

**SPECIAL PUBLIC MEETING  
OF THE  
ELMWOOD PARK MAYOR AND COUNCIL**

**June 3, 2013**

**6:30 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, June 6, 2013 at 6:34 p.m. in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

On Roll Call Council Members: Caramagna, Castiglia, Pettigano, and Colletti were present. Councilman Conboy and Vuoncino are absent. Also present were Mayor Mola, Borough Clerk Keith Kazmark.

**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, 2013.

**4. RESOLUTION:**

R-197-13 Settlement of Borough of Elmwood Park vs. Donald Ingrasselino

**5. PUBLIC HEARING:**

**6. ADJOURNMENT:**

Councilman Caramagna inquired to the amount of the settlement. Mr. Kazmark stated the amount of \$10,000 is stated in the Settlement Agreement. Councilman Caramagna inquired as the amount after the fees have been paid to Mr. Schechter. Mr. Kazmark stated that within the resolution appointing Mr. Schechter it was stated the amount was not to exceed \$5,000. Although at this time Mr. Kazmark does not know the final legal costs, he feels the amount of \$5,000 was not reached.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-197-13**

**RESOLUTION BY: COUNCILMAN PETTIGANO  
SECONDED BY: COUNCILMAN CASTIGLIA**

**RESOLUTION AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT FOR  
SETTLEMENT IN THE ACTION ENTITLED BOROUGH OF ELMWOOD PARK vs  
DONALD INGRASSELINO, FORMER CHIEF OF POLICE OF THE ELMWOOD PARK  
POLICE DEPARTMENT, DOCKET NO. BER-L-1719-12**

**WHEREAS**, the Borough of Elmwood Park has commenced an action against Donald Ingrasselino, former Chief of Police of the Elmwood Park Police Department, in the action entitled Borough of Elmwood Park v. Donald Ingrasselino, Former Chief of Police of the Elmwood Park Police Department, bearing Docket No. BER-L-1719-12, in the Superior Court of New Jersey, Law Division, Bergen County (the Litigation”) pursuant to which the Borough of Elmwood Park has asserted certain claims for breach of contract and unjust enrichment regarding overtime payments made to Donald Ingrasselino in connection with DWI checkpoints during the 2010 and 2011 calendar years and Donald Ingrasselino has asserted defenses and certain counterclaims again the Borough of Elmwood Park; and

**WHEREAS**, the Litigation came on for trial on May 29, 2013 and the Borough of Elmwood Park and Donald Ingrasselino engaged in settlement negotiations towards the resolution of the Litigation and agreed to settle the Litigation subject to the execution of a formal Settlement Agreement; and

**WHEREAS**, the parties have settled the Litigation and the terms of the settlement require the Borough of Elmwood Park to execute a formal Settlement of Agreement which has been prepared by Steven C. Schechter, Esq., counsel for the Borough of Elmwood Park in connection with the Litigation; and


**WHEREAS**, a copy of the Settlement Agreement is in the Clerk’s office and is incorporated herein by this reference thereto.

**NOW THEREFORE BE IT RESOLVED** by the Borough of Elmwood Park as follows:

1. The Borough Clerk is hereby authorized and directed to sign the signature page(s) of the Settlement Agreement, which will be adopted in substantially the form contained in the draft copy of file, and thereafter immediately transmit the said original signature page(s) to Steven C. Schechter, Esq., Attorney At Law, 36 Fairview Terrace, Paramus, New Jersey, 07652.
2. The Borough hereby authorizes the settlement of the Litigation upon the terms and conditions set forth in the Settlement Agreement and for the consideration to be paid to the Borough by Donald Ingrasselino as set forth in the Settlement Agreement in full settlement, accord and satisfaction of all claims raised in Litigation.
3. This resolution shall take effect immediately.

APPROVED: June 3, 2013

  
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 |
|-----------|-----|-----|---------|--------|-----------|-----|-----|---------|--------|
| Caramagna | X   |     |         |        | Pettigano | X   |     |         |        |
| Castiglia | X   |     |         |        | Vuoncino  |     |     |         | X      |
| Conboy    |     |     |         | X      | Colletti  | X   |     |         |        |
|           |     |     |         |        |           |     |     |         |        |

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 3<sup>rd</sup> day of June 2013. Signed and sealed before me.

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

\_\_\_\_\_  
 Dated

Mayor Mola opened the floor to the public. No one from the public was present. Mayor Mola closed the public portion.

A motion was made by Councilman Castiglia and seconded by Councilman Pettigano to adjourn. Motion carried by the members present.

Respectfully Submitted;



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Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

*Minutes approved at the June 20, 2013 Mayor and Council Regular Meeting.*