

**REGULAR MEETING  
OF THE  
ELMWOOD PARK MAYOR AND COUNCIL  
FEBRUARY 21, 2019  
8:00P.M.**

**1. CALL TO ORDER:**

The Regular Meeting of the Mayor and Council of the Borough of Elmwood Park was called to order on Thursday, March 21<sup>st</sup>, 2019 at 7:59P.M. in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

**2. PRAYER AND 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 a special meeting notice in The Record and Herald News 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 7, 2019.

**4. ROLL CALL:**

On Roll Call Councilmembers: Balistrieri, Dombrowski, Ingui, Pellegrine, Wechtler, and Council President Golabek were present. Also present were Mayor Caramagna, Borough Administrator Michael Foligno, Acting Borough Clerk Erin Delaney, and Borough Attorney Salvatore Ingrassia.

**5. PRESENTATION TO ELMWOOD PARK CREW SC U10 – MORRIS COUNTY YOUTH SOCCER ASSOCIATION DIVISION CHAMPIONS**

The Mayor and Council, along with the team coaches, presented certificates to the members of the Elmwood Park Crew SC U10 team as they were the Division Champions of the Morris County Youth Soccer Association. The Mayor and Council made special comments in reference to the team and their successful season.

**6. VETERANS ACCOMODATION**

The Elmwood Park Honor Guard escorted Mr. Brunda and his family into the Council Chambers for his Veterans Commendation. The Mayor and Council, in addition to Luis DePaz from the County Executive's Office, made special remarks regarding Mr. Brunda and his accolades.

**7. ORDINANCES:**

**FIRST READING**

R-78-19

Re-Introduce Ordinance #19-02

**AN ORDINANCE TO AMEND CHAPTER III OF THE  
CODE OF THE BOROUGH OF ELMWOOD PARK TITLED  
“DEPARTMENT OF LOCAL GOVERNMENT.” MORE  
SPECIFICALLY SECTION 2-27 ENTITLED “POLICE  
DEPARTMENT.”**

R-79-19

Re-Introduce Ordinance #19-04

**AN ORDINANCE TO AMEND CHAPTER II OF THE CODE  
OF THE BOROUGH OF ELMWOOD PARK TITLED**

**“ADMINISTRATION” MORE SPECIFICALLY ARTICLE II “OFFICES CREATED” SECTION 2-7 TITLED “MUNICIPAL CLERK” AND SECTION 2-7.5 TITLED “ADMINISTRATIVE DUTIES OF THE MUNICIPAL CLERK.”**

**SECOND READING**

R-80-19 Introduce Ordinance #19-01

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.**

R-81-19 Introduce Ord. #19-03

**AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “SOLID WASTE MANGEMENT.”**

R-82-19 Introduce Ord. #19-05

**AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE THREE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”**

R-83-19 Introduce Ord. #19-06

**AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “FIRE PREVENTION.”**

**8. CONSENT AGENDA:**

R-84-19 Approval of Payroll

R-85-19 Approval of Bills List

R-86-19 Authorize Current Estimate #1 and Change Order #1 Mola Boulevard - Zuccaro Inc.

R-87-19 Authorize Vacation Buyback – Carrie Parette

R-88-19 Authorize Vacation Buyback – Scott Karcz

R-89-19 Authorize Vacation Buyback – John T. Stankiewicz

R-90-19 Authorize Sick Time Buyback – Frank Thorpe

R-91-19 Authorize Sick Time Buyback – Michael Foligno

R-92-19 Authorize Dog License Refund

R-93-19 Redeem Third Party Tax Title Lien

R-94-19 Appointing the Borough’s Fund Commissioner and Alternate Fund Commissioner to the South Bergen Municipal Joint Insurance Fund

R-95-19 Appointment of Junior Firefighter – Matthew Ruglio – Company

#2

- R-96-19 Expulsion of Firefighter – Robert Daubenberger – Company #2
- R-97-19 Obtaining Services of EP&G Company
- R-98-19 Approve Proposal for Design Services for Memorial High School Tennis Court Improvements – Alaimo Group
- R-99-19 Appoint ASP Counselor – Maribel Valle – Recreation Department
- R-100-19 Certification of Compliance Regarding “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”
- R-101-19 Authorize Execution of Service Agreement – Salvatore A. Ingraffia
- R-102-19 Appoint Special Counsel Representation for Property Tax Appeals
- R-103-19 Authorize Current Estimate #1 and Change Order #1 Orchard, Franklin and Lee Street Improvements – American Asphalt & Milling Services
- R-104-19 Authorizing the Emergency Purchase of a Snap-Tite HFX Hose Due to the January 30, 2019 Marcal Fire
- R-105-19 Authorizing the Emergency Purchase of a Waterous CPK-4 Four Stage Pump Due to the January 30, 2019 Marcal Fire
- R-106-19 Appointment of Information Technology Professional – Intrep Solutions LLC.
- R-107-19 Appointment – Building Department – Keyboarding I
- R-108-19 Appointment – Mayor’s Office – Keyboarding I
- R-109-19 Approving Consent Agenda

**9. COUNCIL REPORTS:**

**10. MAYOR’S REPORT:**

**11. PUBLIC HEARING:**

**12. ADJOURNMENT:**

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-78-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER WECHTLER  
SECONDED BY: COUNCILMEMBER PELLEGRINE**

