

**BOROUGH OF ELMWOOD PARK**  
**WORK MEETING**  
**January 8, 2015**  
**8:00 p.m.**

The Work Meeting of the Elmwood Park Mayor and Council for January 8, 2015 was called to order by Municipal Clerk Keith Kazmark at 8:00 p.m. The 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.

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

**Public Hearing:** Mr. Daniel Golabek, Godwin Avenue, asked about coyote traps in the area. He also questioned an ordinance regarding sick time payouts. He further asked when the ordinance was last reviewed. Borough Clerk Kazmark explained each contract is written differently and the white collar contract was last reviewed during the last negotiations.

**Work Meeting Agenda Items:**

**1 – Proposed N.C. Neighborhood Commercial Zone – Michael Kauker/Don Smartt/Richard Bolan -**

Mr. Kauker provided a summary regarding the proposed Route 4 corridor zone change and had two recommendations: 1. to take into account the vision study and based on that, his opinion is the Mayor and Council should go forward with the rezoning amendment. 2. acknowledge the rezoning proposal that Don Smartt presented to the Council regarding the Rt. 4 corridor. Mr. Smartt spoke regarding the benefits of the Broadway District and that he is encouraging the zone changes to zone B6. There will be no cost to the town. Fair Lawn will take on all costs. The rezoning will add value to our town and will pay-off in the long term. Paperwork has already been sent to Mr. Randazzo for his review. Mr. Smartt recommended the council members go on [www.fairlawnbroadway.com](http://www.fairlawnbroadway.com) to see some of the work and upgrades that have been done there. He spoke to 15 commercial businesses and they are in agreement of upgrades.

A Town Hall meeting for both commercial and residential owners on Market Street and Broadway was scheduled for Tuesday, February 24<sup>th</sup> at 7:00 p.m.

Mr. Kazmark discussed the funding for the Borough Planner and stated that with regard to Resolution 196-14 there is a balance of \$626.00.

**2 – ORDINANCES:**

- a. **Certificate of Continued Occupancy** – This matter was carried over from last meeting. Councilman Pettigano spoke regarding office buildings with offices over 10,000 square feet in size. The proposed ordinance would allow for a more timely transition for businesses looking to open in a retail space which previously had a similar use. This will allow for a Certificate of Occupancy to be provided in a much timely manner. Paperwork has been forwarded to Mr. Randazzo for his review. Fred Fisher, a member of the public asked to speak. Mr. Fisher has work in Industrial Real Estate 30 years and has an office on Market Street and support the change. Mayor Mola suggested there should be a meeting with the Planning Board to discuss this ordinance. He stated he knows this is an administrative decision but they should have some input. The joint meeting will be set for January 22, 2015 at 8:00 p.m. Borough Clerk Kazmark will reach out to members of the Planning Board to attend.
- b. **Cooperative Parking Plan** – Discussion regarding a Cooperative Parking Plan will be heard at a future meeting.



- c. **2015 Water Rates** – Discussion ensued as to the annual pass along increase for Passaic Valley Water Commission. This year pass along is a 4% rate increase. The ordinance to increase the rates will be introduced at the January 15, 2015 Regular Meeting.

3 – **ENGINEERING REPORT:**

- a. **Engineering Status Report** – Mr. Murphy discussed the stripping at the intersection of Boulevard and Route 46. Mayor Mola will meet with a State representative to expedite the process. Mr. Murphy discussed the culvert on Linwood and River Drive, and that he spoke to the Director of Operations at the County, but he feels the County will say the responsibility belongs to the Borough. Mayor Mola stated he feels it should be the responsibility of the County because River Drive is a County road. Mr. Murphy stated PSE&G has updated their current schedule for the Energy Strong Project and should have the current zone completed by the end of January. A new schedule for future work will be submitted to the Borough. PSE&G also promised that the roads will be fixed equal to or better than prior to the work upon the completion by all the crews. Mr. Murphy stated there have not been any issues regard the Marcal bypass. He also stated that a meeting with Boswell Engineering and the County is being scheduled to discuss Pump Station #6.
- b. **Encroachment on NJ Turnpike Right-of-Way in Vicinity of Fencsak Avenue** – Mr. Murphy discussed the NJ Turnpike Authority's desire to donate the property to the town. The Turnpike Authority will give the residents 30 day notice prior to them removing the sidewalks from River Drive premises.

Mayor Mola spoke to Jamie Fox, Commissioner of Transportation, regarding sound barriers, the proposed park – n – ride on River Drive, the Route 4 traffic light at the train station and paving under the Route 80 overpass.

- c. **2015 Road Program** – Mr. Murphy discussed the 545 Boulevard trench work which is not yet completed in addition to the sidewalk on Falmouth Avenue. The weather has made it difficult to complete the work. Mr. Murphy will follow up on the progress and report back to the Council at the next work session.

