

BOROUGH OF ELMWOOD PARK
WORK MEETING
March 14, 2013
7:30 pm

The Work Meeting of the Elmwood Park Mayor and Council was called to order by Deputy Municipal Clerk Barbara Dispoto at 7:35 p.m. Statement of Compliance was read.

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.

Governing Body members Caramagna, Castiglia, Conboy, Vuoncino and Colletti were present. Councilman Pettigano was absent. Also present were Mayor Mola, Deputy Borough Clerk Barbara Dispoto, Borough Attorney Brian Giblin and Borough Engineer Pete Ten Kate. Councilman Caramagna left the meeting at 7:38 p.m.

Work Meeting Agenda Items:

1 – Frank Covelli – Elected Officials Training – Mr. Covelli stated that the following Officials Training Meeting should be done in a closed session due to confidential items that will be discussed relative to protecting the Borough. Said information could be detrimental if discussed outside of a closed session.

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:

Risk Management Strategies

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 Vuoncino and seconded by Councilman Conboy to enter into Executive Session. Motion carried by the members present.

Risk Management Strategies

A motion was made by Councilman Conboy and seconded by Councilman Castiglia to return to the public session. Motion carried by the members present.

The meeting returned to the public session at 8:12 p.m. with Councilman Castiglia, Conboy, Vuoncino and Colletti present. Councilmen Caramagna and Pettigano who both previously taken the Elected Officials Training class arrived at 8:20 p.m.

Public Hearing: No one from the public was present.

2 – Municipal Engineer's Report

- a. **Monthly Status Report** – Mr. Ten Kate stated that an Interlocal Agreement with Garfield is being pursued for the Kipp Avenue Pump Station. He further stated that everything is moving forward regarding the pump station and that said agreement is the final piece that needs to be completed. A resolution authorizing the Interlocal Agreement with Garfield will be on the March 21, 2013 Regular Meeting Agenda.
- b. **2013 Bonding Requests/10 Year Bonding Report** – Discussion ensued to the amount of the bond for the Road Resurfacing Program. Mayor and Council discussed the items and the amounts to be bonded. A multi-purpose bond for \$595,000 and a Road Resurfacing for \$450,000 will be put on the April 4, 2013 Regular Meeting for introduction. Councilman Colletti stated that

according to paperwork received from Mr. Kazmark, the Borough spends an average of \$2 million a year in bonding.

- c. **Change Order #1 – English Avenue Improvements** – Mr. Ten Kate stated the change order brings the cost in line with the quote originally received. A resolution will be placed on the March 21, 2013 Regular Meeting agenda.
- d. **Denial Letter from New Jersey Department of Transportation – Safe Routes to School Program** – Mr. Ten Kate discussed the denial of the Safe Routes to Schools Program.
- e. **Boulevard & Market Street Easement** – Councilman Vuoncino inquired about the easements. Mr. Giblin stated that there is a scheduled hearing date. He further stated that the attorney for the 711 wants to renegotiate. Mr. Giblin stated that April 19, 2013 is the date for the hearing on complaints for the eminent domain.

3 – Michael Kauker – Municipal Planner – Extension of Commercial Zone beyond Market Street – Councilman Colletti stated that the general consensus of the Council is that a lack of exists on Market Street and the businesses are suffering. He further stated that extending the commercial zone would make Market Street more desirable and help the businesses. Mr. Kauker stated that he looked primarily at the Van Riper Avenue section and stated that creative zoning would be appropriate. Upon completion of his review of the area, Mr. Kauker stated that extending the commercial zone would not be appropriate for the Van Riper Avenue area. Mr. Kauker then reviewed the reasons for his decision. Discussion ensued to ways to increase parking for the Market Street area. Discussion further ensued to a business owner purchasing a lot behind them to extend their business and add additional parking. Mayor Mola discussed the reduction in the rateables when a 1 or 2 family home is taken down and turned into a parking lot. Discussion then ensued as to residents seeking tax appeals because the house was purchased in a residential zone and has changed into a commercial zone. Mr. Kauker will review if the current commercial zone goes 100 or 150 feet beyond Market Street in the southern side of the street. If the zone does extend to 150 feet south of Market Street, then Council would not need to do anything because it would already be in place.

4 – Bulletin from League of Municipalities opposing bills in legislature requiring early voting – Discussion ensued to the problems that would be incurred if the bills are passed. A resolution opposing early voting will be placed on the March 21, 2013 Regular Meeting agenda.

5 – Letters from residents opposing Winter Parking Ordinance – After some discussion, the Governing Body decided to have Mr. Karcz attend the Work Session of March 28, 2013 to discuss the ordinance.

6 – New Jersey Drug Card Program – Mayor Mola discussed the meeting with Mr. Caan regarding the prescription plan. A resolution will be placed on the March 21, 2013 Regular Meeting.