**RE-INTRODUCE ORDINANCE #19-02  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “DEPARTMENT OF LOCAL GOVERNMENT.” MORE SPECIFICALLY SECTION 2-27 ENTITLED “POLICE DEPARTMENT.”**

be passed and adopted on first reading; and

**BE IT RESOLVED**, that a final hearing on said ordinance will be heard in the Municipal Building on Thursday, March 21, 2019 at 8:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

**BE IT RESOLVED**, that the Acting Borough Clerk be, and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law;

**BE IT FURTHER RESOLVED**, that Resolution R-51-19 is hereby rescinded.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 19-02**

**AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “DEPARTMENT OF LOCAL GOVERNMENT.” MORE SPECIFICALLY SECTION 2-27 ENTITLED “POLICE DEPARTMENT.”**

**WHEREAS**, the Mayor and Council have become aware of need to streamline the police department in order to make same more efficient in its operation and in order to protect the health and safety of the residents of the Borough of Elmwood Park.

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey as follows:

**SECTION 1:** Chapter III of the Code of the Borough of Elmwood Park titled "Department of Local Government" more specifically section 2-27.1 Creation of the Department; Members.

Section a. 2. Shall be amended to read Three (3) Captains. All of the remaining portions of said section shall remain in full force and effect.

Section c. of 2-27.1 shall be totally deleted from said ordinance.

All of the remaining part of the Ordinance relating to Article III known as Department of the Local Government of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 3: Invalid Provisions**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4: Effective Date.**

This Ordinance shall take effect immediately upon final passage and publication thereof as provided by law.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Introduced: February 21, 2019

Adopted:

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-79-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER WECHTLER  
SECONDED BY: COUNCILMEMBER DOMBROWSKI**

**RE-INTRODUCE ORDINANCE #19-04  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “ADMINISTRATION” MORE SPECIFICALLY ARTICLE II “OFFICES CREATED” SECTION 2-7 TITLED “MUNICIPAL CLERK” AND SECTION 2-7.5 TITLED “ADMINISTRATIVE DUTIES OF THE MUNICIPAL CLERK.”**

be passed and adopted on first reading; and

**BE IT RESOLVED**, that a final hearing on said ordinance will be heard in the Municipal Building on Thursday, March 21, 2019 at 8:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

**BE IT RESOLVED**, that the Acting Borough Clerk be, and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law;

**BE IT FURTHER RESOLVED**, that Resolution R-53-19 is hereby rescinded.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 19-04**

**AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “ADMINISTRATION” MORE SPECIFICALLY ARTICLE II “OFFICES CREATED” SECTION 2-7 TITLED “MUNICIPAL CLERK” AND SECTION 2-7.5 TITLED “ADMINISTRATIVE DUTIES OF THE MUNICIPAL CLERK.”**

**WHEREAS**, the Mayor and Council have determined that the citizens and residents of the Borough of Elmwood Park would benefit both in cost savings and maximizing the service rendered and to be more efficient in its operation and to protect the health, safety and welfare of the residents of the Borough of Elmwood Park. **And**

**WHEREAS**, this Chapter was previously amended and repealed by Ordinance No. 10-09 whereby the Section was entitled Borough Administrator. Wherein, the duties were set forth therein. **And**

**WHEREAS**, the Mayor and council wish to re-establish the position of **Borough Administrator** and separate the position from the **Municipal Clerk** so as to re-create two separate and distinct position.

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey as follows:

**SECTION 1:** Chapter II of the code of the borough of Elmwood Park titled "administration" more specifically article ii “offices created” section 2-7 titled “municipal clerk” and section 2-7.5 titled “administrative duties of the municipal clerk.”

**Chapter II** of the Code of the Borough of Elmwood Park titled "**Administration**" more specifically **Article II “Offices Created” Section 2-7** shall be and is hereby amended to be referred to and read as “**Municipal Clerk and Borough Administrator**”.

**Section 2-7.1** shall be amended to be referred to and be read as **Municipal Clerk Appointment; Term**. All other parts thereto shall remain in full force and effect.

**Section 2-7.2** shall be amended to be referred to and be read as **Municipal Clerk Qualifications**. All other parts thereto shall remain in full force and effect.

**Section 2-7.3** shall be amended to be referred to and be read as **Municipal Clerk Compensation, Additional**. All other parts thereto shall remain in full force and effect.

**Section 2-7.4** shall be amended to be referred to and be read as **Municipal Clerk Powers and Duties**. All other parts thereto shall remain in full force and effect.

**Section 2-7.5** shall be amended to be referred to and be read as follows:

**Section 2-7.5** shall be amended to read **Administrative Duties of the Borough Administrator**.

**Section 2-7.5 (a)** Shall be amended and referred to as **Appointment; Term; Removal**. The mayor shall nominate and appoint with the advice and consent of the Borough council the Borough Administrator. This appointment shall remain in effect at the pleasure of the Governing Body.

**Section 2-7.5 (b)** shall be amended as follows: **Compensation**. The Borough Administrator shall receive compensation as shall be fixed, from time to time, by general salary ordinance. However, said compensation shall not be reduced during the term of office, except by a two-thirds (2/3) majority vote of the Borough Council.

