsible bidder the contract enumerated in the advertisement for the 2019 Golf Avenue Roadway Improvements (A NJDOT funded project), to Cifelli & Son General Contracting; and

**BE IT FURTHER RESOLVED**, that the Mayor, Borough Administrator and/or Borough Chief Financial Officer be and he is hereby authorized and directed to execute, and the Borough Clerk, is directed to attest to any documents necessary to accept the bid and contract with Cifelli & Son General Contracting in the amount of \$285,546.30 pursuant to the terms of the bid solution and the bid received; and

**BE IT FURTHER RESOLVED**, that a copy of the within resolution together with a copy of the Agreement 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, the County of Bergen and the Borough of Maywood.

**RESOLUTION # 174-19**

**RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS FROM BUILDING PERFORMANCE INSTITUTE (“BPI”) ACCREDITED CONTRACTORS TO PERFORM HOME ENERGY ASSESSMENTS**

**WHEREAS**, the Borough of Maywood is engaging in a municipal-wide campaign to promote energy efficiency. The Borough of Maywood will be providing information about its energy assessment program to its residents to promote wide scale participation in the New Jersey Home Performance with ENERGY STAR® Program (“HPwES) program. The outreach campaign may include efforts by local ‘green team’ volunteers to schedule workshops and tabling events with local partner organizations, a letter from the municipality to residents announcing the program, and other publicity and outreach efforts by the municipality and local organizations. The Borough of Maywood recognizes that Home energy assessments are the first step in reaching energy efficiency goals by showing how homeowners can save money, realize comfort, and complete the HPwES; and

**WHEREAS**, to further the HPwES program the Borough of Maywood has recognized the benefits in selecting one or several private companies that will act as the Borough’s preferred Building Performance Institute (“BPI”) accredited contractors to perform home energy assessments for residential homes in the municipality; and

**WHEREAS**, New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1* et seq., permits such service without the need of public bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, that the Borough professionals prepare and distribute materials necessary to request proposals from private companies to act as the Borough’s preferred Building Performance Institute (“BPI”) accredited contractors that will perform home energy assessments for residential homes in the Borough; and

**BE IT FURTHER RESOLVED** that upon the receipt of proposals the Borough Mayor and Council shall act in selecting the preferred accredited contractor.



**RESOLUTION # 175-19**  
**RESOLUTION APPROVING A LEASE MODIFICATION OF PARKING SPOTS IN THE**  
**BOROUGH OF MAYWOOD,**  
**BERGEN COUNTY, NEW JERSEY**

**WHEREAS**, the Borough of Maywood, County of Bergen, State of New Jersey has previously recognized the benefits of entering into a lease agreement for parking spaces not in use at the Maywood Pool Parking lot in Resolution #156-19, with a street address of 1 Brook Avenue; and

**WHEREAS**, Public Service Electric and Gas would like to lease more parking spaces, to wit thirty (30) parking spaces for the period of November 1, 2019 and March 31, 2019. All other terms of the original lease will remain unchanged. Said lease and its modification is made a part of this resolution; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts that fall below the bidding threshold without competitive bids and provides that the contract itself must be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest to a lease modification between the Borough of Maywood and Public Service Electric and Gas for more parking spaces not in use at the Maywood Pool Parking lot, with a street address of 1 Brook Avenue. Said lease and its modification shall be pursuant to the lease agreement and Resolution #156-19 that are made a part of this resolution and shall be available for public inspection.

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

**INTRODUCTION OF ORDINANCES**

**ORDINANCE # 18-19**  
**AN ORDINANCE TO ADOPT THE REVISED DRUG FREE ZONES AND DRUNK DRIVING**  
**ZONES MAPS OF THE BOROUGH OF MAYWOOD**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

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

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

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

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

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

- A. The drug-free and drunk-driving-free zone map. The Drug-Free/Drunk-Driving-Free Zone Map of the Borough of Maywood, dated March 2015 and revised May 2019 and prepared by Neglia Engineering Associates, Borough Engineer, is approved and adopted as an official finding and record of the location and areas of said zones within the Borough. These zones are defined as

1,000 feet on or near school property and 500 feet from a public housing facility, public park or a public building. Additionally, pursuant to New Jersey D.W.I. law, N.J.S.A. 39:4-50(g), said zones cover driving under the influence within 1,000 feet of a school facility.