7 – Letter from George Stafford requesting continuing support of the 2004 Highlands Water Protection and Planning Act – A resolution will be placed on the March 21, 2013 Regular Meeting.

8 – Letter from Brian Giblin regarding Powers of the Board of Recreation Commissioners – Mr. Giblin stated that the Board of Recreation does not have the authority to lease the baseball fields. He further stated that the Mayor and Council have that authority and any leasing would fall under the Open Public Contracts Law and would need to go out to competitive bid.

9 – ORDINANCES:

- a. **Administration Code – Policies & Procedures Manual** – Mrs. Dispoto explained the changes made to the time and attendance policy. She further stated that the changes bring the policy in line with the employee contracts. The first reading of the ordinance will be placed on the March 21, 2013 Regular Meeting agenda.
- b. **Chapter 20 – Parks and Recreational Areas** – Mr. Giblin stated that one of the items that the Recreation Commission wanted the fee schedules remove. He stated that fee schedules must be included in the codification. Councilman Vuoncino asked Mr. Giblin to review 2-37 and report his thoughts to the Council. Councilman Colletti inquired about the section in which the Recreation Commission wanting full control over fields and land. Mr. Giblin stated he will keep it in line with State statutes.
- c. **Field Usage Ordinance** – Mrs. Dispoto stated that the Recreation Department follows the field ordinance, however it needs to be codified by the Mayor and Council. The first reading of the ordinance will be placed on the March 21, 2013 Regular Meeting agenda.
- d. **Shade Tree Commission – Reserved** – Discussion ensued regarding the reserve of the Shade Tree Commission. After some discussion regarding items that will remain in effect the first reading of the ordinance will be placed on the March 21, 2013 Regular Meeting agenda.

10 – DEPARTMENTAL REPORTS:

- a. **Building Department Reports – February 2013** – Accepted without discussion.
- b. **Recreation Department Report – February 2013** – Accepted without discussion.
- c. **Police Department Report – February 2013** – Accepted without discussion.
- d. **Department of Public Works Report – January & February 2013** – Accepted without discussion.
- e. **Recreation Commission Minutes – February 25, 2013** – Accepted without discussion.

11 – COMMITTEE REPORTS:

Councilman Castiglia discussed a store called “Deals” which will open where the Elmwood Ford was previously located.

Councilman Caramagna had no report.

Councilman Conboy discussed how the Recreation Commission would like to address the hiring of employees which will replace the two upcoming retirements. Councilman Conboy discussed the progress of English Avenue Park. He further discussed capital improvements that the Recreation Commission would like to do at the Recreation Complex. Councilman Conboy asked Councilman Castiglia to see if the Department of Public Works can start doing a clean-up of Cherry Hill Park. Councilman Conboy discussed a meeting between the two soccer leagues. He further stated that it does not seem that the two leagues will be coming together.

Councilman Pettigano had no report.

Councilman Vuoncino stated that on April 9, 2013 the NJSEM will be going out to bid for utilities. He further requested that an Excel spreadsheet be created regarding action items. He asked that the action item list be available for discussion at the start of the following work meeting.

Councilman Colletti stated he wanted to revisit the budget. He further stated that increasing the taxes \$25 more for 2013 would lessen the impact of an increase in 2014. Councilman Conboy stated that after some discussion with the CFO the forecast for 2014 has improved. Mayor Mola stated that the budget can be introduced and amended for the adoption. The Council decided they would like to have Mr. Riggitano attend the March 28, 2013 Work Session.

Mayor Mola had no report.

Brian Giblin stated that the property located on Boulevard and Fencsak Avenue does not have any active litigation therefore does not need to be discussed in closed session. He further inquired if the Council had any questions pertaining to said property. Mr. Giblin stated that the Borough does not own the property and that the Borough does have a tax lien for approximately \$23,000 on said property. Mr. Giblin stated that the Borough can foreclose on the property but would advise against that until an environmental study of the property has been done to determine there is no contamination on the property. Mr. Giblin stated that the property is listed to a William Stefanic Jr. and a will has not been filed for him.

12 – EXECUTIVE SESSION:

- a. **Elmwood Park vs. Ingrasselino**

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:

Elmwood Park vs. Ingrasselino

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.

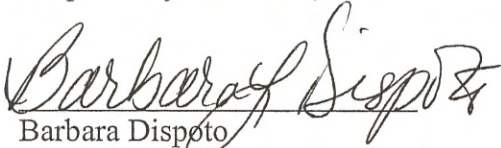
A motion was made by Councilman Castiglia and seconded by Councilman Caramagna to enter into Executive Session. Motion carried unanimously.

Elmwood Park vs. Ingrasselino

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

A motion was made by Councilman Vuoncino and seconded by Councilman Conboy to adjourn at 10:15p.m. Motion carried unanimously.

Respectfully submitted,



Barbara Dispoto
Deputy Borough Clerk

Minutes approved at the Regular Meeting of the Mayor and Council on April 18, 2013.