**Section 2-7.5 (c)** shall be amended as follows:

**Powers and Duties.** For the purpose of carrying out the duties and responsibilities limitations permitted by authorized staff and appropriations, the Borough Administrator shall:

1. Serve as Administrative Officer representing the Mayor and Council;
2. Make recommendations to the Mayor and Council as to administrative operations of the Borough;
3. Supervise, schedule and coordinate the administrative staff at Borough Hall and serve as the Personnel Officer/Appointing Authority on behalf of the Mayor and Council with relation to the Civil Service Commission and the general day-to-day operation of Borough employees;
4. Oversee personnel and provide minor discipline as necessary, not to exceed five (5) days suspension of any Borough employee, excluding the Police Department;
5. Investigate at any time the affairs of any Department of the Borough, other than the Police Department;
6. Work with the Chief Financial Officer and Municipal Auditor in the preparation, review and presentation of the annual budget document;
7. Report to Mayor and Council as necessary;
8. Operate as the administrative coordinating point for all Departments with the exception of Police Department;
9. Enforce Borough policies.

**SECTION 2: Repealer.**

All of the remaining part of the Ordinance relating to Article II known as Offices Created of the Local Government of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 3: Invalid Provisions**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4: Effective Date.**

This Ordinance shall take effect immediately upon final passage and publication thereof as provide by law.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Introduced: February 21, 2019

Adopted:

A motion was made by Councilwoman Wechtler and seconded by Councilwoman Ingui to open the floor for public comment. Motion carried unanimously. No one from the public wished to be heard. Mayor Caramagna closed the public portion.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-80-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCILMEMBER WECHTLER**

**INTRODUCE ORDINANCE #19-01  
SECOND READING**

**WHEREAS**, a public notice has been given by the Borough Clerk that an ordinance entitled:

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.**

and;

**WHEREAS**, said ordinance was introduced and passed at a meeting held on Thursday, January 17<sup>th</sup>, 2019 and that further consideration of this ordinance would be taken up at this meeting; and

**WHEREAS**, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, that an ordinance entitled:

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.**

pass on final reading.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 19-01**

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.**

WHEREAS, due to an aggregate 3% increase in water consumption from bulk water supplier, Passaic Valley Water Commission, the following is necessary;

BE IT ORDAINED, by the Mayor and Council, of the Borough of Elmwood Park as follows:

Section 1: A fixed charge known as “the service charge,” will be made to each Consumer for each meter based on the size of the meter or connection regardless of the amount of water consumed as follows:

5/8 in. Meter (average 1 and 2 family homes)	\$49.10
¾ in. Meter	\$55.23
1 in. Meter	\$58.91
1 ½ in. Meter	\$63.80
2 in. Meter	\$65.03
3 in. Meter	\$93.18
4 in. Meter	\$110.35
6 in. Meter	\$142.17
Flush tank connection	\$45.39

Section 2: The following water rates and changes are hereby established for water supplied by the Department.

The minimum quarterly bill for metered service shall be “the service charge” entitling the consumer to 5,000 gallons of water per quarter. All water supplied through meters in excess of the minimum quarterly bill, shall be charged to each consumer at the rate of:

- \$5.42 per 1,000 gallons over 5,000 gallons
- \$5.88 per 1,000 gallons over 70,000 gallons
- \$6.66 per 1,000 gallons over 150,000 gallons
- \$7.15 per 1,000 gallons over 300,000 gallons

3 in. Service	\$196.33
4 in. Service	\$306.30
6 in. Service	\$561.55
8 in. Service	\$881.92
10 in. Service	\$1,099.51
12 in. Service	\$1,472.57

The above schedule for stand by fire line and/or sprinkler connections shall be quarterly charges upon presentation of proper bills from the Water Department of the Borough of Elmwood Park.

Section 3:

The following are hereby established as charges for the installation, repair, replacement and other charges in connection with the operation of the Water Department of the Borough of Elmwood Park:

Turn on charge for non-payment of Water Bill	\$144.07
Water Meter Test (if meter found defective, waive fee) Depends on meter size	\$170.98-\$303.36

A. Construction Water:

One family dwelling per day.....	\$54.03
Two family dwelling per day.....	\$63.04

B. Water Connection.....\$288.67

C. Hydrant Water:

Flat rate per day.....	\$54.03
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D. Certified mailing, each occurrence.....\$25.00

E. Residential Meters: (5/8 in. – 1 in.)

- Re-install meter
- Register face
- New dial
- Broken glass
- New bottom
- New disc
- New register

Installation, replacement, and repair of existing meters shall be charged at actual current cost for labor and material incurred by the Water Department of the Borough of Elmwood Park and/or Passaic Valley Water Commission.

F. All commercial users having meters in excess of 3/4” must have them in working order at all times. In the event said meter is inoperative, and no attempt is made for repair/replacement of same, the existing estimated bill shall be tripled the existing estimated rate, upon the effective date of this ordinance. In the event no meter in excess of 3/4” exist, in addition to the tripled estimated bill, the landlord shall be required to purchase and install same upon written order of the Superintendent of Public Works.

