

**REGULAR MEETING  
OF THE  
ELMWOOD PARK  
MAYOR AND COUNCIL  
DECEMBER 6, 2012  
8:00 p.m.**

**1. CALL TO ORDER:**

The Public Meeting of the Mayor and Council of the Borough of Elmwood Park was called to order on Thursday, December 6, 2012 at 8:00 p.m. in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

On Roll Call Council Members: Castiglia, Colletti, Conboy, Trawinski, Vuoncino and Work were present. Also present were Mayor Mola, Borough Clerk Keith Kazmark and Borough Attorney Brian Giblin

**2. PRAYER & FLAG SALUTE:**

**3. STATEMENT OF COMPLIANCE:**

Whereas, Chapter 231 of the Public Laws of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read by the presiding officer.

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing an annual meeting notice in The Record of Hackensack and Herald News of Woodland Park and by posting such notice in the office of the Borough Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was been posted on January 1, 2012.

**4. APPROVAL OF MINUTES:**

A motion was made by Councilman Vuoncino and seconded by Councilman Work to receive and file the minutes of the Work Sessions of October 25, 2012, November 8, 2012 and November 15, 2012 Special Work/Executive Session; the Regular Meeting of November 1, 2012 and the Executive Session of November 8, 2012. Motion carried unanimously.

**5. ORDINANCES: FIRST READING**

R-335-12	Introduce Ord. #12-24	AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS, EMPLOYEES AND SERVANTS OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2012
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**6. ORDINANCES: SECOND READING**

R-336-12	Introduce Ord. #12-22	AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK BY AMENDING CHAPTER 4 THEREOF, TITLED "TOWERS AND TOWING"
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**7. ORDINANCES: OVERRIDE MAYORAL VETO**

R-337-12	Introduce Ord. #12-17	AN ORDINANCE TO AMEND CHAPTER 34 OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "ZONING AND SITE PLAN REVIEW."
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**8. RESOLUTIONS: CONSENT AGENDA**

R-338-12	Payment of Bills
R-339-12	Confirmation of Checks

- R-340-12 Confirmation of Payroll
- R-341-12 Transfer of Funds
- R-342-12 Redeem Third Party Tax Lien – O’Rourke-Van Rye
- R-343-12 Appoint John A. Conte, Jr. – Riverfront Residential 2, LLC and River Drive Development, LLC vs. Elmwood Park Planning Board
- R-344-12 Reschedule Coin Toss – Engine Company #2
- R-345-12 Resolution Supporting Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown
- R-347-12 Approval to Execute the TWA Permit on Behalf of the Borough of Elmwood Park
- R-348-12 Approval to Execute the Standard Application Form – Extension for Riverfront Residential, LLC
- R-349-12 Refund Credit Balances on Property Tax Accounts
- R-350-12 Refund Taxpayers for Overpayments Resulting from County Board Judgments
- R-351-12 Appoint Part Time Employees for Winter Break Day Camp – Recreation Department

**9. RESOLUTIONS:**

- R-346-12 Authorize Boswell McClave Engineering – Conceptual Study for the widening of River Road
- R-352-12 Award Bid for English Avenue Park

**DEPARTMENTAL REPORTS:**

A motion was made by Councilman Conboy and seconded by Councilman Work to accept and file the Municipal Court Report for September 2012, Police Department Overtime Report for September 2012, Health Officer’s Report for September 2012, Library Minutes for September 24 & October 4, 2012, and the Recreation Commission Minutes for August 21 & September 16, 2012. Motion carried unanimously.

**APPLICATIONS:**

A motion was made by Councilman Vuoncino and seconded by Councilman Conboy to authorize the raffle application for the Elmwood Park-Paterson Elks Lodge #60. Motion carried unanimously.

**COMMITTEE REPORTS:**

**MUNICIPAL ATTORNEY’S REPORT:**

**MAYOR’S REPORT:**

**PUBLIC HEARING:**

**WORK SESSION:** Discussion with Office of Emergency Management Officials

**EXECUTIVE SESSION:** Compensation under Emergency Stand By Ordinance

**ADJOURNMENT:**

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-335-12**

**RESOLUTION BY: COUNCILMAN CONBOY  
SECONDED BY: COUNCILMAN WORK**

**INTRODUCE ORDINANCE # 12-24  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS, EMPLOYEES AND SERVANTS OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2012**

be passed and adopted on first reading; and

**BE IT RESOLVED**, that a final hearing on said ordinance will be heard in the Municipal Building on Thursday, December 20, 2012 at 8:00 p.m. or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

**BE IT FURTHER RESOLVED**, that the Borough Clerk be, and he is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

Councilman Vuoncino discussed plans to implement in the first quarter of the 2013 steps to create salary increases based on goals and merits.

**BOROUGH OF ELMWOOD PARK  
ORDINANCE 12-24**

**AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS, EMPLOYEES AND SERVANTS OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2012.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Elmwood Park as follows:

**SECTION I: ELECTED OFFICIALS**

1. That the annual wage and compensation to be paid to the following elected officials for calendar year 2012 are as follows:

MAYOR	\$5,500.00
COUNCIL PRESIDENT	5,000.00
COUNCIL MEMBERS	5,000.00

**SECTION II: DEPARTMENT HEAD & NON-UNION EMPLOYEES**

1. That the respective annual base salary, wage and compensation to be paid to the following full-time Professionals, Department Heads and Non-Union employees of the Borough of Elmwood Park for the year 2012 shall be as follows:

BOROUGH ATTORNEY	\$54,890.57
CHIEF MUNICIPAL FINANCE OFFICER	111,912.81
REGISTERED MUNICIPAL CLERK	101,036.48
MUNICIPAL CLERK - ADMINISTRATIVE RESPONSIBILITIES	12,417.51
TAX COLLECTOR	83,211.80
TAX ASSESSOR	48,033.74
DIRECTOR OF RECREATION	71,356.84
SUPERINTENDENT OF PUBLIC WORKS	95,925.26
COURT ADMINISTRATOR	57,500.00
BUILDING INSPECTOR/PROPERTY MAINTANCE INSP.	68,664.69
HEALTH OFFICER	83,476.71
RECREATION LEADER	35,129.14
CHIEF OF POLICE	182,500.00

**SECTION III: PART-TIME EMPLOYEES**

1. That the respective salary, wage and compensation to be paid for part-time employee positions calendar year 2012 be as follows:

HEALTH OFFICER - SHARED SERVICES STIPEND	\$3,000.00
HEALTH DEPARTMENT PHYSICIAN	1,738.15
MUNICIPAL JUDGE	31,037.57
MUNICIPAL PROSECUTOR	17,997.23
DEPUTY MUNICIPAL CLERK	3,500.00
PLANNING BOARD SECRETARY	4,500.07
PLANNING BOARD ATTORNEY	3,347.02
BOARD OF ADJUSTMENT SECRETARY	3,268.52
BOARD OF ADJUSTMENT ATTORNEY	3,088.07
PUBLIC DEFENDER I	5,061.82
PUBLIC DEFENDER II	4,913.99
RENT LEVELING BOARD SECRETARY	1,137.76
EMERGENCY MANAGEMENT COORDINATOR	3,869.00

DEPUTY EMERGENCY MANAGEMENT COORDINATOR	544.41
CROSSING GUARD COORDINATOR	509.75
POLICE RECORDS CLERK	24,324.25
CROSSING GUARDS - FULL TIME & PART TIME	14.73 PER HOUR
PLUMBING SUB-CODE OFFICIAL	30.59 PER HOUR
FIRE SUB-CODE OFFICIAL	30.59 PER HOUR
FIRE OFFICIAL (FIRE PREVENTION)	25.00 PER HOUR
FIRE INSPECTOR (FIRE PREVENTION) MINIMUM	15.00 PER HOUR
FIRE INSPECTOR (FIRE PREVENTION) MAXIMUM	20.00 PER HOUR
ELECTRICAL SUB-CODE OFFICIAL	37.08 PER HOUR
ELECTRICAL INSPECTOR	35.98 PER HOUR
CLERICAL (PART-TIME) MINIMUM	10.20 PER HOUR
CLERICAL (PART-TIME) MAXIMUM	12.74 PER HOUR
SPECIAL POLICE OFFICERS - MINIMUM	10.20 PER HOUR
SPECIAL POLICE OFFICERS - MAXIMUM	15.29 PER HOUR
PLUMBING INSPECTOR	33.75 PER HOUR

**SECTION IV: LONGEVITY**

1. A full-time employee shall be entitled to longevity pay based in the following schedule:

Completion of the third year to completion of the fifth year	1%
Beginning of the sixth year to the completion of the eighth year	2%
Beginning of the ninth year to the completion of the eleventh year	3%
Beginning of the twelfth year to the completion of the fourteenth year	4%
Beginning of the fifteenth year to the completion of the twentieth year	5%
Beginning of the twenty-first year to the completion of the twenty-fourth year	6%
Beginning of the twenty-fifth year	8%

2. Any employee hired after January 1, 2007 shall not be entitled to longevity.
3. Such payments shall be added to each employee's base annual salary.

**SECTION V: SICK LEAVE**

1. All full-time employees shall be compensated annually for up to (15) days absence from work by reason of illness. All sick leave shall be accumulated and any unused portion thereof shall be applied towards future illness.

**SECTION VI: HOLIDAY & PERSONAL DAYS**

1. All Borough employees for who there is provided herein an annual compensation shall be excused from the performance of their duties with continuance of pay on the following days:

New Year's Day	Martin Luther King Jr. Birthday
Lincoln's Birthday*	Washington's Birthday
Good Friday	Memorial Day
Independence Day	Labor Day
Columbus Day	General Election Day
Veteran's Day	Thanksgiving Day
Friday after Thanksgiving	Christmas Eve (1/2 Day – 12:30 dismissal)
Christmas	(2) Personal Days

2. \*Floater Holiday
3. In the event that a holiday falls on a Sunday, the following Monday shall be observed as the holiday. In the event that a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.
4. This section shall not apply to part time employees whom are compensated on an hourly basis.

**SECTION VII: VACATION**

- 1. All full-time employees shall be allowed vacation leave from their employment with continuance of compensation provided herein, in accordance with the following schedule:

One through five years of service	12 days
Completion of the fifth year to ten years of service	12 days plus one day per year for each up to 17 days
Completion of ten years of service	21 days
Completion of twelve years of service	22 days
Completion of fourteen years of service	23 days
Completion of sixteen years of service	24 days
Completion of eighteen years of service	25 days
completion of twenty years of service and thereafter	30 days

- 2. All employees hired after January 1, 2007 cannot accumulate vacation days other than accrued days from (1) year prior.

**SECTION VIII: TERMINAL LEAVE**

- 1. All employees hired prior to January 1, 1991 that desire to enter into retirement shall receive terminal leave immediately prior to said retirement provided said employee notified the Borough prior to February 15<sup>th</sup> of the year he/she intends to retire. PERS will then be notified and the retirement application of the employee will be processed. Such leaves shall be computed at the following rate:

1 to 7 years	1 month
8 to 14 years	2 months
15 to 21 years	3 months
22 years and over	4 months

- 2. In addition to leave granted above, each employee shall receive enumeration for 1/2 of all accumulated sick days from January 1, 1962 immediately prior to retirement of such employee with a maximum accumulation of 120 working days.
- 3. All employees hired on or after January 1, 1991, shall receive the following terminal leave:

After 10 years of service	1 month
After 20 years of service	2 months

- 4. Each employee shall receive his terminal leave payment as a lump sum payment as of the last day of the performance of duty before commencement of his terminal leave.

**SECTION IX: SICK/VACATION DAYS FOR FULL TIME CROSSING GUARDS**

- 1. All full time crossing guards shall receive 10 sick/vacation days per school year, September through June. At the end of the school year, all full time crossing guards will receive an additional pay of \$25.00 per day for each sick/vacation day not used during the school year.

**SECTION X: REPEAL OF PRIOR ORDINANCES**

- 1. All prior Department Head, Non-Union and Part Time Salary Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**SECTION XI: EFFECTIVE DATE**

- 1. This ordinance shall take effect immediately after publication.

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

APPROVED: \_\_\_\_\_  
Richard A. Mola  
Mayor

A motion was made by Councilman Vuoncino and seconded by Councilman Trawinski to open the public hearing portion. Motion carried unanimously. No one wished to be heard.

A motion was made by Councilman Vuoncino and seconded by Councilman Trawinski to table the ordinance. Motion carried unanimously. Ordinance #12-22 was tabled.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-336-12**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN TRAWINSKI**

**INTRODUCE ORDINANCE # 12-22  
SECOND READING**

**WHEREAS**, public notice has been given by the Borough Clerk that an ordinance entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK BY AMENDING CHAPTER 4 THEREOF, TITLED “TOWERS AND TOWING” and;**

**WHEREAS**, said ordinance was introduced and passed at a meeting held on Thursday, November 1, 2012 and that further consideration of this ordinance would be taken up at this meeting; and

**WHEREAS**, all person interested in said ordinance were given an opportunity to be heard concerning same;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, that an Ordinance entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK BY AMENDING CHAPTER 4 THEREOF, TITLED “TOWERS AND TOWING”**

pass on final reading.

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia					Trawinski				
Colletti					Vuoncino				
Conboy					Work				

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK**

**ORDINANCE 12-22**

**AN ORDINANCE TO AMEND CHAPTER 4 OF THE  
CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "TOWERS AND TOWING"**

**AN ORDINANCE TO AMEND** the Code of the Borough of Elmwood Park by amending Chapter 4 thereof, titled "Towers and Towing."

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood Park as follows:

**Section 1.** The Code of the Borough of Elmwood Park is hereby amended by deleting Chapter 4 titled "Towers and Towing" in its entirety and replacing it with the following:

**§ 4-34.1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**AUTOMOBILE**

A motor vehicle of a private passenger or station wagon type that is owned or leased and is neither used as a public or livery conveyance for passengers nor rented to others with a driver; and a motor vehicle with a pickup body, or delivery sedan, a van or a panel truck or a camper-type vehicle used for recreational purposes owned by an individual or husband and wife who are resident of the same household, not customarily used in the occupation, profession or business of the owner(s).

**BASIC TOWING SERVICE**

The removal and transportation of an automobile from a highway, street or other public or private road or a parking area or from a storage facility and other services normally incident thereto, but does not include recovery of an automobile from a position beyond the right-of-way or berm or from being impaled upon any other object within the right-of-way or berm. Basic tow only includes providing access to the vehicle during normal business hours. Any additional services, including tow outs, will be negotiated with the party requesting same.

**CALENDAR YEAR**

The period of time between January 1 and December 31 of any given year.

**CLASS I VEHICLE**

A private passenger vehicle not exceeding a seven-thousand-pound gross vehicle weight rating.

**CLASS II VEHICLE**

Vehicles with a seven-thousand-pound to fourteen-thousand-nine-hundred-ninety-nine-pound gross vehicle weight rating.

**CLASS III VEHICLE**

Vehicles with a fifteen-thousand-pound to twenty-five-thousand-nine-hundred-ninety-nine-pound gross vehicle weight rating.

