

BOROUGH OF ELMWOOD PARK

WORK MEETING

October 24, 2013

8:00 p.m.

The Work Meeting of the Elmwood Park Mayor and Council was called to order by Municipal Clerk Keith Kazmark at 8:04 p.m. Statement of Compliance was read.

Governing Body members Caramagna, Castiglia, Colletti, Conboy, Pettigano and Vuoncino and were present. Also present were Mayor Mola, Borough Clerk Keith Kazmark, Borough Engineer Pete Ten Kate and Borough Attorney Brian Giblin.

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 the publishing an annual 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 posted on January 1, 2013.

Public Hearing:

Richard Trawinski, Walnut Street, inquired about the funding to make the schools ADA compatible. Mr. Kazmark stated he reached out to Mr. Egan regarding the funding, it was stated the funds for the remediation came from the budget. Mr. Egan further advised that after reviewing the paperwork regarding the contractor, it was decided due to the length of time which has elapsed, the District is unable to pursue the contractor. Mr. Trawinski disagreed and discussed a conversation he had with Steven Boswell. Mayor Mola asked Mrs. Freitag to relay the information to the rest of the Trustees.

Work Meeting Agenda Items:

1 – Engineering Report:

- a. **Storage Assets, LLC** – Mr. Ten Kate discussed his findings with regard to an application that is before the Saddle Brook Planning Board. He stated an engineer from Boswell attended the initial meeting of the Planning Board pertaining to this application and further stated the application has been forwarded to the Board of Adjustment. Mr. Ten Kate stated the next hearing is scheduled for November 4, 2013. Mr. Ten Kate discussed a letter to the Saddle Brook Planning Board that addresses his concerns regarding the overflow pipe. Mr. Ten Kate discussed options available to the Council moving forward. Discussion ensued. Mayor Mola asked Mr. Giblin for his input. Mr. Giblin stated that additional information would aid Mr. Ten Kate with Saddle Brook. Councilman Colletti stated his concerns regarding the cost that the Borough will incur from Boswell Engineering. Mr. Ten Kate stated the process could take a considerable amount of time and multiple meetings of the Saddle Brook Planning Board. Mayor Mola asked the Council to allow Mr. Ten Kate to move forward and collect additional information. The Council authorized Mr. Ten Kate to move forward. A resolution will be placed on the November 7, 2013 Regular Meeting agenda.
- b. **Release Performance Cash Bond** – Boswell Engineering has no objection to the release of said Performance Cash Bond. A resolution will be placed on the November 7, 2013 Regular Meeting agenda.
- c. **Emergency Water Main & Sewer Repairs** – Mr. Ten Kate discussed the bid opening that occurred on October 23, 2013. He further discussed an error in the calculations within the bid from Colonnelli Brothers Inc. which after the correct calculations brought Colonnelli Brothers in as the lowest bid. Mr. Ten Kate stated that Boswell Engineering is making the recommendation to award the bid to Colonnelli Brothers Inc. which reflects the correct calculations upon the approval of the Borough Attorney Brian Giblin. Mayor Mola asked if there were any objections, no one objected.
- d. **Follow up on old business** – Mr. Ten Kate asked if anyone had any questions. Councilman Colletti inquired about the plans regarding fire hydrants. He also inquired as to the progress regarding the widening of River Road. Councilman Colletti discussed pot holes in the patch work that was done on Kipp Avenue. He further discussed the deterioration of such patchwork performed by PSE&G on newly paved roads within the borough. Mr. Ten Kate discussed meeting with a representative from PSE&G to discuss this concern. Councilman Colletti asked Mr. Giblin if the Borough could pass an ordinance requiring the Borough Engineer to be present while the patch work is being done to conduct a density test. Councilman Colletti requested to be in attendance at the meeting to be scheduled with PSE&G.

2 – Notice of Claim regarding injury during summer camp – A resolution to refund the co-pay cost incurred will be placed on the November 7, 2013 Regular Meeting agenda.

3 – Renewal of MetTel Communications – A resolution will be placed on the November 7, 2013 Regular Meeting agenda.

4 – Application to reduce charges for Custoflex Service with Verizon - A resolution will be placed on the November 7, 2013 Regular Meeting agenda.

5 – Memorandum from Chief Johnson regarding Gilbert Avenue – Mr. Kazmark discussed the study performed by the Police Department. The recommendation by Chief Johnson is to have a temporary trial run of the extended one way from Elm Street down to River Drive. Councilman Colletti inquired if the Fire Department has been made aware of the discussions. Mr. Kazmark stated he will reach out to Chief Muttell for any comments or concerns. Mr. Kazmark stated the discussion will be held over to the November 14, 2013 Work Session. Mayor Mola expressed seeking the opinion of the 3 remaining residents. Mr. Kazmark stated Police Chief Johnson will be in attendance at the Work Session of November 14, 2013.