Section 4: In the event that payment for water charges is in arrears for 30 days from date of billing, the Borough shall send a delinquent notice regular mail, to the owner, occupier, user or responsible party being billed. After 60 days, a door tag shall be hand delivered to terminate water service. On the 67<sup>th</sup> day of non-payment from date of billing, water service will be terminated and not reinstated until all fees, penalties, are paid in full in cash.

\$144.07 turn on fee is made to the Borough of Elmwood Park.

Section 4b: In the event that water charges are in the arrears, after 60 days, a door tag will be hand delivered to terminate water service and a fee of \$40.00 will be assessed on to the delinquent water bill.

Section 5: All unpaid water charges as of 12/31 of the present year shall become a Tax Lien on said premises

Section 6: All ordinance or parts of ordinances inconsistent with or in conflict herewith are hereby repealed to the extent of such conflict or inconsistency. This shall take effect after final passage and publication as required by law.

Section 7: All billings as of January 1, 2019 and thereafter will be subject to said rate.

APPROVED:

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Introduced: January 17, 2019

Adopted: February 21, 2019

A motion was made by Councilwoman Ingui and seconded by Councilwoman Wechtler to open the floor for public comment. Motion carried unanimously. No one from the public wished to be heard. Mayor Caramagna closed the public portion.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-81-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER WECHTLER  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**INTRODUCE ORDINANCE #19-03  
SECOND READING**

**WHEREAS**, a public notice has been given by the Borough Clerk that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “SOLID WASTE MANGEMENT.”**

and;

**WHEREAS**, said ordinance was introduced and passed at a meeting held on Thursday, January 17<sup>th</sup>, 2019 and that further consideration of this ordinance would be taken up at this meeting; and

**WHEREAS**, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “SOLID WASTE MANGEMENT.”**

pass on final reading.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 19-03**

**AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH  
OF ELMWOOD PARK TITLED "SOLID WASTE MANGEMENT."**

**WHEREAS**, the Mayor and Council have become aware of health concern issues that exist with the disposal of certain household furnishings and related items, in order to protect the health and safety of the residents of the Borough of Elmwood Park.

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey as follows:

**SECTION 1:** Chapter XXVII of the Code of the Borough of Elmwood Park titled "Solid Waste Management" is hereby amended by adding the following:

**27-6.1 Upholstered furniture.**

No person shall in the Borough of Elmwood Park discard any upholstered furniture, cushions, carpet, mattresses and the like, without first securely wrapping the aforementioned in plastic before setting out for trash collection.

**27-6.2. Penalty.**

The penalty for a violation of **27-6.1** shall be a fine not to exceed the sum of **\$100.00 (One Hundred Dollars)** per occurrence.

**SECTION 2: Repealer.**

All Ordinances of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 3: Invalid Provisions**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4: Effective Date.**

This Ordinance shall take effect immediately upon final passage and publication thereof as provide by law.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Introduced: January 17, 2019  
Adopted: February 21, 2019

A motion was made by Councilwoman Wechtler and seconded by Council President Golabek to open the floor for public comment. Motion carried unanimously. No one from the public wished to be heard. Mayor Caramagna closed the public portion.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-82-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER PELLEGRINE**

**SECONDED BY: COUNCILMEMBER WECHTLER**

**INTRODUCE ORDINANCE #19-05  
SECOND READING**

**WHEREAS**, a public notice has been given by the Borough Clerk that an ordinance entitled:

**AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”**  
and;

**WHEREAS**, said ordinance was introduced and passed at a meeting held on Thursday, January 17<sup>th</sup>, 2019 and that further consideration of this ordinance would be taken up at this meeting; and

**WHEREAS**, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, that an ordinance entitled:

**AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”**

pass on final reading.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 19-05**

**AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE THREE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”**

**WHEREAS**, the Mayor and Council have become aware of the necessity to regulate the particular three-way intersection of Cadmus Avenue and Fournier Crescent for safety concerns of traffic and pedestrian crossing, in order to protect the health, safety and welfare of the residents of the Borough of Elmwood Park.

**BE IT ORDAINED** by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey and pursuant to N.J.S.A. 39:4-140 of the laws of the state of New Jersey the Mayor and Council ordains as follows:

**SECTION 1:** That by way of this Ordinance the Mayor and Council of the Borough of Elmwood Park do hereby designate and establish a “3-Way Stop” at the three intersections Cadmus Avenue and Fournier Crest in the Borough of Elmwood Park.

**SECTION 2:** The designated “3-Way Stop” is in the interest of the public and its health, safety and welfare and the inhabitants in and near said intersection.

**SECTION 3:** The responsible department of the Borough of Elmwood Park shall be responsible and directed through the Borough Administrator to install the necessary “3-Way Stop” signs at the above-mentioned intersection.

**SECTION 4:** Be it further Ordained by the Mayor and Council that Chapter VII of the Code of the Borough of Elmwood Park titled "Traffic" more specifically section 7-21 titled “Multi-Way Stop Intersections is hereby amended so as to include thereto the “3-Way Stop” intersection of Cadmus Avenue and Fournier Crest as follows:

**7-21 Multi-way stop intersections.**

Is hereby amended to include the “3-Way Stop” intersection of Cadmus Avenue and Fournier Crest. That traffic will stop in all direction.

**SECTION 5: Penalties for violation.** Any person who violates the provision of this Ordinance shall, upon conviction thereof, be fined in accordance to the respective and appropriate fine sections of the Borough of Elmwood Park and or as set forth in the Laws of the State of New Jersey.