**CLASS IV VEHICLE**

Vehicles with, or exceeding, a twenty-six-thousand-pound gross vehicle weight rating. This class is inclusive of trailers.

**GVWR**

Gross vehicle weight rating.

**HEAVY-DUTY TOW VEHICLE**

A specifically designed vehicle designed to tow, transport or otherwise move motor vehicles, with a gross vehicle weight rating of at least 31,000 pounds and equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or underreach equipment, as hereinafter defined.

**INSIDE BUILDING**

A vehicle storage facility that is completely indoors, having one or more opening in the walls, for storage and removal of vehicles and that is secured by a locking-device on each opening.

**LAND ALL TRAILER**

Detachable trailer capable of hauling vehicles, machinery and/or equipment, commonly referred to as "low-boy."

**MOTOR VEHICLE ACCIDENT**

An occurrence in which a private passenger automobile comes in contact with any other object for which the private passenger automobile must be towed or removed for placement in a storage facility. This includes all situations which are accidental as to the licensed owner or operator of the motor vehicle even if they were caused by the intentional acts of a perpetrator where the perpetrator was not the licensed owner or operator of the motor vehicle.

**OUTSIDE SECURED**

An automobile storage facility that is not indoors and is secured by a fence, wall or other man-made barrier that is at least six feet high and is installed with a locked gate. The facility is to be lighted at night.

**OFFICIAL TOWER**

A person or company licensed by the Borough of Elmwood Park to tow and/or store vehicles.

**SPECIAL RECOVERY SERVICES**



Constitutes any action that is not normally associated with roadside towing, e.g., winching, righting overturned vehicles or other services required when a vehicle will not roll on its own wheels.

**TOW VEHICLE**

Only those vehicles equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or underreach equipment specifically designed by its manufacturer for the removal or transport of motor vehicles.

**§ 4-34.2 Official towers to be designated.**

A. The governing body of the Borough of Elmwood Park, or its designated agent or officer, may license persons or companies meeting the criteria set forth in this chapter and engaged in the business of or offering the services of motor vehicle towing, wrecking or storage (service), whereby damaged, (or) disabled and/or impounded motor vehicles are towed or otherwise removed from the place where they are damaged, (or) disabled, and/or impounded by use of a tow vehicle, as defined herein. Such person(s) or company shall be known as an "official tower."

B. Official towers shall be identified by means of a license, which shall be issued by the Borough as hereinafter provided

**§ 4-34.3 Services to be furnished.**

A. The official tower shall furnish adequate and proper towing, wrecking, storage and emergency repair service to damaged or disabled motor vehicles within the limits of the Borough when requested to do so by the Chief of Police or his designee. The official tower shall be available to render service 24 hours per day, seven days per week.

B. In the event that a disabled vehicle requires special towing equipment (and) the official tower does not possess such equipment, then the Chief of Police or his designee shall select the next official tower in the rotation list who does possess the necessary special equipment to tow such disabled, (or) damaged or impounded vehicle. No official tower shall subcontract or assign any work that is to be performed by the official tower under the provisions of this chapter.

**§ 4-34.4 Application for an official tower license.**

A. Application for an official tower license shall be made to the Mayor and Council of the Borough of Elmwood Park upon a form provided by the Borough Clerk and shall contain all of the following information:

(1) The name, business address, telephone number and federal tax identification number (where applicable). When the official tower is owned and operated by an individual, the name, social security number, residential and business addresses and telephone number(s) of such individual shall be provided. When the official tower is a corporation or partnership, the application shall contain the names, residences, telephone numbers, date of birth and social security number of all persons owning any interest in the official tower.

(2) In the event that the official tower is conducting business operating under a trade or business name, the applicant shall submit a certificate of such name as proof that such name has been appropriately filed with the County Clerk's Office of Bergen County and/or with the Secretary of State of the State of New Jersey.

(3) Any such information as may be required by the Mayor and Council (or designee), concerning the personnel, vehicles, equipment and storage facilities of such applicant, as hereinafter provided, showing that the applicant meets the minimum standards of performance.

(4) A certificate or certificates of insurance evidencing adequate insurance coverage as hereinafter provided.

(5) A fee of \$500.00 to cover the administrative expenses incurred by the Borough in processing the application and an additional fee of \$75.00 for each tow vehicle.

(6) The names and addresses of two business references not in the employ of the Borough who have known the applicant for at least two years and who can attest to the applicant's experience and performance in the towing, wrecking and storage business.

(a) All towing vehicles must be listed on the application, including the make and model number, year of vehicle and vehicle identification number (VIN) and any and all other information that the Mayor and Council may deem necessary.

(b) No vehicle may be listed on more than one application, nor can there be a transfer of vehicles between towers.

(7) A complete list, including dates of service, of all other municipalities, state agencies and/or governmental entities that the applicant is, or has been, an official tower of or held a towing permit from. No person applying individually shall be eligible for approval or appointment as an official tower of the Borough of Elmwood Park unless that person shall have been an official municipal tower with a minimum of five years' experience in municipal towing in any municipality of the State of New Jersey including a minimum of two years' experience in municipal towing in any municipality in the County of Bergen, State of New Jersey. No corporation or partnership shall be eligible for approval or appointment as an official tower of the Borough of Elmwood Park unless that business entity shall have been an official municipal tower with a minimum of five years' experience in municipal towing in any municipality of the State of New Jersey including a minimum of two years' experience in municipal towing in any municipality in the County of Bergen, State of New Jersey.

(8) A complete list of all actions taken against the applicant by a governmental entity for the applicant's alleged violation of any towing ordinance or regulation while towing as a licensed or permitted tower for that governmental entity. If the applicant's towing license or permit has been revoked, suspended or denied, the applicant shall list each time, what governmental entity was involved and a brief description of the event(s) that led up to the revocation, suspension and/or denial of a towing license or permit.

B. No license shall be granted to a tower unless and until the tower seeking the license has appointed the Borough Clerk as the applicant's true and lawful attorney for the purpose of acknowledging service out of any court of competent jurisdiction to be served against the applicant.

C. Suspension or revocation of a license, and/or the prior denial of an application affecting the applicant, from this municipality or any county or state agency granting such license may be cause for denial of a license under this chapter.

D. The applicant shall also cause each of its drivers to have a background check performed at a State approved facility prior to that driver performing any towing services in the Borough. Copies of the results of the background check shall be made available to the Borough Clerk immediately upon receipt.

E. Upon receipt of a completed application, the Borough Clerk shall forward a copy to the Chief of Police or his designee for his review and recommendation. The review by the Chief of Police or his designee shall consist of the following:

(1) An inspection of the personnel, vehicles, equipment and storage areas proposed to be utilized by the applicant to verify the accuracy of the information contained in the application and to determine compliance with applicable laws and regulations and the standards of performance required by this chapter.

F. An applicant may be included on the official towers list by an official action of the Mayor and Council, by resolution adopted at a regular public meeting, when, from a consideration of the application and from such other information as may be obtained, the Mayor and Council find that all of the following circumstances exist:

(1) The applicant has not knowingly and with intent to deceive made any false, misleading or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter.

(2) The applicant has met the standards in this chapter and has furnished the required hold harmless agreement and certificate(s) of insurance.

(3) The application has been reviewed and the Chief of Police or his designee has submitted a favorable report.

(4) Neither the applicant nor the applicant's personnel have been convicted of a criminal offense or have had their driver's license suspended within the past year.

G. The Chief of Police or his designee shall conduct his or her review and render a report to the Mayor and Council recommending either the approval or denial of the application within 28 days of receipt of the application from the Borough Clerk. The Mayor and Council shall take action with regard to the report of the Chief of Police within 30 days or at the next public meeting of the Mayor and Council, whichever is later. The applicant or its representative shall be given notice of the date on which the Mayor and Council will consider the application and shall be permitted to appear and be heard at that time.

H. Written notice of the approval or denial of the application shall be provided to the applicant within seven days of the decision of the Mayor and Council.

#### **§ 4-34.5 Issuance of license.**

A. Upon approval of the application as herein provided, the Borough Clerk shall issue for the applicant an official tower's license for each tow vehicle or flatbed vehicle to be utilized in providing services pursuant to this chapter by submitting such to the Chief of Police or designee for issuance to the official tower(s).

B. Said licenses and identifying decal is to be affixed by the Chief of Police or his designee at police headquarters, which shall be in a form so approved by the Mayor and Council, and shall be displayed on the tow vehicle or flatbed vehicle at all times.

C. Expiration; renewal; revocation.

(1) Each official tower's license shall expire on December 31 of each calendar year and the license shall run for the calendar year only. Each applicant for an official tower's license or renewal shall apply for such license on or before November 15 of any calendar year for the next succeeding calendar year, and the license shall not be transferable or assigned and may be subject to revocation by the Mayor and Council for any of the following reasons:

(a) If it is subsequently determined that the applicant knowingly and with intent to deceive made false misleading or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter.

(b) Violation of any federal or state law or municipal ordinance or regulation relating to the operation of a motor vehicle or the provision of towing services.

(c) Violation of any rule or regulation promulgated by the New Jersey Department of Insurance.

(d) Violation of any of the provisions of this chapter.

(2) No license shall be issued for less than a full calendar year nor should a license be issued at any other time than the period set forth above.

D. Upon the expiration of an official tower's license, the applicant, prior to performing any service thereafter, shall re-file completely for such official tower's license, setting forth all the information required in the form provided by the Borough Clerk and complying with the provisions of this chapter.

#### **§ 4-34.6 Minimum standards of performance.**

To qualify for inclusion on the list of official towers, applicants must meet the following minimum standards:

A. Minimum vehicle requirements.

(1) Every official tower shall maintain and have available to render services required by this chapter a minimum of two regular tow vehicles with wheel lift, one flatbed vehicles and one medium-duty towing vehicle of at least 15,000 pounds gross vehicle weight. In lieu of a medium-duty towing vehicle, the tower may substitute a heavy-duty towing vehicle in its place. Registration documents shall be shown to the Borough certifying registration is the same or better than the gross vehicle weight (GVW) of the vehicle, as plated on the vehicle.

(2) Vehicle classes.

(a) Heavy-duty tow vehicles of 31,000 pounds gross vehicle weight or more must be equipped with a boom or winch assembly mounted on the chassis, a tow sling or tow bar and a wheel lift assembly or underreach. The winch assembly must have 100 feet of at least five-eighths-inch steel cable attached to a motor-driven winch.

(b) Flatbed vehicles must be equipped with a winch or hydraulically operated bed which slides or tilts to accommodate the transporting of vehicles.

B. Each applicant shall submit, along with its application, proof of ownership or lease of the vehicles, which will be utilized to provide services pursuant to this chapter.

C. Minimum equipment and reporting requirements.

(1) Every tow vehicle or flatbed vehicle shall have two-way radio or cellular phone capability with a dispatching center on a twenty-four-hour basis.

(2) Every tow vehicle or flatbed vehicle shall be equipped with the following:

(a) At least one amber rotating beacon or strobe light mounted on the highest practical location on the vehicles, visible from 360° when in use and visible at a minimum distance of 500 feet during daylight hours. An amber light permit, as required by the state, must be filed in the office of the Chief of Police and Borough Clerk.

(b) Safety tow lights or magnetic tow lights for towing vehicles at night, amber or red colored.

(c) Extra chains and cable for pulling or securing a towed vehicle.

(d) At least one heavy-duty broom, a shovel, a crowbar or prybar, a set of jumper cables, a flashlight, one two-pound or larger fire extinguisher of dry chemical type, one dozen flares or similar warning devices for placement at the scene of an accident or behind a disabled vehicle, at least 10 pounds of dry sand or a drying compound for gasoline and oil spilled on the roadway and containers for removal thereof and a sufficient quantity and types of tools to enable the tow vehicle operator to perform proper and adequate emergency repair services for the tow.

(3) Every tow vehicle or flatbed vehicle shall comply with any and all state, federal and local laws, regulations and ordinances pertaining to safety, lighting and towing equipment requirements and shall be subject to inspection by the Chief of Police or his designee at any time. Where applicable, all permits required by other agencies than the Borough shall be provided to the Borough upon request of the Borough.

(4) Every tow vehicle or flatbed vehicle shall have the name of the official tower, by a permanently affixed or painted sign prominently displayed on the vehicle in such manner so as to conform to the provisions of N.J.S.A. 39:4-46. Such demarcations shall be placed on the outside door panels of the vehicle. The sign shall be at least three inches in height and diameter, be visible to the naked eye and the names must be the same on both panels.

(5) Within five calendar days of the expiration of each month, the official tower shall submit to the Borough Clerk a copy of all of the invoices for services rendered to any owner or operator of a damaged or disabled vehicle on a form of invoice provided by the Borough. In the absence of a Borough form, the official tower will submit the bills which state: the name and address of the person towed; the make and model of the vehicle towed; plate number; and, the in date of the tow and the out date of the tow. Only fees applicable in this chapter shall appear on said invoice, and there shall be only one invoice per vehicle towed.

D. Minimum personnel requirements. Official towers shall have available, at all times, a minimum of two drivers to provide the services required by this chapter. All drivers employed by official towers to provide the services required by this chapter shall meet the following requirements and be subject to the following regulations. They shall:

(1) Be competent and able to provide minimum road services for disabled vehicles.

(2) All drivers required to have a commercial driver's license (CDL) by the State of New Jersey and/or federal regulations are required to furnish such license for the purpose of this chapter.

(3) Obey all traffic laws and regulations.

(4) Not have been convicted of a crime within the past year.

(5) All drivers who do not possess a CDL must submit to random drug testing two times each year.

E. Minimum storage requirements.

(1) Every official tower shall maintain an inside building and/or outside secured storage area meeting the following requirements:

(a) All official towers must have sufficient storage area on their own premises to store towed vehicles at the licensed site. This area must be over and above the requirement that is in effect for requirement of parking for that site. No vertical stacking of vehicles is permitted. Official towers located within the Borough cannot store vehicles on the thoroughfares of the Borough, whether under the auspices of the Borough, County of Bergen or State of New Jersey without Borough approval. Storage of vehicles on the thoroughfares of other municipalities wherein Borough towers are located is subject to the requirements of those municipalities.

(b) The location of the storage area shall be located within the limits of the Borough.

(c) The storage area shall be fenced with an acceptable screened material six feet in height. The fenced area shall be no less than 5,000 square feet in area. The storage area shall have a suitable gate and be installed with a locking device or a similar on-site security measure. The facility is to be lighted at night.

(d) The storage area shall be in an area legally zoned for or legally nonconforming for such use; the certificate of occupancy is to be furnished with the application.

(e) The storage facility shall be available from at least 8:00 a.m. until 6:00 p.m. Monday through Friday and from at least 8:00 a.m. to 1:00 p.m. on Saturday. The applicant shall prominently display the hours during which the facility will be open on weekends. The storage area must have a building wherein a permanently installed telephone is located. The building shall be within sight distance and/or within 500 feet of the entrance of the storage area. On the application for a towing license, the applicant shall list all business hours required pursuant to the subsection for the calendar year of the license in question, which shall not be changed during the calendar year.

