

BOROUGH OF ELMWOOD PARK
WORK MEETING
February 26, 2015
7:00 p.m.

The Work Meeting of the Elmwood Park Mayor and Council was called to order by Municipal Clerk Keith Kazmark at 7:00 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, 2015.

Governing Body Members Caramagna, Colletti, Martino, Vuoncino and Council President Dombrowski were present. Councilman Pettigano was absent. Also present was Mayor Mola, Borough Attorney Giuseppe Randazzo, Borough Engineer Nordan Murphy and Borough Clerk Keith Kazmark.

1 – EXECUTIVE SESSION:

- a. **Potential Litigation – AAI Holding, Inc.**
- b. **Personnel – Department of Public Works**
- c. **Personnel – Municipal Clerk's Office**

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:

Potential Litigation – AAI Holding, Inc.
Personnel – Department of Public Works
Personnel – Municipal Clerk's Office

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 Dombrowski and seconded by Councilman Colletto to enter into Executive Session. Motion carried by the members present.

Potential Litigation – AAI Holding, Inc.
Personnel – Department of Public Works
Personnel – Municipal Clerk's Office

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

The meeting returned to the public session at 8:03 p.m. with Councilman Caramagna, Colletti, Martino, Vuoncino and Council President Dombrowski present. Councilman Pettigano was absent due to vacation, Also present was Mayor Mola, Borough Attorney Randazzo, Borough Engineer Murphy and Borough Clerk Kazmark.

Public Hearing:

Mike Buffis, Philip Avenue, discussed receiving moving violations and the way the police officer conducted himself at the time of the traffic stop. Mr. Buffis asked if the Council can step in so that he does not have to appear in court. Borough Attorney Randazzo stated the Council cannot interfere in the judicial process and he can plead his case to the Municipal Judge. Mr. Buffis then disclosed as to the amount of mail he has received from lawyers since receiving the summons. Borough Attorney Randazzo stated summonses are public records therefore they are available to the public and the Borough cannot stop the release of names. Mr. Buffis then stated he wanted to file a complaint against the officer. Borough Attorney Randazzo directed him the complaint needs to be filed with Internal Affairs. Mr. Buffis stated he will speak with both the Police Chief and Internal Affairs.

Frank Riggolosso, Market Street, discussed the cross walks on Market Street along which are causing vibrations to his home when trucks drive by. He asked if the Council can consider after the completion of all the road projects scheduled for Market Street that something be done to the cross walks to help reduce the vibrations that the area homes are experiencing. Discussion ensued to the crosswalks.

Work Meeting Agenda Items:

2 – ENGINEERING REPORT:

- a. **Engineering Status Report** – Mr. Murphy stated he has not received any communications from the NJDOT regarding the striping at the intersection of Rt. 46 and Boulevard. The Council instructed Mr. Murphy to continue pursuing the striping at that location. Discussion then ensued to the encroachment of the right-of-way on the property owned by the Turnpike Authority. Discussion ensued as to how much property there is and what it can be used for. One of the suggestions for the property was tennis courts. Further discussion ensued as to whether the property serves as a retention basin. Mr. Murphy discussed the Turnpike Authority's intent should if the Borough not take over the property. They would then serve the residents with letters for encroaching the property and remove the current sidewalks so they do not have to maintain them. Mr. Murphy discussed some recent emergency water repairs. He then discussed the progress of the Pump Station #6 project. Mr. Murphy stated he spoke with the County regarding the multiple Market Street projects. Council President inquired whether grant funds can be withdrawn from the Borough. Mr. Murphy stated that as long as there is progress, extensions can be granted for the projects. Discussion then ensued to Pump Station #6. Mr. Murphy stated the pump that Mr. Karcz originally wanted is no longer available. He further stated that they are looking for a pump that is similar to the original one that was included in the plans. Mr. Murphy discussed the Boulevard Section 8 & 9 project bid being sent to the County for approval. Once the approval is received a bid date will be published through the Clerk's Office. He further stated the process is the same for the Improvements to Iozia Terrace, Franklin and Court Street. He stated approval to proceed has been received for the Improvements to English Avenue Park.
- b. **2014 Road Program** – Mr. Murphy stated the first cost estimate for work completed is in and totals \$167,770. He further stated he is holding back a percentage for the incomplete work on the project. Council President Dombrowski inquired whether the time that it takes AJM Contractors to complete this and prior jobs can it be used to not accept their lowest bids for future projects. Discussion ensued as to the difficulty in doing so.
- c. **2015 Road Program** – Mr. Murphy stated an assessment of the road in town has been completed for 2015. Discussion ensued to the Energy Strong project with PSE&G. DPW Superintendent Karcz discussed the 2 year moratorium in place.

3 – Boswell Engineering:

- a. **Status of Active Municipal Projects** – Borough Clerk Kazmark reviewed the report with the Council.
- b. **Additional Remedial Investigation – Municipal Building/Police Department** – The proposal was reviewed by the Council. Borough Clerk Kazmark stated this is work that needs to be completed. Discussion ensued regarding the fees for Boswell Engineering for this project. After some discussion the Council asked for Borough Clerk to reach out to Boswell Engineering for a revised proposal.
- c. **Release of Irrevocable Standby Letter of Credit – T & T Wealth – 307 East 54th Street** – A resolution will be placed on the March 5, 2015 Regular Meeting of the Mayor and Council.