**SECTION 6:** The Police Chief and the Police Department of the Borough of Elmwood Park, shall assist and enforce the provisions of this Ordinance.

**SECTION 7: Repealer.** All Ordinances of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 3: Invalid Provisions.:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4: Effective Date.:** This Ordinance shall take effect immediately upon final passage and publication thereof as provide by law.

APPROVED: February 21, 2019

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Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Introduced: January 17, 2019  
Adopted: February 21, 2019

A motion was made by Councilwoman Wechtler and seconded by Councilwoman Ingui to open the floor for public comment. Motion carried unanimously. No one from the public wished to be heard. Mayor Caramagna closed the public portion.

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-83-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**INTRODUCE ORDINANCE #19-06  
SECOND READING**

**WHEREAS**, a public notice has been given by the Borough Clerk that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “FIRE PREVENTION.”**

and;

**WHEREAS**, said ordinance was introduced and passed at a meeting held on Thursday, January 17<sup>th</sup>, 2019 and that further consideration of this ordinance would be taken up at this meeting; and

**WHEREAS**, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “FIRE PREVENTION.”**

pass on final reading.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 19-06**

**AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH  
OF ELMWOOD PARK TITLED “FIRE PREVENTION.”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey as follows:

**CHAPTER XIV FIRE PREVENTION**

**14-1 UNIFORM FIRE SAFETY ACT ENFORCING AGENCY.**

**14-1.1 Statutory Authority.**

The Uniform Fire Safety Act (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey. The New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made a part of the Uniform Fire Code (N.J.A.C. 5:70-1 et seq.). The Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose. It is in the best interest of the Borough of Elmwood Park to have the Uniform Fire Code enforced locally. The local fire service has agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code. (Ord. No. 94-6 Preamble; Ord. No. 04-27 § I; Ord. No. 2015-21)

**14-1.2 Local Enforcement.**

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c.383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Borough of Elmwood Park. (Ord. No. 94-6 § 1; Ord. No. 04-27 § I; Ord. No. 2015-21)

**14-1.3 Agency Designation.**

- a. The local enforcing agency, under the direction and control of the Fire Official, shall enforce the Uniform Fire Code in all buildings, structures and premises within the established boundaries of the Borough of Elmwood Park, other than one- (1) or two (2)-owner occupied buildings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by the Federal Government, Interstate Agencies, the State of New Jersey or the Borough of Elmwood Park.
- b. The local enforcing agency, under the control and direction of the Fire Official, shall faithfully comply with all of the terms and conditions of the Uniform Fire Safety Act and the Uniform Fire Code.
- c. The local enforcing agency shall be the Bureau of Fire Prevention of the Borough of Elmwood Park which shall be a separate agency from the Fire Department, under the direct supervision and control of the Fire Official.
- d. The Fire Official of the Borough of Elmwood Park shall be the authorized person to be in charge of the Fire Prevention Bureau of the Borough of Elmwood Park.

(Ord. No. 94-6 § 2; Ord. No. 04-27 § II; Ord. No. 2015-21)

**14-1.4 Duties of the Fire Official.**

- a. The Fire Official shall enforce the Uniform Fire Code in all buildings, structures and premises within the established boundaries of the Borough of Elmwood Park other than one (1) and two (2) unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by the Federal Government, Interstate Agencies or the State.

b. The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

c. The Fire Official must maintain a separate, running total for Uniform Fire Code Revenues.

d. The Fire Official shall comply with all duties and responsibilities as listed in N.J.A.C. 5:71-3.3(a) and (b)

(Ord. No. 94-6 § 3; Ord. No. 2015-21)

#### **14-1.4A Duties of the Fire Inspector.**

a. The Fire Inspector shall work under the Fire Official and shall carry out any additional duties and tasks asked of him or her by the Fire Official.

b. The Fire Inspector shall comply with all duties and responsibilities as listed in N.J.A.C. 5:71-3.3(c).

#### **14-1.5 Organization.**

a. The Bureau of Fire Prevention, as the local enforcing agency, established by subsection 14-1.3 shall be a separate agency from the Fire Department, under the direct supervision and control of the Fire Official, who shall report to the Mayor and Borough Council.

b. The Mayor and Borough Council shall set the hours of operation of the Bureau of Fire Prevention with recommendations from the Fire Official.

c. The Bureau of Fire Prevention shall have at least one (1) paid inspector.

d. The local enforcing agency shall be operated by the Fire Official, subject to paragraphs a. and b. above.

(Ord. No. 94-6 § 4; Ord. No. 2015-21)

#### **14-1.6 Appointments, Qualifications, Term of Office, Removal.**

a. *Appointment and Qualifications of Fire Official.* The Fire Official shall be certified by the State and appointed by the Governing Body as required by the New Jersey Civil Service Commission.

b. *Appointment and Qualifications of Inspectors and Other Employees.* Inspectors and other employees of the enforcing agency shall be appointed by the Governing Body upon the recommendation of the Fire Official. All life hazard use inspectors shall be certified by the State.

c. *Term of Office.* The Fire Official shall serve pursuant to the rules established by the New Jersey Civil Service Commission.

d. *Removal from Office.* The Fire Official, inspectors and other employees of the agency shall be subject to removal by the Governing Body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the Governing Body or a hearing officer designated by the same and as required by the New Jersey Civil Service Commission.