(f) The official tower shall not charge any additional fee or other charge for releasing vehicles to their owners after normal business hours or on weekends or for moving a vehicle from one location to another in the storage area.

(g) The applicant shall, with its application, submit proof of ownership or lease of the storage area.

(h) The official tower shall be responsible for ensuring the proper and safe storage of all vehicles towed pursuant to this chapter. The official tower shall be liable for any damage incurred by such vehicles while in transit to or while stored in the storage areas.

(2) To ensure the timely release of a vehicle, the tower shall release a vehicle to the owner/occupier of the vehicle no later than one hour from the vehicle's arrival at the tower's facility or within one hour of being contacted by the owner/occupier of the vehicle that he/she wishes to take possession of said vehicle during regular business hours.

F. Credit cards. All official towers must have the ability to receive credit card payment and will accept same for payment of all towing and storage services included, specifically or by reference, in this chapter.

#### **§ 4-34.7 Utilization of the official towers list.**

A. Official towers shall be placed on the list in the order in which their application is approved and license issued. Once the initial list has been established, new official towers, when their applications have been approved, will be added to the end of that list.

B. The Borough shall request wrecking, towing and storage services from each official tower in rotation. When called, the tower shall advise the dispatcher if a vehicle is available and the estimated time of arrival. If no tower vehicle is available or if the response time will exceed 20 minutes, the next official tower on the list shall be called. If none of the official towers are available or able to provide such services as are requested by the Borough, the Borough may request such services from any other available source. All requests shall be made by the Chief of Police or his designee.

C. The Borough shall request service only from official towers; provided, however, that if no emergency or road hazard exists, the Chief of Police or his designee shall request such service from such other person as the owner of the motor vehicle in need of such services may request, provided that the request is responded to within 30 minutes.

D. During adverse weather conditions, heavy traffic conditions or emergency conditions, official towers shall give priority to requests from the Borough over any other requests which may be received by the official towers.

#### **§ 4-34.8 Hold harmless agreement.**

Applicants shall agree, in writing, to assume the defense of and indemnify and hold harmless the Borough, its elected officials, boards, commissions, officers, employees and agents from all suits, actions, damages or claims to which the Borough may be subjected of any kind and nature whatsoever resulting from, caused by, arising out of or as a consequence of the provision of towing, wrecking, storage and/or emergency services provided at the request of this Borough pursuant to this chapter. Official towers shall enter into a hold harmless agreement in a form to be prepared by the Attorney for the Borough prior to being included in the official towers list.

#### **§ 4-34.9 Insurance.**

A. No person shall be included on the official towers list unless and until such person has provided to the Borough a certificate(s) of insurance evidencing that there is in effect the following insurance coverage.

(1) General property damages and liability insurance in an amount not less than \$1,000,000.00 per occurrence and \$2,000,000.00 per aggregated general liability, including additional garagekeepers coverage, shall be primary as respects vehicles of others and shall include collision coverage.

(2) Garagekeeper's liability insurance in an amount not less than \$500,000.00 per location shall be required. No deductible amounts are permitted. The words "no deductible" shall be included on the policy and/or certificate of insurance.

(3) Workers' compensation as required by law shall be required.

**B.** Policies of insurance shall be written by insurance companies authorized to do business in the State of New Jersey.

**C.** The Borough of Elmwood Park shall be named as an additional insured on all policies of insurance provided pursuant to this chapter. All certificates of insurance shall provide that the policies may not be canceled or terminated or coverage decreased without 30 days' written notice to the Borough. Such insurance shall be primary.

**D.** Policies of insurance required by this chapter shall be maintained in full force and effect at all times. In the event that any coverage is canceled or terminated or coverage decreased in amount, the tower shall be removed immediately from the official towers list until such time as the required coverage is reinstated or replaced.

**§ 4-34.10 Towing and storage fee schedule.**

**A.** All charges shall be limited to those included in this chapter.

**B.** Fees for towing and storage of Class I vehicles damaged in an accident or recovered after being stolen may not exceed the fees established by the New Jersey Department of Insurance pursuant to N.J.S.A. 40:48-2.55. Those towing and storage fees, which are set forth in N.J.A.C. 11:3-38.1, as amended and supplemented, are incorporated herein by reference. Pursuant to law, the fee schedules shall be reviewed by the New Jersey State Commissioner of Insurance on an annual basis and may be revised if necessary. In the event that the schedules are revised by the New Jersey State Commissioner of Insurance, the revised fees shall be the maximum fees that may be charged by official towers, and this chapter shall be amended accordingly. The following is the fee schedule for towing services not covered by N.J.S.A. 40:48-2.55 and N.J.A.C. 11:3-38.1:

In addition to the fees set forth herein, each vehicle towed shall be charged a \$25.00 administrative fee. The administrative fee shall be collected by the tower and remitted to the Borough of Elmwood Park within 30 days.

(1) The following is the fee schedule for towing services:

	<b>Rates at any time</b>	<b>Towing Fee Per Diem</b>
	7 miles or less from point of pickup (one way)	\$100.00
	Each additional mile after 7 miles from point of pickup (one way)	\$4.50
	Police impound (towing of car to police impound facilities)	\$100.00, plus mileage as above
	Road service charge	\$50.00
	Special recovery services	\$75.00 per hour
	Class I and II storage rates	\$40.00 per day or any part of a day

(2) The following is the fee schedule for storage services:

	Storage Facility Capacity	Towing Fee Per Diem
	Inside and/or outside building (secured) -	\$40.00

C. The above portion of § 4-34.10B does not regulate towing or storage of Class II, III and IV vehicles. Such services shall be provided and referred by the official tower(s) at the following rates.}

(1) Class II vehicle: \$135.00. Said charge covers all actions necessary and related to towing Class II vehicles. Hookup front or rear, plus \$5.00 per mile for all miles in excess of seven miles.

(2) Class III vehicle: \$175.00. Said charge covers all actions necessary and related to towing Class III vehicles. Hookup front or rear, plus \$7.50 per mile for all miles in excess of seven miles.

(3) Class IV vehicle: \$325.00. Said charge covers all actions necessary and related to towing Class IV vehicles and shall be inclusive of the use of heavy-duty underreach equipment. Hookup front or rear, plus \$10.00 per mile for all miles in excess of seven miles.

(4) Road service for Class II vehicles: \$50.00 plus materials.

(5) Road service for Class III vehicles: \$75.00 plus materials.

(6) Road service for Class IV vehicles: \$95.00 plus materials.

(7) Storage of Class II, III and IV vehicles is subject to the same requirements as set forth in § 4-34.10B with the exception of a change in the rate for storage. Storage of Class II, III and IV vehicles shall be charged at the respective rates below.

(a) Class II: \$40.00 per day.

(b) Class III: \$50.00 per day.

(c) Class IV: \$85.00 per day.

(8) Special recovery services of Class II, III and IV vehicles shall be charged at the respective rates below. This charge shall only be used in situations deemed necessary, and a notation of fact should be noted on the official tower's bill. Said charge shall not apply to winching a vehicle on to a flatbed vehicle.

(a) Class II: \$100.00 per hour.

(b) Class III: \$200.00 per hour.

(c) Class IV: \$300.00 per hour.

(9) If an accident requires the cleanup of an accident site beyond the first thirty (30) minutes from arrival on the scene of the accident by the tower, the tower shall be entitled to \$35.00 per hour for such clean-up services for all clean up time expended after the first thirty (30) minutes.

D. The fees set forth on the schedules for towing rates are the maximum charges that shall apply to a Class I vehicle for basic towing services. There shall be no additional charges other than those provided herein in Subsections B and/or C above.

E. Calculation of rates and fees.

(1) The towing mileage rates, where applicable, shall be calculated based on the total distance traveled from the site of pickup of the vehicle in question to the dropoff point, by way of the shortest available route. Fractions shall be rounded up to the nearest whole. The first seven miles shall not be subject to the mileage charge.

(2) Tow vehicles transporting multiple passenger cars at one time shall receive the applicable fees for each vehicle transported.

F. There shall be a maximum charge of \$2,500.00 for Class I or II vehicles stored regardless of duration of the storage period.

G. No storage of any disabled or damaged vehicle shall be located on any public street or sidewalk in the Borough.

H. The fees set forth on the schedules set forth in this section contained for storage fees are the maximum storage charges per twenty-four-hour period that shall apply to all vehicles stored by an official tower.

I. Motorcycles and all other on/off-road vehicles shall be considered private passenger vehicles for purposes of determining fees which are allowed under this section. Any other objects not covered herein, which are towed by an official tower at the request of the Borough, shall be subject to fees as determined by the Towing Committee.

J. The use of Speedy-Dri shall be charged the rate of \$15.00 per fifty-pound bag after the first bag. The first bag is included in the initial towing cost.

K. Fees for towing and storage of private passenger vehicles damaged in an accident or recovered after being stolen may not exceed the fees established by the New Jersey Department of Insurance pursuant to N.J.S.A. 17:33B-47.

Editor's Note: N.J.S.A. 17:33B-47 was repealed by P.L. 1997, c. 387. See now N.J.S.A. 40:48-2.55. Those towing and storage fees, which are set forth in N.J.A.C. 11:3-38.1, are incorporated herein by reference.

L. The fees set forth in Subsections B and C of this section do not apply to vehicles owned and/or operated by the Borough of Elmwood Park or any of its agencies. The towing of and special recovery services provided to any of the Borough's vehicles shall be provided free of charge by the official tower.

#### **§ 4-34.11 Miscellaneous provisions.**

A. Copies of this chapter and the schedule of fees that may be charged by official towers shall be made available to the public during normal business hours at the Borough Hall. Copies shall also be made available to the public at each official tower's place of business.

B. All official towers shall post, in a prominent place at each storage area clearly visible to the public, a schedule of fees that may be charged for all services provided that the same is pursuant to this chapter.

C. The Borough reserves the right to make periodic unannounced inspections of the personnel, vehicles, equipment and storage areas of all official towers.

D. The relationship between an official tower and the Borough is one of an independent contractor. Neither party shall be construed in any manner whatsoever to be an employee of the other, nor shall any employee or agent furnished by any party be construed to be an employee or agent of the other party. Inclusion on the official towers list shall not be construed or considered as a joint venture, partnership, association, contract of employment or profit-sharing agreement.

E. The Borough shall not be liable or responsible for compensating the official towers for any of the services performed under this chapter unless those services are performed for Borough vehicles. Compensation shall be the responsibility of the owner of the towed motor vehicle and the official tower shall proceed directly against the owner.

F. The official tower shall, at all times, be solely responsible for the conduct of its employees.

G. Each official tower shall keep and maintain adequate and complete records showing all vehicles towed, stored and released, all services rendered and all fees charged and collected. All records shall be available for inspection by the Borough at any time during normal business hours. Records shall be kept and maintained by the official tower at one central location and shall be retained for a period of seven years. Records may be written, printed or computerized as long as the requirements of this subsection are met.

#### **§ 4-34.12 Enforcement agency; suspension or revocation of license.**

A. The Elmwood Park Police Department shall be the enforcement agency. The enforcement agency shall have the authority to hear complaints against any official tower whether brought by Borough representatives, the public and/or other official towers.

B. The enforcement agency shall have the power to issue subpoenas to compel attendance at the hearing.

C. In the event that a complaint (of a noncriminal nature) is received by the Borough, involving the improper or unsatisfactory performance of services by an official tower, excessive charges or damage to a motor vehicle while in the custody of the tower, the enforcement agency shall give written notice of said complaint, by certified mail, return receipt requested to the official tower against whom the complaint is made. The official tower shall make a written response to such complaint within five calendar days from receipt of the written notice.



D. The enforcement agency after hearing the matter shall have the authority to suspend the official tower's license until the next rotation. Any contestation of such action by the enforcement agency shall be made by way of appeal to the Mayor and Council within 14 calendar days of the notice of said suspension. The Mayor and Council shall then conduct a hearing regarding the appeal of the suspension at the next public Council meeting or within 30 calendar days of the tower's notice of appeal.

E. In the event that two or more complaints are pending for over 30 days in Municipal Court, then the enforcement agency may suspend the official tower's license, after a hearing and decision by the enforcement agency.

F. If, after considering the matter and the findings by the enforcement agency the Mayor and Council shall determine that there is good and sufficient cause for revocation of the official tower's license, the tower shall surrender said license to the Borough Clerk within one calendar day.

G. Failure to surrender the license upon revocation shall constitute a violation of this chapter, subject to all legal action available to the Borough, including permanent removal from the official towers list.

H. Nothing contained herein shall prevent or limit the right of any person to commence or maintain an action for damages or any other relief directly against an official tower in a court of competent jurisdiction.

**§ 401-13 Violations and penalties.**

A. In addition to any suspension or revocation of license, a person who shall violate any of the provisions of this chapter shall be subject to the following:

(1) Punishable by a fine not exceeding \$2,000.00 or imprisonment for a term not exceeding 90 days or for a period of community service not exceeding 90 days, or any combination of them, at the discretion of the Municipal Court. The minimum fine for violation of any provision of this chapter shall be a fine of \$1000.00;

(2) Each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense; and

(3) The imposition of a fine or imprisonment, or both, for a violation of this chapter of the Code shall not be deemed to be in lieu of any other provision therein providing for revocation or suspension of any license or permit issued thereunder.

B. In addition to the fine provided above, a violation of any of the provisions of this chapter shall be cause for revocation of the official tower's license.

**Section 2.** If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 3.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

\_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Municipal Clerk

\_\_\_\_\_  
Richard A. Mola  
Mayor

Introduced: November 1, 2012

Adopted:

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-337-12**

**RESOLUTION BY: COUNCILMAN TRAWINSKI  
SECONDED BY: COUNCILMAN COLLETTI**

**ORDINANCE # 12-17  
OVERRIDE MAYORAL VETO**

**WHEREAS**, the Council of the Borough of Elmwood Park adopted Ordinance No. 12-17 on second reading on November 1, 2012 ; and

**WHEREAS**, Mayor Mola vetoed said Ordinance on November 16, 2012.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Borough of Elmwood Park that the Council hereby overrides the Mayor’s veto of Ordinance No. 12-17.

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia		X			Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

Mayor Mola read his letter of veto pertaining to this ordinance. Councilman Trawinski asked Mr. Kazmark to read his letter of response to the Mayor’s Veto. Councilman Trawinski made this request due to the inability to speak clearly and without strain due to illness. Mr. Kazmark read Councilman Trawinski’s response. Mayor Mola requested the resolution be tabled so that items listed in Councilman Trawinski’s letter be discussed, and if the Council still feels the override of the ordinance is still warranted, the override then be passed. Councilman Trawinski stated that he feels this is just a stall tactic and wishes to pursue the motion to override. Councilman Colletti stated he views the ordinance as a way to streamline the process. Councilman Conboy discussed the growth of the current Chamber of Commerce. Councilman Vuoncino discussed the purpose for streamlining the process. He further stated that concerns pertaining to the ordinance have been addressed during the process and supports the adoption of the ordinance. Mayor Mola discussed his parking and site plan concerns. Councilman Castiglia discussed his concerns with the ordinance. Councilman Vuoncino stated that the Mayor and Council should be looking at the future of Market Street. Mayor Mola requested the resolution be tabled so that the ordinance can be reviewed at the next meeting. Councilman Trawinski wished to vote on the resolution.