4 – ORDINANCES:

- a. **PVSC Sewer Connection** – Discussion ensued regarding the expired contract and the proposal for a new contract. Borough Attorney Randazzo stated the Council can try and negotiate a lower cost. Council President Dombrowski will reach out to Passaic Valley Sewer Commission to set up a meeting.
- b. **Fire Hydrants** – Discussion ensued regarding the current ordinance which pertains to the clearing of snow from around fire hydrants. Borough Clerk Kazmark stated that the ordinance does not contain a penalty for those who fail to clear away the snow from the fire hydrants. Discussion ensued to the Fire Prevention Bureau being the responsible agency to enforce the ordinance. Councilman Colletti suggested a warning first be given to residents when they fail to clear the hydrant. Mayor Mola suggested a decision regarding the ordinance not be made at this time. He suggested further reviewing of the ordinance and considering residents who can not afford to have the hydrant cleared because of their inability to do it themselves. After some discussion the ordinance will be introduced at the March 5, 2015 Regular Meeting of the Mayor and Council.
- c. **Snow Ordinance** – Discussion ensued as to residents who do would pay a summons rather than moving the vehicle to the appropriate side of the street. Discussion then ensued to the amount of penalties under the ordinance and the possibility of increasing the penalties. Councilman Vuoncino proposed making a court appearance mandatory along with a summons

for this ordinance. Borough Clerk Kazmark discussed changes which need to be made to a few of the streets listed in the ordinance. The ordinance will be introduced at the March 5, 2015 Regular Meeting of the Mayor and Council.

- d. **Continuing Certificate of Occupancy** – Discussion ensued as to the items regarding the Continued Certificate of Occupancy ordinance. Councilman Colletti asked for a sunset on this ordinance. He stated that while Mr. Bolan does a excellent job, there is the possibility of a future employee that may not do the job as Mr. Bolan does. Borough Clerk Kazmark discussed that any future employee would need to enforce the ordinance as adopted. After some discussion the Council directed Borough Attorney Randazzo as to what items to include in the ordinance. It was also agreed that the ordinance will be revisited in February 2016. The ordinance will be introduced at the March 5, 2015 Regular Meeting of the Mayor and Council.

5 – Discussion regarding Fire Department Emergency Standby – Borough Clerk Kazmark discussed the creation of the Emergency Standby guidelines. He further discussed a previous snow storm in which the Fire Department initiated the Emergency Standby procedures. Borough Clerk Kazmark also stated that Chief Pressler has submitted to the Finance Department a packet for compensation for that storm. Borough Clerk Kazmark stated that since the prior storm a meeting has taken place to discuss the guidelines and what communication need to transpire prior to the Fire Department implementing an Emergency Standby. Councilman Colletti discussed some of the procedures associated with the Emergency Standby ordinance which were not followed. He further stated that even though some procedures were not correctly followed, firefighters did go on standby which according to the ordinance entitles the men to compensation. After some discussion the Council authorized that a resolution be placed on the next Regular Meeting authorizing the compensation to the firemen.

6 – Discussion regarding the Replacement of the Fire Department’s Breathing Air Compressor – Borough Clerk Kazmark discussed the Fire Chief obtaining quotes for the equipment. He further discussed that CFO Roy Riggitano stated the cost is below the threshold and can be purchased utilizing the quotes that the Chief has submitted. Chief Pressler stated this equipment would enable the Fire Department to refill the different breathing apparatus at the scene of a fire instead of having to return to the fire house to do the refills. He further stated issues with the current equipment which explains the need to replace the current equipment.

7 – Discussion regarding Day Time Support Stipend – Ambulance Corps. – Councilman Vuoncino discussed the Ambulance Corps. request to increase the day time support stipend. Discussion ensued as to increasing the stipend to \$30. An ordinance will be introduced to increase the stipend at the March 5, 2015 Regular Meeting of the Mayor and Council.

8 – Proposal Police Department Communication System Upgrade – Borough Clerk Kazmark discussed funds which have been previously bonded for the 911 communications center. Police Chief Foligno stated the Borough will buy the furniture for the command center to house the 911 consoles. The construction and other equipment will be paid on a monthly basis against the bond. The monthly cost is \$6,635.00 a month for 5 years. Councilman Dombrowski discussed an upgrade free at the end of the 5 years. Discussion ensued as to the purchasing everything outright verses leasing. A resolution will be placed on the March 5, 2015 Regular Meeting of the Mayor and Council.

9 – DEPARTMENTAL REPORTS:

- a. **Library Minutes – December 15, 2014 & January 29, 2015** – Accepted without discussion.
- b. **Municipal Court Report – January 2015** – Accepted without discussion.
- c. **Department of Public Works – January 2015** – Accepted without discussion.
- d. **Police Department Report – January 2015** – Accepted without discussion.

10 – COMMITTEE REPORTS:

Councilman Vuoncino discussed NJ SEM.

Councilman Dombrowski reported progress.

Councilman Caramagna discussed a meeting with CFO Roy Riggitano.

Councilman Martino reported progress.

Councilman Colletti discussed the Municipal Planner being at a future meeting and the decision on Valtek doing the restorations with the tank.

Mayor Mola reported progress.

11 – EXECUTIVE SESSION:

a. Police Table of Organization

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:

Police Table of Organization

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 Martino and seconded by Councilman Dombrowski to enter into Executive Session. Motion carried by the members present.

Police Table of Organization

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

A motion was made by Councilman Colletti and seconded by Councilman Martino to adjourn.

Respectfully submitted,



Keith Kazmark, RMC/CMC/MMC
Borough Clerk

Minutes approved at the October 1, 2015 Regular Meeting of the Mayor and Council.