(Ord. No. 94-6 § 5; Ord. No. 2015-21)

#### **14-1.7 Life Hazard Uses.**

The Bureau of Fire Prevention established by subsection 14-1.3 shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs. (Ord. No. 94-6 § 6)

#### **14-1.8 Non-Life Hazard Uses.**

a. In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below:

Use	Description	Fee
A-1	Assembly Occupancy with occupancy load between 1 and 49	\$75
B-1	All buildings and/or occupancies of business use which do not exceed 2,500 square feet	\$60
B-2	All buildings and/or occupancies of business use which are 2,501 square feet but 4,000 square feet or less	\$120
B-3	All buildings and/or occupancies of a business use which are 4,001 square feet but 8,000 square feet or less	\$180
B-4	All buildings and/or occupancies of a business use which are 8,001 square feet but 12,000 square feet or less	\$280
B-5	All buildings and/or occupancies of a business use which are greater than 12,001 square feet	\$350
M-1	All buildings and/or occupancies of mercantile use which do not exceed 2,500 square feet	\$75
M-2	All buildings and/or occupancies of mercantile use which are 2,501 square feet but 4,000 square feet or less	\$150
M-3	All buildings and/or occupancies of mercantile use which are 4,001 square feet but 8,000 square feet or less	\$225
M-4	All buildings and/or occupancies of mercantile use which are 8,001 square feet but 12,000 square feet or less	\$300
M-5	All buildings and/or occupancies of mercantile use which are greater than 12,001 square feet	\$375
S-1	All buildings and/or occupancies of storage use which do not exceed 5,000 square feet	\$200
S-2	All buildings and/or occupancies of storage use which are 5,001 square feet but less than 10,000 square feet	\$400
S-3	All buildings and/or occupancies of storage use which are 10,001 square feet or greater	\$600
R-1	Residential 1 & 2 family non-owner occupied dwellings	\$75
R-2	Residential 3 to 10 units per building	\$175
R-3	Residential 11 to 20 units per building	\$300
R-4	Residential 21 to 30 units per building	\$500
R-5	Residential 31 to 40 units per building	\$550
R-6	Residential 41 to 50 units per building	\$600
R-7	Residential 50 units and up, per building (\$325 + \$15 per every dwelling unit above 50 units)	\$600+\$15per

b. One and two family owner occupied shall be inspected and charged a fee only upon sale or change of tenant.

c. Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.

- d. Uses required to register with the State as life hazard uses shall not be required to register under this section.
- e. In the discretion of the Fire Official, vacant buildings will be charged and inspected according to the previous use of the building.
- f. All residential uses shall be inspected to comply with the Uniform Fire Code.

(Ord. No. 94-6 § 7; Ord. No. 2017-12)

**14-1.9 Permits and Certificate of Fire Code Status.**

- a. The application fees for the permits listed in N.J.A.C. 5:70 et seq. shall be as follows:

Type 1	\$ 54.00
Type 2	\$214.00
Type 3	\$427.00
Type 4	\$641.00
Type 5	Reserved

- b. The cost for the issuance of a Certificate of Fire Code Status shall be \$25.00.

(Ord. No. 94-6 § 8; Ord. No. 04-27 § I)

**14-1.10 Technical Amendments.**

- a. Smoke Detector and Carbon Monoxide Detector and Portable Fire Extinguisher.

- 1. Residential Smoke Detectors Required.

- (a) Smoke detectors are required upon the sale, rental, transfer or lease of a one (1) or two (2) family dwelling unit. Smoke detectors shall be installed in each dwelling unit, as defined in N.J.A.C. 5:70-4.19 and maintained in accordance with NFPA 72, upon the sale, rental, transfer or lease of any dwelling unit in the Borough of Elmwood Park. As of January 1, 2019 ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/UL 217, incorporated herein by reference. However, A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms.

- (b) The installation of an A.C. powered smoke detector system shall be processed as required for new work under the Elmwood Park Building Code.

- (c) Each dwelling unit sold, rented, leased or transferred shall have a minimum of one (1) smoke detector on each level. A floor area separated by three (3) or more risers from another floor area shall be considered a separate level. Where a basement exists, a smoke detector shall be installed on the basement ceiling. Smoke detectors may not be required in an unoccupied attic.

- (d) In order to achieve compliance with this act, smoke detectors are required to be approved by the Underwriter’s Laboratories, Factory Mutual Research Corp., or other approving agency.

- (e) Alarm signals from the smoke detectors shall be clearly audible in all the rooms on the level on which the smoke detector is installed when all intervening doors are closed.

- (f) Smoke detectors may be powered by either ten-year sealed battery or A.C. electricity. The installation of the smoke detectors shall be governed by the applicable sections of the National Fire Protection Association (NFPA) Standards No. 72E or 74.

- (g) Carbon monoxide alarms shall be installed in all dwelling units except for units in buildings that do not contain a fuel-burning device or have an attached garage, as follows:

- 1. Single station carbon monoxide alarms shall be installed and maintained in the immediate vicinity of any sleeping area(s).