**BOROUGH OF ELMWOOD PARK  
ORDINANCE 12-17**

**AN ORDINANCE TO AMEND** Chapter 34 of the Code of the Borough of Elmwood Park titled "Zoning and Site Plan Review."

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood Park as follows:

**Section 1.** The Code of the Borough of Elmwood Park is hereby amended by amending Ordinance 34-44.4(f) titled "Site requirements" to read as follows:

**§34-44.4(f). Site Requirements.**

Any change in use or occupancy of business and/or commercial properties on Market Street and Broadway in the C-L- and C-G Zoning District shall be referred to the Zoning Administrator and/or Construction Official. In the event the Zoning Administrator or Construction Official determines that the parking is or may not be sufficient, he shall refer the application to the Planning Board to review and determine the adequacy and sufficiency of parking for said change in use and/or occupancy.

**Section 2.** The Code of the Borough of Elmwood Park is hereby amended by amending existing Ordinance 34-58.2 titled "Certificate of occupancy" to read as follows:

**§34-58.2. Certificate of occupancy.**

Any structure hereafter altered or erected shall not be occupied or used, in whole or in part, for any purpose whatsoever until a certificate of occupancy shall have been issued by the Zoning Enforcement Officer, upon the Zoning Enforcement Officer being satisfied and certifying that the premises and building comply with all the provisions of the applicable ordinances and development approvals of the Borough of Elmwood Park including, but not limited to, Planning Board and Board of Adjustment approval. If the Zoning Enforcement Officer declines to issue a certificate of occupancy, his reasons for so doing shall be stated on the application, one (1) copy of which shall be returned to the applicant. Appeals from a decision of the Zoning Enforcement Officer or the question of issuance of a certificate of occupancy may be made to the Board of Adjustment. No change in the use of any premises shall be made until a new zoning permit and certificate of occupancy have been granted after application therefore.

Section 3. The Code of the Borough of Elmwood Park is hereby amended by amending existing Ordinance 34.58.3 titled "Certificates of reoccupancy" to be renamed as "Certificate of Continuing Occupancy for Commercial, Industrial and Residential Premises," to read as follows:

**§34-58.3. Certificate of Continuing Occupancy for Commercial, Industrial and Residential Premises.**

A. No person shall occupy or use any portion of a commercial, industrial or residential building after such building or portion thereof has been vacated or sold, or which there has been a change in use or a change in occupancy, until the owner/landlord shall have applied for and secured a certificate of continuing occupancy from the Zoning enforcement Officer of the Borough of Elmwood Park.

With respect to any change in occupancy/ownership in a building less than 10,000 square feet in any non residential district the Zoning Officer shall have the discretion to determine whether a full review and approval by the Planning Board should be made prior to the issuance of a continued certificate of occupancy. All uses in all non residential districts in buildings larger than 10,000 square feet of floor area will be directed to the Planning Board for a determination of adequacy in parking and conformance with the Zoning Ordinances of Elmwood Park and any land use resolutions in effect. The Zoning Enforcement Officer's review shall verify:

- (1) The type of business of the new occupant is a permitted use.
- (2) The number of employees of the new occupant shall be equal to or less than the past one.

(3) The number of parking spaces required by the new occupant shall be equal to or less than the past one.

(4) The nature of the interior renovations (i.e., substantial or minor) of the new occupant.

If the Zoning Enforcement Officer determines that based upon the above factors that Planning Board review and approval is not required, the Zoning Enforcement Officer shall then have the authority to issue to the owner/tenant the appropriate continued certificate of occupancy.

If the Zoning Enforcement Officer determines that based upon the above factors that Planning Board review and approval is required, the matter shall then be referred to the Planning Board. The Planning Board shall review the application and impose the same requirements the Board applies in the issuance of a continued certificate of occupancy.

B. Upon receipt by the Enforcement Officer of an application for a certificate of continuing occupancy and payment of the requisite fee, the Enforcement Officer or person designated by him shall conduct an inspection of the premises in question to insure compliance with applicable building, health, safety and fire codes, regulations, ordinances and statutes of the Borough of Elmwood Park and State of New Jersey.

C. The Enforcement Officer shall issue a certificate of continuing occupancy upon his inspection and satisfaction that no violations of the aforementioned codes, regulations, ordinances and statutes exist.

D. If violations are found to exist, there shall be no new occupancy or use of the premises until compliance with this section has been obtained. If compliance is not obtained within a reasonable time after inspection and notice, the Enforcement Officer is authorized to take appropriate legal action.

E. The Enforcement Officer shall provide a form to be completed by each applicant. \$100.00 shall be paid for residential single-family dwellings. A fee of \$275.00 shall be paid for commercial multi-family or industrial properties. The Enforcement Officer may waive the inspection and the above fee if an inspection of the same premises has been made within sixty (60) days, and there has been no physical change to the property.

**Section 4.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 5.** This Ordinance shall take effect upon final passage and publication according to law.

Attest:

Approved:

\_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Municipal Clerk

\_\_\_\_\_  
Richard A. Mola,  
Mayor

Introduced: September 20, 2012  
Adopted: November 1, 2012  
Mayoral Veto: November 16, 2012  
Override Veto: December 6, 2012

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-338-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**BILL LIST**

**BE IT RESOLVED**, by the Mayor and Council, of the Borough of Elmwood Park that the following bills be approved for payment and that after the purchase orders have been signed by the necessary Chairmen, the Treasurer will issue warrants in payment thereof:

AS PER ATTACHED COMPUTER LIST

CURRENT - \$251,727.19

REC. TRUST - \$21,775.87

CAPITAL - \$16,706.74

WATER - \$132,227.86

DOG LICENSE - \$21.60

FIRE PREVENTION - \$1,522.93

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**Bill list**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
<b>Fund: CURRENT FUND</b>			
NORTH JERSEY MEDIA	116.65	OCTOBER 2012	CURRENT FUND MUNICIPAL CLERK O/E
AMERICAN GRAPHICS,	264.00	3941 HURRICANE SANDY	CURRENT FUND MUNICIPAL CLERK O/E
NJLM	49.00	12B-8847	CURRENT FUND MUNICIPAL CLERK O/E
THE RECORD	204.99	ONE YEAR SUBSCRIPTION	CURRENT FUND MUNICIPAL CLERK O/E
STAPLES BUSINESS	400.75	8023260121	CURRENT FUND MUNICIPAL CLERK O/E
STAPLES BUSINESS	71.10	8023396142	CURRENT FUND MUNICIPAL CLERK O/E
ALLSTATE BUSINESS	37.97	1040537	CURRENT FUND MUNICIPAL CLERK O/E
ATON COMPUTING	230.00	2012-229	CURRENT FUND MUNICIPAL CLERK O/E
OPTIMUM	479.40	6 MONTHS	CURRENT FUND MUNICIPAL CLERK O/E
<b>Total for: 01- MUNICIPAL CLERK O/E</b>			<b>1853.86</b>
ALLSTATE BUSINESS	109.28	1040537	CURRENT FUND FINANCIAL
ATON COMPUTING	172.50	2012-229	CURRENT FUND FINANCIAL
LERCH, VINCI &	625.00	22487	CURRENT FUND FINANCIAL
OPTIMUM	869.10	6 MONTHS	CURRENT FUND FINANCIAL
RAMSEY GRAPHICS &	148.00	123-BLDG12	CURRENT FUND FINANCIAL
STAPLES BUSINESS	107.06	8023396142	CURRENT FUND FINANCIAL
<b>Total for: 01- FINANCIAL ADMINISTRATION O/E</b>			<b>2030.94</b>
ACTION DATA	253.96	15074 PE 10/12/12	CURRENT FUND ADP PAYROLL SERVICE
EXCLUSIVE	59.75	15075 PE 10/12/12	CURRENT FUND ADP PAYROLL SERVICE
<b>Total for: 01- ADP PAYROLL SERVICE</b>			<b>313.71</b>
STAPLES BUSINESS	57.03	8023396142	CURRENT FUND REVENUE
<b>Total for: 01- REVENUE ADMINISTRATION</b>			<b>57.03</b>
MAILFINANCE	208.37	11/10-12/9/12 POSTAGE	CURRENT FUND REV/ADMIN O/E POSTAGE
<b>Total for: 01- REV/ADMIN O/E POSTAGE</b>			<b>208.37</b>
LO GATTO	95.00	6667A	CURRENT FUND TAX ASSESSMENT ADMIN
<b>Total for: 01- TAX ASSESSMENT ADMIN O/E</b>			<b>95.00</b>
BRIAN GIBLIN	6212.40	PE 10/12, 10/26, 11/9	CURRENT FUND LEGAL SERVICES & COST
<b>Total for: 01- LEGAL SERVICES &amp; COST S/W</b>			<b>6212.40</b>
BOSWELL MCCLAVE	396.00	71796	CURRENT FUND ENGINEERING COSTS
BOSWELL MCCLAVE	440.00	72017	CURRENT FUND ENGINEERING COSTS
<b>Total for: 01- ENGINEERING COSTS</b>			<b>836.00</b>
J & M REPORTING	250.00	11/14/12	CURRENT FUND PLANNING BOARD O/E
BOSWELL MCCLAVE	88.00	72018	CURRENT FUND PLANNING BOARD O/E
<b>Total for: 01- PLANNING BOARD O/E</b>			<b>338.00</b>
NORTH JERSEY MEDIA	103.87	OCTOBER 2012	CURRENT FUND ZONING BOARD O/E
BOSWELL MCCLAVE	88.00	72018	CURRENT FUND ZONING BOARD O/E
<b>Total for: 01- ZONING BOARD O/E</b>			<b>191.87</b>
RAMSEY GRAPHICS &	1120.36	123BLDG16	CURRENT FUND CONSTRUCTION CODE
STAPLES BUSINESS	43.15	8023396142	CURRENT FUND CONSTRUCTION CODE
ALLSTATE BUSINESS	58.63	1040537	CURRENT FUND CONSTRUCTION CODE
ATON COMPUTING	1437.50	2012-229	CURRENT FUND CONSTRUCTION CODE
P & A AUTO PARTS,	365.72	SEPT. 2012	CURRENT FUND CONSTRUCTION CODE
<b>Total for: 01- CONSTRUCTION CODE OFFICIAL O/E</b>			<b>3025.36</b>
DELTA DENTAL PLAN	8402.24	2012-12-01-03034	CURRENT FUND GROUP INSURANCE FOR
ALBERT FERRARA	1157.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
ANTHONY J. NATOLI	578.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
AUDREE HOCHMAN	578.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
BARBARA	1198.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
DOLORES CAMLET	839.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
ETHEL LEIBMAN	0.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
ETHEL LEIBMAN	579.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
FRANK MARINO	1158.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
FRED MERLINO	663.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
GEORGE WINGATE	1080.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
GUS MARCO	1298.70	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JENNIE CONTE	1158.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JOHN JINDRACEK	1158.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JOHN STARK	1683.20	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JOSEPH AVELLA, JR	599.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JOSEPH BIZUB	599.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
JOSEPH FOX	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JOSEPH P.	1198.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
JOSEPH TORMAN	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
MARGARET AVELLA	599.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
MARIE LONG	1198.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
MARY ANN FLORIO	1198.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
MARY MUSIC	1241.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
MICHAEL OPRIHORY	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
MICHAEL YACHNIK	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
PAUL W. SANSONE	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
RALPH GEIGER	1198.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
REYES PEREZ	1158.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
RICHARD DI MAURO	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
RICHARD J GODIN	1156.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
ROBERT J NELSON	699.30	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
ROBERT LONG	1678.80	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
SYLVIA N. COVELLO	599.40	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
ZEBBULUN J TYREE	663.00	2ND HALF 2012	CURRENT FUND GROUP INSURANCE FOR
<b>Total for: 01- GROUP INSURANCE FOR EMPLOYEES</b>			<b>42263.44</b>
COMMERCIAL	360.00	1993	CURRENT FUND POLICE
LEXIS NEXIS RISK	100.00	1328834-20120930	CURRENT FUND POLICE
LKXIS NEXIS RISK	100.00	1328834-20121031 OCT.	CURRENT FUND POLICE
RICOH USA, INC.	1043.70	87919596	CURRENT FUND POLICE
INTREP SOLUTIONS,	510.00	4954	CURRENT FUND POLICE
R&R RADAR, INC	112.95	110066	CURRENT FUND POLICE
ROYAL	608.00	21738	CURRENT FUND POLICE
I.D.M. SUPPLY CO.,	281.80	R6977	CURRENT FUND POLICE O/E
GRAFIX SHOPPE	360.00	83499	CURRENT FUND POLICE O/E
ROYAL	8846.20	21820	CURRENT FUND POLICE O/E
ROYAL	185.00	21517	CURRENT FUND POLICE O/E
STAPLES BUSINESS	79.45	8023260121	CURRENT FUND POLICE O/E
STAPLES BUSINESS	298.24	8023396142	CURRENT FUND POLICE O/E
OLYMPIC GLOVE &	210.00	QUOTE THRU 12/31/12	CURRENT FUND POLICE O/E
PF DISTRIBUTION	444.78	18073 HURRICANE SANDY	CURRENT FUND POLICE O/E
DIVISION OF	300.00	10/15-19	CURRENT FUND POLICE O/E
BEYER-FORD	28134.00	CONTRACT 101 ITEM #8	CURRENT FUND POLICE O/E
CERT SPEEDOMETER	496.50	13280	CURRENT FUND POLICE O/E
G.T.B.M. INC	4918.69	1006929	CURRENT FUND POLICE O/E
VE RALPH	106.00	246171	CURRENT FUND POLICE O/E
ALLSTATE BUSINESS	56.75	1040537	CURRENT FUND POLICE
CERT SPEEDOMETER	930.00	13291 HURRICANE SANDY	CURRENT FUND POLICE
G&K SERVICES CO	126.85	1283423795/1283430209	CURRENT FUND POLICE
G&K SERVICES CO	0.00	1283423795/1283430209	CURRENT FUND POLICE
G&K SERVICES CO	21.17	1283433964	CURRENT FUND POLICE
G&K SERVICES CO	232.53	1283439005/1283440258/	CURRENT FUND POLICE
POLAND SPRING	24.65	02J0431730670	CURRENT FUND POLICE
RICOH USA, INC.	379.31	87755562	CURRENT FUND POLICE
THE BROWNSTONE	1151.00	0041389	CURRENT FUND POLICE
ROCKET CAR WASH	185.00		CURRENT FUND POLICE O/E
<b>Total for: 01- POLICE O/E</b>			<b>50602.57</b>
DEFENDER CO #2	111.50	30246	CURRENT FUND FIRE O/E
RIVERVIEW SERVICE	355.23	12062802/12080307	CURRENT FUND FIRE O/E
STAPLES BUSINESS	668.20	8023396142	CURRENT FUND FIRE O/E
VERIZON WIRELESS	459.63	2808154215	CURRENT FUND FIRE O/E
TASTE OF ITALIA	114.50	8/1/12	CURRENT FUND FIRE O/E
<b>Total for: 01- FIRE O/E</b>			<b>1709.06</b>
COMPLETE SAW	1177.50	11444/80366HURRICANE	CURRENT FUND STREETS AND ROADS O/E
GARFIELD LUMBER &	18.84	S549872 OCTOBER 2012	CURRENT FUND STREETS AND ROADS O/E
RACHLESS/MICHELE'S	1163.75	104958/104959	CURRENT FUND STREETS AND ROADS O/E
TRAFFIC SAFETY &	150.00	151195	CURRENT FUND STREETS AND ROADS O/E
TRAFFIC SAFETY &	2250.00	150440	CURRENT FUND STREETS AND ROADS O/E
UNITED RENTALS	254.23	106734016-001	CURRENT FUND STREETS AND ROADS O/E
COMPLETE SAW	31.20	81009 HURRICANE SANDY	CURRENT FUND STREETS AND ROADS O/E
ERICH'S WELDING	625.00	13945	CURRENT FUND STREETS AND ROADS O/E
FIRESTONE TIRE &	178.34	191878	CURRENT FUND STREETS AND ROADS O/E
P & A AUTO PARTS,	334.85	SEPT. 2012	CURRENT FUND STREETS AND ROADS O/E
W.E. TIMMERMAN CO	68.00	0200480	CURRENT FUND STREETS AND ROADS O/E
ACCURATE PEST	124.62	66416	CURRENT FUND STREETS AND ROADS
AIRTRON TECHNOLOGY	2446.49	023927	CURRENT FUND STREETS AND ROADS