6 – Order Denying Relief for reinstatement of liquor license – Joseph P. Langan – Mr. Kazmark discussed the history of the liquor license which lead up to the request for relief by the license holder. A resolution will be placed on the November 7, 2013 Regular Meeting agenda refunding license application fees that were submitted to the Borough.

7 – Municipal Alliance 2013 Grant Extension – Mr. Kazmark discussed the Municipal Alliance grants being changed from a calendar year to a fiscal year schedule. A resolution to approve the extension of the Municipal Alliance to June 30, 2013 will be placed on the November 7, 2013 Regular Meeting agenda.

8 – Resolution Supporting the Fugitive Safe Surrender Program – A resolution will be placed on the November 7, 2013 Regular Meeting agenda.

9 – ORDINANCES:

- a. **Borough Clerk's Office Fees** – Ordinance to be introduced at the November 7, 2013 Regular Meeting.
- b. **Discussion of Municipal Alarm Ordinance** – Discussion ensued to amending the ordinance to impose a fine starting with the third false alarm. Ordinance to be introduced at the November 7, 2013 Regular Meeting.

10 – DEPARTMENTAL REPORTS:

- a. **Municipal Court Report – September 2013** – Accepted without discussion
- b. **Department of Public Works – September 2013** – Accepted without discussion
- c. **Recreation Department Report – October 2013** – Accepted without discussion
- d. **Board of Recreation Minutes – September 23, 2013** – Accepted without discussion

11 – COMMITTEE REPORTS:

Councilman Castiglia had nothing to report.

Councilman Caramagna stated the Homeowners Association will be holding a *Meet the Candidates* night on Wednesday, October 30, 2013.

Councilman Conboy stated he feels that every election the Recreation Department becomes a target. He then discussed the letter which was distributed regarding Cherry Hill Park. He discussed a resident's request through OPRA for a copy of the letter and discussed what was provided to the Borough Clerk's office in response to the request. Councilman Conboy stated a resident came forward furnishing him with the letter that was received at the home. He stated the letter received from the resident contained the signatures of two Councilmen and two Council Candidates, which was not included in response to the OPRA. He further stated the letters were distributed in Borough envelopes. Councilman Conboy stated the use of envelopes paid for by the tax payers is unethical and stated the Councilmen should resign and the Candidates should withdraw from the election. Councilman Pettigano stated that he explained to Mr. Kazmark that he did not have an original letter with the signatures. Councilman Conboy stated that Mr. Kazmark did not explain to him that signatures were missing. Mr. Kazmark stated that the original response regarding the letters was submitted without the letterhead. Knowing from a Public Meeting the letter was distributed on Borough letterhead, Mr. Kazmark requested Councilman Pettigano to submit the response in the same form the letter was distributed in. Mayor Mola verified what items were inside the Borough envelope. Councilman Pettigano stated literature was not included in the letter and that approximately 300 envelopes were distributed. Councilman Conboy inquired if the resident who submitted the OPRA request was told the information provided did not match the letter that was distributed. Mr. Kazmark stated the original response from Councilman Pettigano was not on letterhead and responded to the Councilman to submit the letter in the same form it was distributed in. He further stated that his office had no knowledge that the original contained signatures. Mr. Kazmark discussed that it wasn't until tonight that he was made aware of the signatures.

Councilman Pettigano had nothing to report.

Councilman Vuoncino stated the Police Chief Johnson will be at the next Work Session to discuss staffing. He discussed the upcoming Haunted House at the Ambulance Corps. building.

Councilman Colletti inquired if Mr. Giblin investigated as to whether borough employees would be able to utilize the fitness room at the Recreation Complex free of charge. Mr. Giblin stated that it would be alright for employees, however is not recommended for elected officials.

Mayor Mola discussed his conversation with Police Chief Johnson regarding the Goosey Night and Halloween curfew. Mayor Mola stated he his opinion regarding the signatures on the letter that was distributed pertaining to Cherry Hill Park.

Mr. Giblin discussed the fine schedule pertaining to the false alarm ordinance. Councilman Colletti discussed his concerns regarding a 4th or 5th offense. Mayor Mola expressed his desire to get more information before introducing an ordinance. The Governing Body agreed on the fine schedule for the re-introduction of the ordinance.

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

Respectfully submitted,



Keith Kazmark, RMC/CMC/MMC
Borough Clerk

Minutes approved at the Regular Meeting of November 7, 2013 by the Mayor and Council.