2. Carbon monoxide alarms may be battery-operated, hard-wired or of the plug-in type and shall be listed and labeled in accordance with UL-2034 and shall be installed in accordance with the requirements of this section and NFPA-720.

(h) Portable Fire Extinguishers shall be installed and maintained in accordance with N.J.A.C. 5:70.

## 2. Maintenance Responsibility.

(a) Sellers, transferors or lessors of any and all dwelling units subject to this chapter shall be responsible for the correct installation and maintenance of smoke detectors and carbon monoxide detectors and portable fire extinguishers.

(b) The owner of a rental unit shall, at the time of installation of the smoke detector, carbon monoxide detector and portable fire extinguisher, and thereafter at the commencement of each new tenancy, provide to the tenant at least one (1) copy of written instruction on the operation, maintenance, and testing of the smoke detector(s) and carbon monoxide detector(s), including the replacement of batteries in the battery operated unit.

(c) The owner of each rental unit shall be responsible for the proper maintenance of the smoke detectors carbon monoxide detectors, including the replacement of batteries, repair or replacement of the unit in accord with the standards hereinabove set forth.

## 3. Inspections & Records.

Upon the sale of a one- or two-family residence or the rental, lease or transfer of any dwelling unit, the seller, landlord or transferor is required to obtain from the Elmwood Park Fire Prevention Bureau, a smoke detector and carbon monoxide detector and portable fire extinguisher Certificate of Inspection, certifying that the smoke detectors and carbon monoxide detectors and fire extinguishers are in compliance with the provisions of the New Jersey Uniform Fire Code.

## 4. Fees.

(a) Applications for the smoke detector and carbon monoxide detector and portable fire extinguisher certificate of inspection shall be made to the Elmwood Park Fire Prevention Bureau, 182 Market Street, Elmwood Park, New Jersey 07407, with the application fee prepaid after the receipt of said application, the Fire Official shall have the premises inspected to determine whether the same complies with the terms of the New Jersey Uniform Fire Code. If it complies, a certificate will be issued.

(b) Rental unit inspection fee \$100.00 per unit

(c) Single family residential sale inspection fee \$100.00

(d) Two family residential sale inspection fee \$125.00

(e) Three family residential sale inspection fee \$150.00

(f) Four family residential sale inspection fee \$175.00

(g) Five family residential sale inspection fee \$200.00

(h) Should the inspection reveal a failure five days shall be given to correct the violations and a reinsertion fee of \$25.00 may be imposed and the fee shall be paid before the reinsertion.

(i) Should the re-inspection reveal a second failure three days shall be given to correct the violations and a re-inspection fee of 60.00 shall be imposed and paid before the reinsertion.

(j) Should no one be at the residence to allow the inspector in for inspection a no show fee of \$25.00 shall be imposed and paid before a new inspection date is given.

5. Tampering with System. It is illegal for any person to disable or vandalize any fire detection device or system (N.J.S.A. 5:70 et seq.), and that person shall be subject to a penalty of up to one thousand (\$1,000.00) dollars per occurrence.

6. A penalty may be imposed under N.J.S.A. 52:26D-198.3 Fines for Noncompliance.

Up to \$500.00 (five hundred) for Smoke and or CO noncompliance.

Up to \$100.00 (one hundred) for fire extinguisher noncompliance.

b. Posting of Truss Buildings (P.L. 1991, CH 188).

1. Truss Structures. When the Fire Prevention Bureau shall identify a structure as being of truss-type construction, they shall notify the owner of the building, in writing, of the requirements of this article and in accordance with the New Jersey Uniform Fire Code, 5:70 et seq.

2. Truss Emblem. Upon receipt of such notification, the owner shall be required to permanently affix to said building a truss emblem. The emblem shall be of a bright and reflective color, or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be twelve (12) inches horizontally by six (6) inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem: "F" to signify a floor with truss construction: "R" to signify a roof with truss construction: or "F/R" to signify both a floor and roof with truss construction. Along the bottom edge of the sign, it shall be imprinted in 1" green letters "Sprinklered" if the building is sprinklered and "Unsprinklered" if the building is unsprinklered.

3. Truss Emblems on residential structures shall be obtained from the fire prevention bureau and affixed on or near the electrical meter pan.

c. Opening Burning.

The following provisions are general provisions for precautions against fire to be applied to the use of all properties. Any permitted burning must comply with "Control and Prohibition of Open Burning" by the New Jersey Department of Environmental Protection New Jersey Air Pollution-Control Code, effective October 11, 1971, and all subsequent revisions thereof. Proper permits shall be obtained from the Fire Official.

d. Exterior Exits.

1. Obstructions. No person shall at any time place an encumbrance of any kind upon any fire escape, balcony or ladder intended as a means of escape from fire, nor shall any person place or maintain any obstruction or leave standing or park any automobile or other vehicle in any driveway or alleyways which is liable to interfere with the operation of any Fire Department equipment or egress of occupants in case of fire. Any vehicle parked or left standing in violation hereof shall be deemed a nuisance and a menace to safety, and any Fire Inspector or Police Officer of the Borough of Elmwood Park may remove and store or cause said vehicle to be removed and stored and the owner thereof shall pay the reasonable costs for the removal and storage which may result from such removal before regaining possession of the vehicle. In addition to the foregoing, the person who parked or left such vehicle standing in violation hereof shall upon complaint being made and upon conviction, be subject to the penalties provided in N.J.A.C. 5:70-1 et seq.