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
AIRTRON TECHNOLOGY	180.00	023942	CURRENT FUND STREETS AND ROADS
ALL BERGEN LOCK	232.75	38415	CURRENT FUND STREETS AND ROADS
APP INC	70.32	095758-00	CURRENT FUND STREETS AND ROADS
APP INC	23.44	096256-00	CURRENT FUND STREETS AND ROADS
FELDMAN BROS.	52.50	1463004-00	CURRENT FUND STREETS AND ROADS
JOHN A EARL INC.	116.66	1143019-01	CURRENT FUND STREETS AND ROADS
NEMCO, INC	950.00	122489 OCTOBER 2012	CURRENT FUND STREETS AND ROADS
NEMCO, INC	820.00	122427	CURRENT FUND STREETS AND ROADS
TRAFFIC SAFETY &	1020.08	151128	CURRENT FUND STREETS AND ROADS
VERIZON WIRELESS	798.52	2819369630	CURRENT FUND STREETS AND ROADS O/E
DARRIN LAZORCHAK	4800.00	HURRICANE TREE REMOVAL	CURRENT FUND STREETS AND ROADS O/E
OPTIMUM	846.00	6 MONTHS	CURRENT FUND STREETS AND ROADS O/E
POLAND SPRING	18.81	02J0431730670	CURRENT FUND STREETS AND ROADS O/E
BRAEN STONE	87.33	286121MB	CURRENT FUND STREETS AND ROADS O/E
BRAEN STONE	172.36	283694MB	CURRENT FUND STREETS AND ROADS O/E
<b>Total for: 01- STREETS AND ROADS O/E</b>			<b>19011.59</b>
CALI CARTING INC	61074.00	0000045789 SEPT. 2012	CURRENT FUND SOLID WASTE
<b>Total for: 01- SOLID WASTE</b>			<b>61074.00</b>
P & A AUTO PARTS,	235.13	SEPT. 2012	CURRENT FUND POLICE VEHICLE
SERVPRO OF PARAMUS	100.00	CAR CLEANING	CURRENT FUND POLICE VEHICLE
TETERBORO CHRYSLER	25.44	205663	CURRENT FUND POLICE VEHICLE
TETERBORO CHRYSLER	216.00	205781	CURRENT FUND POLICE VEHICLE
TETERBORO CHRYSLER	300.34	CM205781/205942	CURRENT FUND POLICE VEHICLE
TETERBORO CHRYSLER	123.92	206851	CURRENT FUND POLICE VEHICLE
<b>Total for: 01- POLICE VEHICLE EXPENSE</b>			<b>1000.83</b>
DR. E.A. SCIANO	300.00	OCTOBER 2012	CURRENT FUND BOARD OF HEALTH O/E
DR. E.A. SCIANO	300.00	11/2012	CURRENT FUND BOARD OF HEALTH O/E
MID BERGEN	724.00	10/11/2012	CURRENT FUND BOARD OF HEALTH O/E
SHIRLEY TANTILLO	260.00	SEPT. 2012	CURRENT FUND BOARD OF HEALTH O/E
SHIRLEY TANTILLO	260.00	OCTOBER 2012	CURRENT FUND BOARD OF HEALTH O/E
TW TOWNSWARE	3190.00	6786 DOG LICENSE	CURRENT FUND BOARD OF HEALTH O/E
STAPLES BUSINESS	428.27	8023396142	CURRENT FUND BOARD OF HEALTH O/E
DEBORAH RICCI	100.00		CURRENT FUND BOARD OF HEALTH O/E
ATON COMPUTING	172.50	2012-229	CURRENT FUND BOARD OF HEALTH O/E
DEBORAH RICCI	50.00	REIMBURSEMENT	CURRENT FUND BOARD OF HEALTH O/E
NEXTEL	103.33	321987626-099	CURRENT FUND BOARD OF HEALTH O/E
OPTIMUM	449.40	6 MONTHS	CURRENT FUND BOARD OF HEALTH O/E
POLAND SPRING	4.18	02J0431730670	CURRENT FUND BOARD OF HEALTH O/E
<b>Total for: 01- BOARD OF HEALTH O/E</b>			<b>6341.68</b>
BERGEN COUNTY DEPT	15716.43	SS-2-12-13	CURRENT FUND ANIMAL CONTROL
<b>Total for: 01- ANIMAL CONTROL</b>			<b>15716.43</b>
BUD STEWART,	350.00	NOVEMBER 2012	CURRENT FUND VETERANS SERVICE
<b>Total for: 01- VETERANS SERVICE BUREAU</b>			<b>350.00</b>
NJRPA	500.00	CONFERENCE EARLY BIRD	CURRENT FUND RECREATION O/E
NORTHWEST BERGEN	400.00	FINES	CURRENT FUND RECREATION O/E
<b>Total for: 01- RECREATION O/E</b>			<b>900.00</b>
OPTIMUM	1063.02	6 MONTHS	CURRENT FUND SENIOR CITIZENS
POLAND SPRING	18.81	02J0431730670	CURRENT FUND SENIOR CITIZENS
<b>Total for: 01- SENIOR CITIZENS OTHER EXPENSE</b>			<b>1081.83</b>
AMERICAN FENCE CO	345.00	4509	CURRENT FUND MAINTENANCE OF PARKS
GREG TANZER	275.00	12-6119	CURRENT FUND MAINTENANCE OF PARKS
PIONEER REVERE	630.00	INV462843	CURRENT FUND MAINTENANCE OF PARKS
<b>Total for: 01- MAINTENANCE OF PARKS</b>			<b>1250.00</b>
VERIZON	235.96	201 475-8103 179 18Y	CURRENT FUND TELEPHONE
VERIZON LONG	22.62	00725526462 90Y	CURRENT FUND TELEPHONE
VERIZON LONG	403.90	000689481990	CURRENT FUND TELEPHONE
<b>Total for: 01- TELEPHONE</b>			<b>662.48</b>
GAZZANI MOTORS INC	99.00	HURRICANE SANDY	CURRENT FUND GASOLINE
GAZZANI MOTORS INC	241.51	HURRICANE SANDY	CURRENT FUND GASOLINE
GAZZANI MOTORS INC	86.00	HURRICANE SANDY	CURRENT FUND GASOLINE
PARKWAY EXXON	49.00	BLDG DEPT	CURRENT FUND GASOLINE
PARKWAY EXXON	30.00	HURRICANE SANDY	CURRENT FUND GASOLINE
PARKWAY EXXON	710.59	NOVEMBER 2012 HURRICAN	CURRENT FUND GASOLINE
RACHLES/MICHELE'S	2966.83	156939	CURRENT FUND GASOLINE
RACHLES/MICHELE'S	5632.96	157260	CURRENT FUND GASOLINE



<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
RACHLES/MICHELE'S	5688.23	157927/157860	CURRENT FUND GASOLINE
RACHLES/MICHELE'S	6449.80	158571	CURRENT FUND GASOLINE
<b>Total for: 01- GASOLINE</b>			<b>21953.92</b>
I.W.S. TRANSFER	1876.00	300091880	CURRENT FUND RECYCLING TAX
<b>Total for: 01- RECYCLING TAX</b>			<b>1876.00</b>
APP INC	384.00	096259-00	CURRENT FUND CLEAN COMMUNITY ACT
<b>Total for: 01- CLEAN COMMUNITY ACT RECYCLING</b>			<b>384.00</b>
MUNICIPAL RECORD	836.75	121041/121080	CURRENT FUND MUNICIPAL COURT O/E
RAMSEY GRAPHICS &	260.00	123MC5	CURRENT FUND MUNICIPAL COURT O/E
STAPLES PRINT	763.01	600/15539047	CURRENT FUND MUNICIPAL COURT O/E
WEST PUBLISHING	53.50	825852088	CURRENT FUND MUNICIPAL COURT O/E
DAWN MARSHALL	400.40	MILEAGE REIMBURSEMENT	CURRENT FUND MUNICIPAL COURT O/E
G.T.B.M. INC	371.02	1006756 JULY THRU SEPT	CURRENT FUND MUNICIPAL COURT O/E
LANGUAGE LINE	57.80	3025779	CURRENT FUND MUNICIPAL COURT O/E
NADIA HALHOUL	54.00		CURRENT FUND MUNICIPAL COURT O/E
<b>Total for: 01- MUNICIPAL COURT O/E</b>			<b>2796.48</b>
COUNTY OPEN SPACE	92.61	2012 OPEN SPACE	CURRENT FUND COUNTY TAXES
TREASURER BERGEN	7497.73	2012 ADDED/OMITTED	CURRENT FUND COUNTY TAXES
<b>Total for: 01- COUNTY TAXES</b>			<b>7590.34</b>
<b>Total for: 01 CURRENT FUND</b>			<b>251727.19</b>

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
<b>Fund: RECREATION TRUST FUND</b>			
BANNERS USA	529.95	147135	RECREATION TRUST FUND RECREATION
COLIN VANRYE	108.00	COLUMBUS SOCCER	RECREATION TRUST FUND RECREATION
CORRADO'S GARDEN	73.49	10392-1490	RECREATION TRUST FUND RECREATION
CORRADO'S GARDEN	69.47	1536	RECREATION TRUST FUND RECREATION
COSTCO WHOLESALE	319.22	9/28/12 10/5/12	RECREATION TRUST FUND RECREATION
D & J PLUMBING &	850.00	9/20/12	RECREATION TRUST FUND RECREATION
ELMWOOD PARK	2712.50	2012 STIPEND	RECREATION TRUST FUND RECREATION
JERSEY DREAMERS	574.00	10/25/12	RECREATION TRUST FUND RECREATION
JOHNNY ON THE SPOT	480.50	J-1154583/-1154584/-11	RECREATION TRUST FUND RECREATION
JOHNNY ON THE SPOT	139.50	J-1160063/-0064/-0065/	RECREATION TRUST FUND RECREATION
KENNETH VAN RYE	189.00	COLUMBUS SOCCER	RECREATION TRUST FUND RECREATION
MARWAN KITTANEH	54.00	COLUMBUS SOCCER	RECREATION TRUST FUND RECREATION
NORTH JERSEY MEDIA	47.68	OCTOBER 2012	RECREATION TRUST FUND RECREATION
PARTY FAIR	21.54	HALLOWEEN 10/11/12	RECREATION TRUST FUND RECREATION
PARTY FAIR	89.42	10/22/12	RECREATION TRUST FUND RECREATION
POLAND SPRING	4.18	02J0431730670	RECREATION TRUST FUND RECREATION
REBECCA BRIZOK	81.00	COLUMBUS SOCCER	RECREATION TRUST FUND RECREATION
RICOH USA, INC.	598.78	87909716	RECREATION TRUST FUND RECREATION
S & S WORLDWIDE	14.39	7511082	RECREATION TRUST FUND RECREATION
SPORTS GRAPHICS	10800.00	16453	RECREATION TRUST FUND RECREATION
STANSOCCER LLC	3420.00	8/15/12	RECREATION TRUST FUND RECREATION
WOODBURY SPORTS	599.25	61244	RECREATION TRUST FUND RECREATION
<b>Total for: 03- RECREATION TRUST</b>			<b>21775.87</b>
<b>Total for: 03 RECREATION TRUST FUND</b>			<b>21775.87</b>

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
<b>Fund: CAPITAL FUND</b>			
ROGUT MCCARTHY	685.84	10/1/12	CAPITAL FUND IMPROVEMENT TO
<b>Total for: 04- IMPROVEMENT TO PALSIA/IMPROVE G</b>			<b>685.84</b>
ROGUT MCCARTHY	514.38	10/1/12	CAPITAL FUND PUMP STATION 5
<b>Total for: 04- PUMP STATION 5</b>			<b>514.38</b>
ROGUT MCCARTHY	342.92	10/1/12	CAPITAL FUND
<b>Total for: 04- ACQUISITION/INSTALLATION GAS F</b>			<b>342.92</b>
ROGUT MCCARTHY	685.84	10/1/12	CAPITAL FUND ACQ WOOD CHIPPER/EMER
<b>Total for: 04- ACQ WOOD CHIPPER/EMER TRUCK/UT</b>			<b>685.84</b>
ROGUT MCCARTHY	685.84	10/1/12	CAPITAL FUND SAN SEWER ELMWOOD
<b>Total for: 04- SAN SEWER ELMWOOD TERRACE/OTHE</b>			<b>685.84</b>
ROGUT MCCARTHY	1200.21	10/1/12	CAPITAL FUND KIPP AVENUE SECTION 3
<b>Total for: 04- KIPP AVENUE SECTION 3</b>			<b>1200.21</b>
ROGUT MCCARTHY	171.46	10/1/12	CAPITAL INSTALL PLAYGROUND
<b>Total for: 04- INSTALL PLAYGROUND</b>			<b>171.46</b>
ROGUT MCCARTHY	171.45	10/1/12	CAPITAL 2011 ROAD RESURFACING
<b>Total for: 04- 2011 ROAD RESURFACING PROGRAM</b>			<b>171.45</b>
ROGUT MCCARTHY	171.45	10/1/12	CAPITAL SEWER LINES/MAIN/PUMP
BOSWELL MCCLAVE	272.16	72085 ORD:11-18	CAPITAL EASEMENT MARKET/BLVD
ATON COMPUTING	125.34	2012-229	CAPITAL TECHNOLOGY EQUIPMENT
<b>Total for: 04- TECHNOLOGY EQUIPMENT</b>			<b>568.95</b>
BOSWELL MCCLAVE	6752.50	71798 ORD:12-06 PART A	CAPITAL 2012 ROAD RESURFACING
BOSWELL MCCLAVE	2402.00	72019 ORD:12-06 PART A	CAPITAL 2012 ROAD RESURFACING
ROGUT MCCARTHY	171.45	10/1/12	CAPITAL 2012 ROAD RESURFACING
BOSWELL MCCLAVE	352.00	71795 ORD:12-06 PT B	CAPITAL 2012 KIPP AVE IMPVMTS
BOSWELL MCCLAVE	572.00	72016 ORD:12-06	CAPITAL 2012 KIPP AVE IMPVMTS
<b>Total for: 04- 2012 KIPP AVE IMPVMTS</b>			<b>10249.95</b>
BOSWELL MCCLAVE	417.90	71799 ORD:12-09	CAPITAL ENGLISH AVE SOCCER FIELD
BOSWELL MCCLAVE	1012.00	72087 ORD:12-09	CAPITAL ENGLISH AVE SOCCER FIELD
<b>Total for: 04- ENGLISH AVE SOCCER FIELD</b>			<b>1429.90</b>
<b>Total for: 04 CAPITAL</b>			<b>16706.74</b>