4 – **Recommendation of 2015 Police Towers** – Due to zoning restrictions imposed by the Board of Adjustments, Riverview Towing will not be approved as a tower for the Police Department. Further discussion regarding 2015 Police towers will be discussed during the executive session.

5 – **Bergen County Shared Service Agreement for Public Health Services** – Borough Clerk Keith Kazmark presented the Council with details regarding the Shared Service Agreement with the County Health Department. He stated the agreement should be approved by the Board of Health on Monday, January 12, 2015 at their regular monthly meeting.

6 – **Request from Officer Meyers regarding the hiring of an additional Crossing Guard** – A resolution will be placed on the January 15, 2015 Regular Meeting appointing additional Crossing Guards.

7 – **Release of Road Opening Performance Bond – 140 Lee Street** – A resolution will be placed on the January 15, 2015 Regular Meeting of the Mayor and Council releasing the road opening performance bond.

8 – **Letter from Fire Chief Muttel regarding the transfer of a vehicle from Fire Prevention to the Fire Department** – Mayor and Council agreed to the transfer of a vehicle from one department to the other.

9 – **Request for Proposal - Licensed Site Remediation Professional** – Borough Clerk Keith Kazmark discussed the receipt of four proposals for Licensed Site Remediation Professional. Exel Environmental will be retained by the Borough for the site remediation of the Synkote Paint building. The Borough will not incur any costs from the remediation due to grants.

10 – **Request for handicap parking space located by 73 Orchard Street** – The request for the handicap spot has been recommended for approval by the Police Department. A resolution will be placed on the January 15, 2015 Regular Meeting for said approval.

11 – **DEPARTMENTAL REPORTS:**

- a. **Library Minutes – November 17, 2014** – Approved without discussion.
- b. **Finance Report – December 2014** – Approved without discussion.
- c. **Court Report – December 2014** – Approved without discussion.
- d. **Police Report – December 2014** – Approved without discussion.



**12 – COMMITTEE REPORTS:**

Councilman Pettigano discussed the Centennial Committee and commented that the Chamber of Commerce should be involved. He further discussed a budget and the setting up of an account for the centennial events. Mr. Riggitano will set up a trust account for donations and expenses. He then discussed his desire to accept Myles Garvey's actions as a sign of resignation and to be able to recommend replacements for his position on the Board. He stated Mr. Garvey has disregarded letters and has not attended several board meetings. Additional discussion will be held over until the next work session so that Councilman Colletti will have time to reach out to Mr. Garvey. Councilman Pettigano stated the Personnel Committee needs to speak to Department of Public Works Superintendent regarding stipends that are owed.

Councilman Vuoncino stated the Police Chief will be attending the January 22, 2015 Work Session to discuss staffing and the table of organization. He also stated he is impressed with the job that Chief Foligno is doing.

Councilman Dombrowski reported progress.

Councilman Caramagna discussed solar panels on the schools and the possibility of solar panels on municipal buildings.

Councilman Martino reported progress.

Councilman Colletti discussed the upcoming Fireman's Beefsteak which is scheduled for January 31, 2015 with the location to be determined. He further discussed the "tank" in which Borough Clerk Keith Kazmark and Superintendent Scott Karcz are seeking proposals for the refurbishment. Valtec seems to be the most suitable contractor for the job. Further discussion will be taken up at the next work session.

Mayor Mola reported progress.

**13 – EXECUTIVE SESSION:**

- a. **Attorney Client Privilege – PVSC – Confidential Memorandum**
- b. **Personnel – Office of Emergency Management**
- c. **Potential Litigation – Fire Department**
- d. **Litigation – Buonanno v. Elmwood Park**

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:

**Attorney Client Privilege – PVSC – Confidential Memorandum**  
**Personnel – Office of Emergency Management**  
**Potential Litigation – Fire Department**  
**Litigation – Buonanno v. Elmwood Park**

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 Vuoncino to enter into Executive Session. Motion carried unanimously.

**Attorney Client Privilege – PVSC – Confidential Memorandum**  
**Personnel – Office of Emergency Management**  
**Potential Litigation – Fire Department**  
**Litigation – Buonanno v. Elmwood Park**

A motion was made by Councilman Martino and seconded by Councilman Pettigano to return to the public portion. Motion carried unanimously.

A motion was made by Councilman Martino and seconded by Councilman Pettigano to adjourn. Motion carried unanimously.

Respectfully submitted,



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Keith Kazmark, RMC/CMC/MMC  
Borough Clerk

*Minutes approved at the August 20, 2015 Regular Meeting of the Mayor and Council*