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

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

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

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

**ORDINANCE # 19-19**

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

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

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

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

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

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

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

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

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

**ORDINANCE # 20-19**  
**AN ORDINANCE TO AMEND CHAPTER §201-7 (E) GOVERNING THE FEES OF THE**  
**SPECIAL IMPROVEMENT DISTRICT**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

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

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

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

E. The annual license fee shall be:

1. A fee of \$200.00 for those businesses with an aggregate square footage exceeding 3000 feet.
2. A fee of \$150.00 for those businesses with an aggregate square footage of 1500 to 2999 square feet.
3. A fee of \$100 for those businesses with an aggregate square footage of less than 1499 square feet.
4. For the purpose of computing the annual license fee, the following definitions shall apply:

a. **AGGREGATE FLOOR AREA**

The sum of the gross horizontal areas of all the floors of a building or buildings, measured from the exterior faces of exterior walls or the vertical extension of unenclosed roofed areas, or from the center line of walls common to two buildings, excluding cellars, attics and off-street parking facilities.

b. **ATTIC**

A portion of a building in which less than 25% of the space between the finished floor and the ceiling level has a clear height of seven feet four inches or more.

c. **BUILDING**

A structure having a roof used or designed to be used for the occupancy of persons or the storage or display of property of any kind.

d. **BUSINESS**

The occupancy, lease, offering for lease, holding for investment purposes or ownership of any building upon properties located within the special improvement district except for premises used exclusively for residential uses, churches, municipal facilities and premises operated by nonprofit corporations or associations exclusively for charitable purposes.

e. **CELLAR/BASEMENT**

A portion of a building, the floor level of which is below grade at any point on the periphery of the building having 1/3 or more of its exterior wall area measured from floor to ceiling below the final grade. A cellar/basement shall not be considered a "story." If a garage is located at the level of a cellar/basement, it shall be considered to be a part thereof.

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

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

Council President Garofalow moved for the introductions, seconded by Council member Bennin. Council President Garofalow requested discussion of Ordinance #19-19 pertaining to name of the parks. Following the discussion, the following changes to the ordinance were requested prior to the adoption.

1. Remove Knickerbocker Field
2. Arthur Fenniman Park – located at Senior Center
3. Dedicate the Pavilion at Memorial Park - James A. Panos Pavilion

Council member Ullman moved for the introductions with the changes to Ordinance #19-19, seconded by Council member Lindenau. Motion carries by the members present.

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinances #18-19, #19-19 and #20-19, 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 October 8, 2019 at 7:30pm 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**

1. Ms. Stern stated PSE&G is looking to upgrade street lighting to LED fixtures and needs a verbal authorization to proceed. The Mayor and Council requested Ms. Stern to inquire about replacement bulbs, heat density of the new fixtures and the change of illumination from the lights prior to them authorizing the work to be completed by PSE&G.
2. Council President Garofalow discussed the letter from Betty Fetzer regarding the Senior bus. Ms. Stern stated if the bus was to be used more than it currently is there may be a need to hire a full time bus driver. Discussion ensued regarding seatbelts in the new bus, it was agreed by the Mayor and Council that seatbelts should be installed in the new bus.

#### **OLD BUSINESS**

1. The Mayor and Council revisited the bike lane discussions which also included the proposal by Neglia Engineering for the traffic study at the Spring Valley corridor. Different types of studies were discussed including having a discussion with the Police Chief. It was decided to hold off further discussion regarding Neglia's proposal until Ms. Stern gets feedback from Paramus and Hackensack regarding their interest in having a bike lane.

#### **CLOSED SESSION – IF APPLICABLE**

**WHEREAS**, the Open Public Meetings Act P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body wishes to discuss:

#### **Litigation** **Personnel**

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public;

**NOW THEREFORE BE IT RESOLVED**, that the public be excluded from this meeting; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Maywood do not envision that they will return to open session after the closed session but reserves the right to do so.

Council member Lindenau made a motion to go into closed session; seconded by Council President Garofalow. Motion carried by the members present.

#### **Litigation** **Personnel**

Council President made a motion the meeting to go back into public portion; seconded by Council member Lindenau. Motion carried by the members present.

**ADJOURNMENT**

Council President Garofalow moved the meeting to be adjourned; seconded by Council member Lindenau and so carried at 10:10 p.m. Motion carried by the members present.

Respectfully Submitted;

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Barbara L. Dispoto, RMC  
Borough Clerk