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
<b>Fund: WATER BUDGET</b>			
POLAND SPRING	23.90	02J0431730670	WATER BUDGET O/E WATER
DELTA DENTAL PLAN	381.85	2012-12-01-03034	WATER BUDGET O/E WATER
DE BLOCK	3360.00	380 OCTOBER 2012	WATER BUDGET O/E WATER
PASSAIC VALLEY	6826.75	9680/9682 OCT. 2012	WATER BUDGET O/E WATER
PASSAIC VALLEY	121635.36	9616 OCT 2012	WATER BUDGET O/E WATER OPERATING
<b>Total for: 05- O/E WATER OPERATING</b>			<b>132227.86</b>
<b>Total for: 05 WATER BUDGET</b>			<b>132227.86</b>

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
<b>Fund: DOG LICENSE</b>			
N. J. STATE DEPT	21.60	OCTOBER 2012	DOG LICENSE DOG LICENSE
<b>Total for: 08- DOG LICENSE</b>			<b>21.60</b>
<b>Total for: 08 DOG LICENSE</b>			<b>21.60</b>

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
<b>Fund: FIRE PREVENTION FEE</b>			
ALLSTATE BUSINESS	4.33	1040537	FIRE PREVENTION FEE FIRE
NJ DIV. OF FIRE	596.00	F-226001772	FIRE PREVENTION FEE FIRE
P & A AUTO PARTS,	108.00	SEPT. 2012	FIRE PREVENTION FEE FIRE
RICOH USA, INC.	359.35	5023874643	FIRE PREVENTION FEE FIRE
TONY'S BODY SHOP,	370.00	HURRICANE SANDY	FIRE PREVENTION FEE FIRE
VINDAN, INC	80.00	20588	FIRE PREVENTION FEE FIRE
ZAP LUBE & CAR	5.25	2814	FIRE PREVENTION FEE FIRE
<b>Total for: 10- FIRE PREVENTION FEES</b>			<b>1522.93</b>
<b>Total for: 10 FIRE PREVENTION FEE</b>			<b>1522.93</b>
<b>Total Bill List:</b>	423982.19		

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-339-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**PREPAID BILL LIST**

WHEREAS, it was necessary to issue certain checks to carry on the order of business

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council, of the Borough of Elmwood Park, that the action of the Mayor, Clerk, and Treasurer in issuing the following checks be confirmed:

- SEE ATTACHED LIST
- CURRENT - \$2,764,266.87
- RECREATION - \$5,045.00
- CAPITAL - \$405,623.14
- WATER - \$1,145.55
- UNEMPLOYMENT - \$3,203.07
- ESCROW – SEE ATTACHED

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

PRE-PAID CHECKS FOR 12/06/2012 COUNCIL MEETING						
VENDOR	CHECK#	AMOUNT	PO#	ACCOUNT	ACCT NAME	DATE
Wayne Robbins	53941	\$470.00	40822	01-2010-20-1212-103	video taping counsel meetings	11/2/2012
E.P. Board of Education	53942	\$2,399,150.00	41671	01-2070-55-6510-103	school taxes	11/2/2012
Elmwood Park Postmaster	53942	\$652.21	41696	01-2010-20-1312-028	postage- moved polls	11/2/2012
Elmwood Park Postmaster	53944	\$453.13	41697	01-2010-20-1312-028	postage- moved polls	11/2/2012
Navratan, LLC	53946	\$32,189.23	41682	01-2050-55-6510-131	tax appeal	11/2/2012
Seven Hotels, LLC	53947	\$35,084.78	41683	01-2050-55-6510-131	tax appeal	11/2/2012
Keith Kazmark	53948	\$488.35	41699	01-2010-20-1212-036	paper for poll change mailing	11/2/2012
Chris Sunoco	53949	\$766.32	41708	01-2010-31-4602-074	gas for town vehicles	11/5/2012
Quality Repro Centers	53950	\$465.00	41709	01-2010-20-1212-023	copying for poll change mailing	11/5/2012
Scott Karcz	53951	\$60.00	41623	01-2010-26-2912-103	registration of town vehicle	11/5/2012
Virtual Town Pages	53952	\$549.00	41674	01-2010-20-1212-103	web hosting	11/5/2012
Rutgers, The State University	53955	\$980.00	41092	01-2010-20-1312-028	Class - ck:53693 voided	11/8/2012
Rutgers, The State University	53956	\$567.00	41086	01-2010-20-1312-028	Class - ck:53694 voided	11/8/2012
Chase Manhattan Bank (by wire)	53957	\$19,290.00	41768	01-2010-45-9302-103	interest on bonds	11/9/2012
NJMVC	53958	\$60.00	41779	01-2010-25-2412-103	registration of new police car	11/13/2012
United States Postal Service	53959	\$7,500.00	41782	01-2010-20-1472-022	postage	11/14/2012
Verizon Wireless	53960	\$774.84	41732	01-2010-25-2412-076	police air cards	11/14/2012
MetTel	53961	\$957.51	41731	01-2010-31-4402-076	telephones	11/14/2012
Hess Corporation	53962	\$11.50	41719	01-2010-31-4302-071	electric/gas	11/14/2012
Verizon Wireless	53963	\$201.76	41717	01-2010-25-2412-076	police cell phones	11/14/2012
Verizon Long Distance	53964	\$404.22	41634	01-2010-31-4402-076	telephones	11/14/2012
PSEG	53967	\$89.93	41777	01-2010-31-4302-071	electric/gas	11/16/2012
NRG Business Solutions	53968	\$918.00	41720	01-2010-31-4302-071	electric/gas	11/16/2012
Hess Corporation	53969	\$1,211.61	41725	01-2010-31-4302-071	electric/gas	11/16/2012
Delta Dental	53970	\$8,578.65	41278	01-2010-23-2102-093	Nov. dental	11/16/2012
Hess Corporation	53971	\$861.72	41752	01-2010-31-4302-071	electric/gas	11/16/2012
Verizon Communications	53972	\$73.38	41690	01-2010-31-4402-076	telephones	11/16/2012
Verizon Wireless	53973	\$66.79	41756	01-2010-22-1962-076	building dept cell phones	11/16/2012
Verizon Communications	53974	\$2,393.23	41757	01-2010-31-4402-076	telephones	11/16/2012



Wayne Robbins	53975	\$470.00	40823	01-2010-20-1212-103	video taping counsel meetings	11/16/2012
Delta Dental	53976	\$8,145.44	41029	01-2010-23-2102-093	voided ck:53494 Aug. dental	11/19/2012
Delta Dental	53976	\$8,145.44	41276	01-2010-23-2102-093	voided ck:53652 sept. dental	11/19/2012
N.J. Health Benefits (by wire)	53977	\$73,898.25	41846	01-2010-23-2102-096	Dec. 2012 retiree ins.	11/27/2012
N.J. Health Benefits Financial (by wire)	53978	\$112,476.40	41847	01-2010-23-2102-095 01-2010-23-2102-092	Dec. 2012 health ins. & scripts	11/27/2012
PSEG	53979	\$45,764.18	41853	01-2010-26-3002-079 01-2010-31-4302-071 01-2010-31-4352-075	electric/gas	11/28/2012
Institute for Prof. Develop.	53980	\$99.00	41896	01-2010-20-1312-028	cont. education - RR	11/29/2012
<b>TOTAL CURRENT BUDGET</b>		<b>\$2,764,266.87</b>				
Stansoccer LLC	13481	\$825.00	41214	03-2010-05-8530-103	soccer camp	11/8/2012
League Gear, Inc	13482	\$300.00	41562	03-2010-05-8530-103	soccer balls	11/8/2012
Stansoccer LLC	13483	\$3,420.00	41620	03-2010-05-8530-103	1/2 soccer camp - fall	11/8/2012
Saddle Brook Rec Basketball	13484	\$200.00	41818	03-2010-05-8530-103	basketball registrations	11/21/2012
Peter Lieberman	13485	\$300.00	41893	03-2010-05-8530-103	Sr. Dance DJ	11/28/2012
<b>TOTAL RECREATION BUDGET</b>		<b>\$5,045.00</b>				
B.C. Soil Conservation District	2019	\$1,075.00	41495	04-2761-55-9504-001	voided ck2009 - soil erosion appl. Fee	11/15/2012
AJM Contractors, Inc.	2020	\$404,548.14	41795	04-2760-55-9503-001 04-2760-55-9503-003	2012 rd resurfacing & Molnar Dr.	11/19/2012
<b>TOTAL CAPITAL BUDGET</b>		<b>\$405,623.14</b>				
Delta Dental	7799	\$381.85	41278	05-2010-55-5012-094	Nov. Dental ins.	11/16/2012
Delta Dental	7800	\$381.85	41029	05-2010-55-5012-094	voided ck:7763 Aug. dental	11/19/2012
Delta Dental	7800	\$381.85	41276	05-2010-55-5012-094	voided ck:7774 Sept. dental ins.	11/19/2012
<b>TOTAL WATER BUDGET</b>		<b>\$1,145.55</b>				

State of NJ	1508	\$3,203.07	41700	14-9000-47-7300-001	unemploye nt 3rd quarter 2012	11/12/2012
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**TOTAL UNEMPLOYMENT TRUST FUND BUDGET**                      **\$3,203.07**

Boswell		72021	11/18/2012	776 213 7367	2469	\$44.00
Boswell		72023	11/18/2012	776 144 2529	2470	\$396.00
Boswell		71981	11/18/2012	776 144 1927	2471	\$88.00
Boswell		72024	11/18/2012	776 144 2438	2472	\$212.00
M. De Maria	803 2		12/03/2012	776 213 7367	2473	\$168.00
M. De Maria	803 2		12/03/2012	776 213 7433	2474	\$17.00
M. De Maria	1204 20		12/03/2012	776 213 7490	2475	\$200.00
M. De Maria	1002 13		12/03/2012	776 213 7524	2476	\$200.00
Boswell		72301	12/03/2012	776 144 1703	2477	\$44.00

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-340-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**APPROVAL OF PAYROLL**

BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following payrolls be approved for payment:

PAYROLL	GROSS		SOCIAL SECURITY		
CURRENT WATER	11/6/2012	CK#53953 CK#7795	\$266898.12 \$9,553.49	CK#53954 CK#7796	\$10,430.72 \$429.07
CURRENT WATER (HURRICAN SANDY PAYROLL)	11/15/2012	CK#53965 CK#7797	\$507,970.47 \$17,839.80	CK#53966 CK#7798	\$19,284.29 \$802.79
CURRENT WATER	12/3/12	CK#54102 CK#7805	\$288,184.99 \$11,306.41	CK#54103 CK#7806	\$11,522.33 \$508.79

II, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-341-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**TRANSFER OF FUNDS**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the Collector-Treasurer shall and is hereby authorized to make the following transfers as per instructions from the Chief Financial Officer as follows:

	Acct #	Appropriation From:	Appropriation To:
Worker Compensation	20-2300	\$353,946.72	
Emergency Management	25-2522	\$4,700.00	
Municipal Clerk S & W	20-1201		\$12,000.00
Tax Assessment O/E	20-1462		\$7,500.00
Group Insurance	23-2102		\$155,000.00
Planning Board S & W	21-1801		\$1,000.00
Streets and Roads S & W	26-2901		\$4,700.00
Engineering Cost O/E	20-1652		\$25,000.00
Fire Officials S & W	25-2651		\$10,000.00
Fire Department O/E	25-2672		\$5,500.00
Construction Code Official S & W	22-1951		\$20,000.00
Dispatcher 911 S & W	25-2501		\$15,000.00
Fire O/E	25-2662		\$30,000.00
Recreation O/E	28-3712		\$52,500.00
Pers	36-4712		\$13.38
Interest on Bonds	45-9302		\$525.13
Interest on Notes	45-9352		\$19,908.21
		-	-
		\$358,646.72	\$358,646.72

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
 Keith Kazmark RMC/CMC/MMC  
 Borough Clerk

\_\_\_\_\_  
 Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-342-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**REDEEM THIRD PARTY TAX LIEN – O’ROURKE-VAN RYE**

**WHEREAS**, Frank J. Santora, Tax Collector, has advised that payment has been received in the amount of **\$23,599.91** to redeem TTL (s) # 12-00009, and subsequent Taxes on Blk 606, Lot 13 within the Borough; and

**WHEREAS**, US Bank Custodian for Empire V is holder of Certificate(s) TTL # 12-00009 and is therefore entitled to payment of **\$23,599.91** and,

**WHEREAS**, the lienholder also paid a premium at the time of purchase and is entitled to a refund of same in the amount of \$ **0.00**.

**NOW THEREFORE BE IT RESOLVED** by The Governing Authority of the Borough of Elmwood Park, County of Bergen, State of New Jersey to issue a check in the amount of **\$23,599.91**, payable to the above named lienholder, representing the redemption amount of said Certificate and a refund of the premium.

Frank J. Santora: C.T.C.  
Tax Collector  
December 6, 2012

**US Bank Custodian for Empire V  
Tax Lien Services  
2 Liberty Pl  
50 So 16<sup>th</sup> St  
Philadelphia, PA 19102-2513**

**TTL 12-00009 Blk 606, L 13;  
O’Rourke-Van Rye, 519 River Dr  
\$23,599.91 : Premium \$ 0.00  
Total \$ 23,599.91**

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-343-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**APPOINT JOHN A. CONTE JR.  
RIVERFRONT RESIDENTIAL 2, LLC. AND RIVER DRIVE DEVELOPMENT, LLC.  
VS. PLANNING BOARD OF ELMWOOD PARK**

**WHEREAS**, the Planning Board of the Borough of Elmwood Park is involved in litigation titled Riverfront Residential 2, LLC. and River Drive Development, LLC. vs Planning Board of Elmwood Park, Docket No. BER-L-5735-12; and

**WHEREAS**, the Mayor and Council wish to formally retain John A. Conte Jr. to represent the Borough of Elmwood Park Planning Board in the aforementioned litigation.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that John A. Conte Jr. is hereby authorized to represent the Planning Board in the matter of Riverfront Residential 2, LLC. and River Drive Development, LLC. vs Planning Board of Elmwood Park, Docket No. BER-L-5735-12 at a rate of \$125.00 per hour in an amount not exceed \$6,250.00.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-344-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**RESCHEDULE COIN TOSS – ENGINE COMPANY #2**

**WHEREAS**, authorization was granted for a “Coin Toss” by Engine Company #2 on November 10, 2012 at the intersection of the Boulevard and Route 4 between the hours of 9:00 a.m. and 5:00 p.m. per resolution R-70-12 dated February 2, 2012; and

**WHEREAS**, it was the decision of Engine Company #2 to cancel the “Coin Toss” in the wake of Superstorm Sandy; and

**WHEREAS**, it is the desire of Engine Company #2 to reschedule the “Coin Toss” to December 15, 2012 with the time and place to remain the same as originally requested.

**THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Elmwood Park hereby authorizes Engine Company #2 to conduct the Coin Toss during the hours stated.

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated



**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-345-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**RESOLUTION SUPPORTING DRIVE SOBER OR GET PULLED OVER  
2012 YEAR END STATEWIDE CRACKDOWN**

**WHEREAS**, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

**WHEREAS**, alcohol impairment is a factor in 25% of motor vehicle fatalities in New Jersey; and

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

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

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

**WHEREAS**, the project will involve increased impaired driving enforcement from December 7, 2012 through January 2, 2013; and

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

**THEREFORE BE IT RESOLVED** that the Borough of Elmwood Park and the Elmwood Park Police Department declares it’s support for the *Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown* from December 7, 2012 through January 2, 2013 and pledges to increase awareness of the dangers of drinking and driving.

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-346-12**

**RESOLUTION BY: COUNCILMAN CONBOY  
SECONDED BY: COUNCILMAN VUONCINO**

**AUTHORIZE BOSWELL McCLAVE ENGINEERING –  
CONCEPTUAL STUDY FOR THE WIDENING OF RIVER ROAD**

**WHEREAS**, Boswell McClave Engineering has submitted a proposal for the conceptual study for the River Road Widening between Martha Avenue to Garden Drive;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that Boswell McClave be, and is hereby authorized to perform the services outlined in the proposal not to exceed \$15,000.00.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia		X			Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work		X		

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

Mayor Mola expressed his opinion that River Drive is a County road and feels that it the County's responsibility. He further stated that he feels the Borough should not expend \$15,000 for a conceptual study to widen River Drive. Councilman Conboy stated that the conceptual study is necessary for the County to pursue the project. Mayor Mola stated he stands by his position. Councilman Vuoncino stated that the conceptual study is needed to provide facts to the Council. Councilman Colletti discussed his own traffic study of the area.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-347-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**APPROVAL TO EXECUTE THE TWA PERMIT ON BEHALF OF THE  
BOROUGH OF ELMWOOD PARK**

**WHEREAS**, Boswell McClave Engineering is preparing a Treatment Works Approval Application for the Sanitary Sewer Extension for Riverfront Residential, LLC; and

**WHEREAS**, the application requires a municipal endorsement for the Treatment Works Approval (TWA).

**NOW THEREFORE BE IT RESOLVED**, that Mayor Richard A. Mola be and is hereby authorized to execute the TWA permit application on behalf of the Borough of Elmwood Park.

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-348-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**APPROVAL TO EXECUTE THE STANDARD APPLICATION FORM ON  
BEHALF OF THE BOROUGH OF ELMWOOD PARK FOR EXTENSION OF RIVERFRONT  
RESIDENTIAL, LLC –  
CONSTRUCTION/MODIFY/OPERATE PUBLIC WATER WORKS FACILITIES OR  
STATE CERTIFICATION OF 50 OR MORE REALTY IMPROVEMENTS FROM NJDEP**

**WHEREAS**, Boswell McClave Engineering is in receipt of the application for Standard Application Form to Construct/Modify/operate Public Water Facilities or State Certification of 50 or more Realty Improvements from New Jersey Department of Environmental Protection; and

**WHEREAS**, the application requires a municipal endorsement and Boswell takes no exception to the signing of said application.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Richard A. Mola be and is hereby authorized to execute the Standard Application Form on behalf of the Borough of Elmwood Park.

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-349-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**REFUND CREDIT BALANCES ON PROPERTY TAX ACCOUNTS**

**WHEREAS**, Frank J. Santora, Tax Collector, has advised that credit balances appear exist on the accounts detailed below. Said credit balances being the result of overpayments by homeowners, Attorneys or mortgage holders, and

**WHEREAS**, these credit balances represent funds belonging to the taxpayers, and

**WHEREAS**, the tax accounts are otherwise current, a refund is due.

<b>Block</b>	<b>Lot</b>	<b>Name</b>	<b>Property Address</b>	<b>Refund Amount</b>
1021	15	Luis & Yubleky Ramos Ck Payable to Patrick Quagliana & Luis & Yubleky Ramos 444 Van Houten Ave Passaic NJ 07055	21 Walnut St	2,777.43
1021	16	Alpesh & Shitalben Patel Ck Payable to Homeowner	17 Walnut St	2,762.63
1003	19.02	Stevce & Zorica Kondovski: Ck Payable to Homeowner	81 Linden Ave	4,452.58
				<b>\$9,992.64</b>

**NOW THEREFORE, BE IT RESOLVED** by the Governing Authority of the Borough of Elmwood Park, County of Bergen, State of New Jersey that approval be granted to issue checks to refund the within named recipients in the total amount of **\$9,992.64**

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-350-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**REFUND TAXPAYERS FOR OVERPAYMENTS RESULTING FROM  
COUNTY BOARD JUDGEMENTS**

**WHEREAS**, Frank Santora, Tax Collector, has advised that as the 2012 County Board Judgements were delivered after the November Tax Quarter began, and credited to the appropriate properties; and

**WHEREAS**, many recipients had already remitted full 4<sup>th</sup> Quarter installments, causing overpayments to their accounts which may be resolved by either Refund or Application to a future period; and

**WHEREAS**, a survey requesting recipients to choose which option they preferred resulted in the following list of taxpayers choosing a refund; and

**WHEREAS**, these properties are otherwise current, therefore the owners are due a refund in the total amount of \$72,659.82.

Blk	Lot	Owner Name/Property Address	Rfnd	Mail To
103	4	Zbignew & Marzena Golko 17 River Dr Elmwood Park	821.36	Zbignew & Marzena Golko 17 River Dr Elmwood Park
103	11	Shaun Bruno 22 Parkview Ave Elmwood Park	1,839.60	Shaun Bruno 22 Parkview Ave Elmwood Park
112	34.02	Donald & Michelle Ingrasselino 88 Florence Place Elmwood Park	1,033.80	% Donald & Michelle Ingrasselino Nowell Amoroso 155 Polifly Rd Hackensack, NJ 07604
207	5	Elaine Esmail 18 Maplewood Ave Elmwood Park	342.00	Elaine Esmail 18 Maplewood Ave Elmwood Park
207	24	Malgorzata & Robert Semjan 7 Donor Elmwood Park	1,150.40	Malgorzata & Robert Semjan 7 Donor Elmwood Park
308	17	Baljit & Harwinder Singh 9 15th Ave Elmwood Park	1,036.40	% Baljit & Harwinder Singh Horn Turnbach & Rybar Esq 229 Washington St Toms River, NJ 08753
316	16.02	Snehal & Heena Merchant 34 E 54th St Elmwood Park	1,036.40	% Snehal & Heena Merchant Horn Turnbach & Rybar Esq 229 Washington St Toms River, NJ 08753
401	20	Joseph Scarpulla 2 Elm St	391.24	Joseph Scarpulla 2 Elm St

		<b>Elmwood Park</b>		<b>Elmwood Park</b>
<b>411</b>	<b>2</b>	<b>David LaCognata 156 Gilbert Ave Elmwood Park</b>	<b>282.44</b>	<b>David LaCognata 156 Gilbert Ave Elmwood Park</b>
<b>504</b>	<b>5</b>	<b>Moneesh &amp; Manisha Sanghvi 11 Dapp Ct Elmwood Park</b>	<b>1,036.40</b>	<b>% Moneesh &amp; Manisha Sanghvi Horn Turnbach &amp; Rybar Esq 229 Washington St Toms River, NJ 08753</b>
<b>606</b>	<b>4</b>	<b>Faisal Ahmed 24 Grove St Elmwood Park</b>	<b>800.62</b>	<b>Faisal Ahmed 24 Grove St Elmwood Park</b>
<b>708</b>	<b>16</b>	<b>Sam &amp; Judy Thomas 294 Boulevard Elmwood Park</b>	<b>1,036.40</b>	<b>Sam &amp; Judy Thomas 294 Boulevard Elmwood Park</b>
<b>709</b>	<b>1</b>	<b>Festim Billa 76 Speidel Ave Elmwood Park</b>	<b>1,217.76</b>	<b>Festim Billa 76 Speidel Ave Elmwood Park</b>
<b>712</b>	<b>5.01</b>	<b>Peter Borgine 56 Orchard St Elmwood Park</b>	<b>259.10</b>	<b>% Peter Borgine James M Forest Esq 159 Millburn Ave Millburn, NJ 07041</b>
<b>720</b>	<b>24.01</b>	<b>Jasbir Singh &amp; Manjit Kaur 17A West St Elmwood Park</b>	<b>1,041.56</b>	<b>Jasbir Singh &amp; Manjit Kaur 17A West St Elmwood Park</b>
<b>801</b>	<b>5</b>	<b>William &amp; Ghada Maney 244 Gilbert Ave Elmwood Park</b>	<b>847.24</b>	<b>William &amp; Ghada Maney 67 Paterson St Hillsdale, NJ 07642</b>
<b>804</b>	<b>1.01</b>	<b>Oscar Puerta 2 Leliarts Ln Elmwood Park</b>	<b>518.20</b>	<b>% Oscar Puerta Judith Rios Esq 423 Main St Hackensack, NJ 07601</b>
<b>805</b>	<b>20</b>	<b>George Nestory 1 Sabo Ct Elmwood Park</b>	<b>215.04</b>	<b>% George Nestory Nowell Amoroso 155 Polifly Rd Hackensack, NJ 07604</b>
<b>805</b>	<b>48</b>	<b>Nikola &amp; Menka Siljanoski 408 E Philip Ave Elmwood Park</b>	<b>518.20</b>	<b>% Nikola &amp; Menka Siljanoski Robert Spiotti Esq 219 Changebridge Rd Montville, NJ 07045</b>
<b>812</b>	<b>13</b>	<b>Julie Moscatello 234 Lee St Elmwood Park</b>	<b>518.20</b>	<b>% Julie Moscatello Martin Sharit Esq 141 Main St Hackensack, NJ 07601</b>
<b>812</b>	<b>20</b>	<b>Andrej &amp; Malgorzata Kowalczy</b>	<b>562.24</b>	<b>Andrej &amp; Malgorzata Kowalczy</b>

		262 Lee St Elmwood Park		% Robert Spiotti Esq 219 Changebridge Rd Montville, NJ 07045
812	37	Irene Lesiw 245 Orchard St Elmwood Park	958.68	Irene Lesiw % Budd Larner Esqs 150 John F Kennedy Pkwy Short Hills, NJ 07078
1012	9	Jan & Alina etal Starenczak 34 Pine St Elmwood Park	88.08	Jan & Alina etal Starenczak 34 Pine St Elmwood Park
1020	25	Gregory Panayoti 23 Elmhurst St Elmwood Park	518.20	Gregory Panayoti 23 Elmhurst St Elmwood Park
1021	18	Donco & Gloria Zarkovski 9 Walnut St Elmwood Park	292.80	Donco & Gloria Zarkovski 9 Walnut St Elmwood Park
1102	32.03	Levterski Limbevski 213 Franklin St Elmwood Park	2,567.68	Levterski Limbevski % The Irwin Law Firm PA 80 Main St Ste 410 West Orange, NJ 07052
1102	32.05	S & J Pepe 205 Franklin St Elmwood Park	1,295.52	S & J Pepe % Richard J Kapner Esq 155 Polifly Rd
1102	36	S & E & Elena Ninlock 179 Franklin St Elmwood Park	805.80	S & E & Elena Ninlock % Richard J Kapner Esq 155 Polifly Rd Hackensack, NJ 07601
1105	10	Andrej & Mariola Lubiejewski 355 Molnar Dr Elmwood Park	1,036.40	Andrej & Mariola Lubiejewski 355 Molnar Dr Elmwood Park
1112	3	Ashwin & Chanda Desai 190 Franklin St Elmwood Park	2,591.00	Ashwin & Chanda Desai % Richard A Hubschman Jr Esq 318 Bergen Blvd Palisades Pk, NJ 07650
1210	1	Seven Hotels, LLC 44-60 Rtr 46 E Elmwood Park	5,964.98	McCarter & English LLP % Susan Feeney as Attorney for Seven Hotels, LLC PO Box 652 Newark, NJ 07101
1304	33	Robert & Maryann Lederhilgn 175 Hillman Dr Elmwood Park	518.20	Robert & Maryann Lederhilgn 175 Hillman Dr Elmwood Park
1304	40	Marek & Cecylia Karpowcz 147 Hillman Dr Elmwood Park	1,621.96	Marek & Cecylia Karpowcz 147 Hillman Dr Elmwood Park



1505	47	Patrick & Marlene Downes 22/24 Bredder Ct Elmwood Park	1,619.40	% Patrick & Marlene Downes Pininich & McClure Esq 201 W Passaic St Ste S204 Rochelle Park, NJ 07662
1602	17	Antonio & Rose Ribauda 29 Garden Dr Elmwood Park	1,546.80	% Antonio & Rose Ribauda Nowell Esqs 155 Polifly Rd Hackensack, NJ 07604
1711	2	Navratan, LLC 204 Rte 46 E Elmwood Park	21,746.24	% McCarter & English LLP Susan Feeney as Attorney for Navratan, LLC PO Box 652 Newark, NJ 07101
1711	22	Issac Amponsah Oppong 205 Martha Ave Elmwood Park	518.20	% Issac Amponsah Oppong Martin Sharit Esq 141 Main St Hackensack, NJ 07601
1712	12	Jose & Soraya Carmona 18 Craig Ct Elmwood Park	572.60	Jose & Soraya Carmona 18 Craig Ct Elmwood Park
1719	13	Stefan & Danura Wrobel 268 Kipp Ave Elmwood Park	1,562.36	% Stefan & Danura Wrobel Thomas Duch Esq 550 Blvd Elmwood Park, NJ 07407
1802	13.01	John Palmieri & Ayellet Moas 128 Cadmus Ave Elmwood Park	549.28	% John Palmieri & Ayellet Moas Robert Spiotti Esq 219 Changebridge Rd Montville, NJ 07045
1802	33	Rigoberto & Gloria Carmona 80 Echo Pl Elmwood Park	777.32	Rigoberto & Gloria Carmona 80 Echo Pl Elmwood Park
1803	6	Lenore Madrachimov 92 Echo Pl Elmwood Park	103.64	Lenore Madrachimov 92 Echo Pl Elmwood Park
1803	12	D Viganola & M Petruzella 29-35 Herman St Elmwood Park	2,909.68	% D Viganola & M Petruzella Dennis J Francis Esq 37 Liberty St Little Ferry, NJ 07643
1805	4	Band T Enterprises 296 Rte 46 E Elmwood Park	5,213.08	% Band T Enterprises David Scillieri, Esq 406 Rt 46 Elmwood Park
1809	12	Anthony & Kyle George 1 Rena Ln	129.56	% Anthony & Kyle George James Harrison Banks, Esq

Elmwood Park

22-01 Broadway

Fair Lawn, NJ 07410

1809 16

A&I Arujarour & G&M Al  
Shaikhn

647.76

A&I Arujarour & G&M Al  
Shaikhn

2 Rena Ln  
Elmwood Park

% A Bret Steig, Esq  
184 Eagle Rock Ave

72,659.82 0 Roseland, NJ 07068

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Elmwood Park, County of Bergen, State of New Jersey, that approval be granted to issue checks to refund the within named taxpayers.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-351-12**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN VUONCINO  
SECONDED BY: COUNCILMAN WORK**

**APPOINTMENT OF PART TIME EMPLOYEES – RECREATION**

**WHEREAS**, the Recreation Department will be conducting a Winter Break Day Camp from December 24, 2012 to December 31, 2012 excluding December 25, 2012; and

**WHEREAS**, a need has arisen to hire the following for the Winter Break Day Camp as follows:

<u>NAME:</u>	<u>TITLE:</u>	<u>SALARY:</u>
Diana Whitmore	Director	\$22.00 per/hr
Michele DeSiervo	Teacher	\$20.00 per/hr
Tom DeSiervo	Counselor	\$12.00 per/hr
Andrew Alers	Counselor	\$10.00 per/hr

The following will be hired on an as alternates:

Allison Cuccarese	Counselor	\$10.00 per/hr
Joseph Romano	Custodian	\$10.00 per/hr
Shawn Calderon	Supervisor	\$10.00 per/hr

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
Keith Kazmark RMC/CMC/MMC  
Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-352-12**

**RESOLUTION BY: COUNCILMAN CONBOY  
SECONDED BY: COUNCILMAN VUONCINO**

**AWARD BID FOR ENGLISH AVENUE PARK IMPROVEMENTS**

**WHEREAS**, the Bid Opening Committee did receive bids for the English Avenue Park Improvements on September 27, 2012 at 11:00 a.m.; and

**WHEREAS**, the Committee did receive 2 bids pursuant to the advertisement for the above, the results are as follows:

<u>Contractors</u>	<u>Base Bid</u>	<u>Alt. A</u>	<u>Alt. B</u>	<u>Total</u>
M.J. D'Arminio, Inc. 130 West Franklin St. Hackensack, NJ 07601	\$58,775.00	\$ 22,000.00	\$ 28,350.00	\$109,125.00
Andy Matt, Inc. 11 Scrub Oaks Road Mine Hill, NJ 07803	\$275,640,430.00	\$ 20,000.00	\$ 5,250.00	\$275,665,680.00 <sup>(1)</sup>

(1) Mathematical error in bid.

**WHEREAS**, it was the recommendation of the office of Boswell McClave Engineering that subject to the review and approval of the Borough Attorney, the above mentioned project be awarded to M.J. D'Arminio for the Base Bid only in the amount of \$58,775.00;

**WHEREAS**, subsequently, to the award of the base bid, the Recreation Commission has agreed to fund Alternate A, installation of the irrigation system for the field; and

**WHEREAS**, it is the recommendation of the office of Boswell McClave Engineering, subject to the review and approval of the Borough Attorney, that Resolution R-306-12 which awarded the Base Bid in the amount of \$58,775.00 to M.J. D'Arminio, Inc. be rescinded and that the project be awarded to M.J. D'Arminio, Inc. for the base bid and Alternate A in the amount of \$80,775.00.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the Base Bid and Alternate A of M.J. D'Arminio in the amount of \$80,775.00 be and is hereby awarded.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

December 6, 2012  
Dated

APPROVED: December 6, 2012

\_\_\_\_\_  
Richard A. Mola  
Mayor

ATTEST: \_\_\_\_\_  
Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Castiglia	X				Trawinski	X			
Colletti	X				Vuoncino	X			
Conboy	X				Work	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 6<sup>th</sup> day of December 2012. Signed and sealed before me.

\_\_\_\_\_  
 Keith Kazmark RMC/CMC/MMC  
 Borough Clerk

\_\_\_\_\_  
 Dated

Councilman Conboy discussed where at a Recreation Commission Special Meeting it was agreed that the funds for the irrigation will be funded through the Recreation Trust.

## **COMMITTEE REPORTS**

Councilman Colletti discussed the waiving of permit fees for storm related issues until March of 2013. He further stated that the Council will be meeting with the Office of Emergency Management following tonight's meeting to discuss Hurricane Sandy. Councilman Colletti commended the municipal employees and volunteers for their efforts during the storm. Councilman Colletti stated that due to a funeral he was unable to attend the last Board of Education meeting therefore there is nothing to report.

Councilman Trawinski discussed the JIF reports. He further discussed that the four fire departments will be out with Santa on both Saturday, December 15 and 22, 2012.

Councilman Work discussed the upcoming health clinics available for the residents of Elmwood Park, Saddle Brook and Lodi. He further stated that the Health Department has flu shots available. Councilman Work discussed the Health Department is looking to further their shared services to other municipalities. The Homeowners Association will be holding their annual Holiday party on Friday, December 14, 2012 at Tiramisu Restorante. Councilman Work thanked the Police Department, Fire Department, Ambulance Corps, the Department of Public Works along with all the volunteers that helped during Hurricane Sandy. Councilman Work congratulated Councilmen-elect Frank Caramagna and Glen Pettigano on their election to the Council and wished them luck during their terms. He further thanked his fellow Councilmen for all their assistance during his term. He also thanked Mayor Mola and Mr. Kazmark for their assistance.

Councilman Vuoncino thanked the emergency services and Borough employees for all their efforts during Hurricane Sandy. Councilman Vuoncino discussed Officer Echevarria pursuing placement in the County Police Department. He further wished Officer Echevarria luck as he moves forward in his career. Councilman Vuoncino discussed the interviewing of officers to fulfill Officer Echevarria's position along with the hiring of new dispatchers in the new year. Councilman Vuoncino discussed the "Drive Sober or Get Pulled Over" Crackdown which the Police Department will be participating in.

Councilman Conboy wished the best of luck to Officer Echevarria. He further thanked emergency services and Borough employees for their efforts during the Hurricane Sandy. He also thanked all the residents that took in others who needed a warm place to stay during the days following the hurricane. As part of the Finance Committee, Councilman Conboy discussed his meetings with CFO Roy Riggiano pertaining to costs incurred as a result of the storm. Councilman Conboy discussed English Avenue Park and the different phases that will make up the total project. He further stated that in the fall of 2013 another phase for English Avenue Park totaling \$200,000 will be conducted. The funds for that phase will be used from the Recreation Trust as well as Open Space funds. Councilman Conboy then discussed the programs that are currently underway. He further congratulated all the fall town sport teams on their season.

Councilman Castiglia thanks the emergency services and the Department of Public Works for their efforts during the storm. He further stated that the Department of Public Works has completed the pick up of debris as a result of the storm. He further discussed the leaf pick up schedule. Councilman Castiglia also reminded residents that televisions no longer are picked up at the curb. Televisions are to be dropped off at the specified bin located at the Department of Public Works yard. Councilman Castiglia asked residents if possible to remove cars from the roadways when there is snow in the forecast to aid the plows. Councilman Castiglia congratulated Councilmen-elect Frank Caramagna and Glen Pettigano on their election to the Council in 2013. He further congratulated Officer Echevarria as he moves forward in his career.

Mayor Mola discussed an article in the newspaper pertaining to cell phone usage. He stated that in the article Elmwood Park is number two regarding violations for using a cell phone while driving. Mayor Mola discussed the tour of the Marcal plant with Lt. Governor Guadagno. He further stated that Soundview is pursuing a grant for a co-generation unit.

## **PUBLIC COMMENTS**

Thomas Barillo, Elmwood Drive, inquired about an outside service which was used for storm debris at a cost of \$4,800. Mr. Kazmark stated that an internal decision was made to supplement the work of the Department of Public Works by utilizing the outside service. Discussion ensued pertaining to the wood chipper as well as other equipment in the Department of Public Works. Mr. Barillo further discussed a water main break on Gilbert Avenue.

George Nestory, Sabo Court, discussed storm drains near his home that are filled with leaves. Mr. Nestory questioned the sewer systems ability to accommodate the growth of the Borough. Mr. Nestory

questioned the increase in tax bills. Councilman Work stated that the increase is due to the Board of Education's 0% budget increase the prior year which enabled the School District to increase their portion of the tax bill by 3.9% the current year. Councilman Conboy stated that the Municipal's part of the tax bill decreased. Mr. Nestory stated that he feels that resident parking is a way to save the Borough money. Councilman Vuoncino stated that the Council was going to discuss parking along with the catch basin issue with Mr. Duch but was overcome by circumstances and he would like to address these items in the new year.

Steve Conti, Market Street, inquired about details pertaining to two resolutions on the consent agenda. Mr. Conti expressed that he feels the Mayor and Council are not making attempts to better the parking for the businesses in town.

Richard DeLorenzo, Hillman Drive, discussed the start of the Recreation basketball. He further thanked Dr. Richard Tomko and the Board of Education in reversing their decision to charge the Recreation Department for using some of the schools for the basketball program. He further stated that the Recreation Department is looking for volunteer coaches for the basketball program.

Local Contractor, suggested that local landscapers be considered for clean up after storms to supplement the Department of Public Works. He further commented on the upkeep of the island at the intersection of Washington and Boulevard. He further discussed the possibility of letting landscapers maintain areas such as stated above, in turn the landscaper could post a sign for their business. Mayor Mola along with other Councilmen like the idea and will discuss it further.

A motion was made by Councilman Conboy and seconded by Councilman Colletti to move to the Work Session. Motion carried unanimously.

### **WORK SESSION**

The Work Session of the Elmwood Park Mayor and Council was convened by Municipal Clerk Keith Kazmark at 10:10 p.m.

Governing Body members Castiglia, Colletti, Conboy, Vuoncino, Work were present. Councilman Trawinski excused himself due to illness. Also present were Mayor Mola and Borough Clerk Keith Kazmark.

Mr. Kazmark stated the purpose for tonight's work session was to discuss Hurricane Sandy.

Mr. Karcz, Office of Emergency Management Coordinator, discussed the multiple meetings with the Department Heads of the Emergency Services along with the Health Officer. Mr. Karcz also discussed the county wide conference calls that were organized by County Executive Donovan's office. Mr. Karcz discussed the filling the gas tanks on all vehicles and the placement of road barriers in known flood areas in preparation of the storm. He further discussed the dispatch desk utilizing Mr. Fedorisin who is one of the Deputy OEM Coordinators. Mr. Fedorisin answered 911 calls and distinguished the emergency from the non-emergency calls. The dispatch desk was further manned by two additional police officers. Mr. Karcz discussed the conference calls that were originated by PSE&G to keep the municipalities updated on the status of the repairs. He further discussed the damage to the PSE&G infrastructure. Mr. Kazmark discussed the reasoning for the lack of PSE&G vehicles within the Borough while repairs were being conducted with the infrastructure. Mr. Karcz discussed the Fire Department efforts pertaining to road closures caused by downed trees.

Chief Johnson, Police Department, stated that all scheduled time off was cancelled and 18 hour shifts went into effect for Police Officers. The Chief thanked the Fire Department for all their efforts, and also thanked the Lieutenants for their efforts during the storm. Discussion then ensued to the Swiftreach system that is contracted through the County Office of Emergency Management.

Chief Sulick, Fire Department, discussed the Fire Department's timeline during the storm. He further stated that some trucks needed to go out to other towns for mutual aid.

Chief Pias, Ambulance Corps, discussed the Ambulance Corps' timeline during the storm. During the storm they responded to two calls, both were not storm related. The remainder of the time the Ambulance Corps was on stand by.

Mr. Kazmark discussed the process when reports of downed trees with wires came in. When a report came in local Office of Emergency Management would make a report to the County OEM who in turn would contact PSE&G.

Mr. Kazmark then discussed the setting up of an emergency file which contained multiple phone numbers of all Borough employees in the event contact needed to be made. Mr. Kazmark stated that communications and the efforts by Dr. Tomko and Mr. Moffitt were impeccable.

Discussion then ensued pertaining to communications during the storm. Mr. Kazmark stated that moving forward he would like to utilize the Board of Education's Honeywell system to supplement the Swiftreach (Reversed 911) notifications. Councilman Conboy discussed implementing a reverse 911 system in which the public would have the ability to register for calls. Chief Johnson and Mr. Karcz discussed putting information in the Waste Watchers Handbook. Discussion ensued as to the collection of the information from residents for a Reverse 911 via email or text messages. Mr. Kazmark discussed the benefits pertaining to a Borough based Facebook page. Councilman Colletti discussed the effectiveness of police cars utilizing a loudspeaker.

Councilman Vuoncino inquired what steps would be taken if another storm was projected. Mr. Kazmark stated that more Reverse 911 calls should be initialized prior to the storm with pertinent information.

Discussion then ensued pertaining to gas stations within the Borough following the storm. Chief Johnson discussed the policing of the lines at open gas stations. He further stated that the Bergen County Sheriff's Department aided the Borough by providing officers to supplement the Borough officers.

Councilman Conboy discussed the possibility of having portable lighting units moved from one area to another in areas that are without power for extended periods of time. Chief Johnson stated that the lighting units from the Police Department were utilized on Broadway near East 54<sup>th</sup> Street and the Boulevard where traffic lights were not functioning.

Discussion then ensued to the benefits in having a CERT team. Mr. Karcz stated that a CERT team would be made up of civilians who have completed training to become certified. Mr. Kazmark further discussed the many responsibilities such a team would have. Councilman Vuoncino inquired to the number of people needed for the Borough to set up a CERT team. Mr. Karcz stated that approximately 25 people would be needed.

Chief Johnson stated that the main complaint he heard was the residents not being up to date with the events during and after the storm. Mr. Kazmark stated that the more information that is given to the public before a projected storm, would enable residents to be aware and prepare themselves for during the storm. He further stated that he feels that the Department Heads of the Office of Emergency Management should remain for the coming year.

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:

**Discussion - Compensation Under Stand By Ordinance**

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.

A motion was made by Councilman Conboy and seconded by Councilman Castiglia to enter into Executive Session. Motion carried unanimously.

**Discussion - Compensation Under Stand By Ordinance**

A motion was made by Councilman Trawinski and seconded by Councilman Colletti to return to the public session. Motion carried unanimously.

A motion was made by Councilman Conboy and seconded by Councilman Colletti to adjourn. Motion carried unanimously.



Respectfully Submitted,

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Keith Kazmark, RMC/CMC/MMC  
Municipal Clerk

*Minutes were approved at the December 20, 2012 Regular Meeting of the Mayor and Council.*