2. Maintenance. All exterior stairways and fire escapes shall be kept free of snow and ice. They shall be properly painted and maintained in a safe condition at all times. The owners or lessees of any property upon which there is a driveway or alleyway that is or may be used for parking of vehicles which is liable to interfere with the operation of the Fire Department or egress of occupants in case of fire shall, within ten days after notice is given to them therefor by the Fire Official, procure and install appropriate signs approved by the Fire Official giving notice of the prohibition of parking of vehicles or placing or maintaining any obstruction in any such driveway or alleyway. In addition to any signs installed in accordance herewith, the owners and lessees of said property, when further

required by the chief inspector, shall also cause word markings, colored yellow, to be placed on the pavement within said driveway or alley containing the following message, "Fire Zone No Parking".

e. Automatic Alarm Systems. To control false alarms and insure proper maintenance of automatic fire reporting systems.

1. Emergency Contacts. Any person or organization using an automatic detection or fire alarm system to report a fire in the Borough of Elmwood Park shall provide the Fire Department and Fire Prevention Bureau with a list of three emergency contact names and telephone numbers of people who can be reached twenty-four (24) hours a day, seven (7) days a week, in case the alarm is activated, within three (3) months following final passage of this chapter. In the absence of this list, or not being able to contact the person on the list, the Fire Department and the Police Department will be empowered to use forcible entry equipment to enter the building to investigate the cause of alarm.

2. Building Complex Indicator. Any location having more than one (1) building in a complex, but reporting the fire location as the main building location, shall have an indicating panel showing the location of the building or area where the fire alarm was activated. This indicating panel shall be visible from the outside of the building.

3. Fire Bell Marking. Any fire detector system with an outside bell or other audible indicator, shall be RED in color and marked "Fire Alarm, when sounding call 911" to indicate it is a part of the Fire Alarm System.

4. False Fire Alarms. Any repeated false fire alarms caused by a malfunctioning detection system, shall be deemed a violation of this Code and subject to the penalties provided. In case of a false alarm, any person having knowledge thereof shall immediately notify the Fire Official. In case of false alarms, the Fire Prevention Bureau shall cause an investigation to be made and keep an annual record of said alarms on file for each given year. For each false alarm, the following penalties are described: for the first false alarm, a verbal warning shall be issued; for the second false alarm a written warning shall be issued, for the third false alarm a fine of two hundred and fifty (\$250.00) dollars; for the fourth false alarm, a fine of five hundred (\$500.00) dollars; for the fifth and subsequent false alarms, a fine of five hundred dollars (\$500.00) dollars per occurrence shall be paid to the Borough of Elmwood Park Fire Prevention Bureau. A successive false alarm shall be defined as an alarm indication on the same system not caused by an actual alarm of fire.

5. Sprinkler Alarm Systems. It is recommended that each separate sprinkler system (automatic fire suppression system) have a separate location code sent to a central station, and have an external indicating alarm. It is required that a maximum of three sprinkler systems may use the same location code to a central station. A floor plan of the building area showing the riser locations and the area protected by each riser must be provided to the Fire Department.

f. Access to Fire Hydrants. To insure access to fire hydrants in the Borough of Elmwood Park for the safety and welfare of the public, a clear area of five (5) feet must be maintained in all directions from the fire hydrant as well as meeting the road side parking requirements.

The owner or lessee of any property within five (5) feet of a fire hydrant shall be responsible to see that a five (5) foot clear space is provided in all directions from the fire hydrant. The requirements of this paragraph shall be completed by the responsible party not later than twenty-four (24) hours after any natural obstruction such as snow shall prevent access to the fire hydrant and within twelve (12) hours of any other type of obstruction.

Upon the failure of any person in maintaining the open space for all fire hydrants in accordance with this paragraph, shall be deemed a violation of the Fire Safety Code, shall be required to appear in the Borough of Elmwood Park Municipal Court and shall be fined up to five hundred (\$500.00) dollars at the discretion of the Judge of the Borough of Elmwood Park.

The Elmwood Park Police Department and the Elmwood Park Fire Prevention Bureau shall be responsible for the strict enforcement of the aforementioned Access to Fire Hydrants.

g. Rapid Entry System.

1. Buildings; General. All new commercial and/or manufacturing buildings constructed after the effective date of this section, all existing commercial and/or manufacturing buildings which undergo remodeling in excess of one thousand (\$1,000.00) dollars after the effective date of this section, and all existing commercial and/or manufacturing buildings within twenty-four (24) months of the effective date of this section, shall be provided with a master key KNOX BOX at a location approved by the Fire Prevention Bureau. Such box shall be provided with master keys necessary for access to all portions of the premises. Such box and keys shall be provided prior to occupancy and/or final inspection.

2. Buildings with Elevators. All buildings equipped with elevators shall be provided with a master key KNOX BOX as in section 1. above.

The building owner/manager shall provide:

(a) Two (2) sets of keys for entry to building and all portions of premises.

(b) Two (2) sets of elevator control keys if elevators are equipped with Fire Department bypass switches.

h. Reserved

i. Fire Zones/Fire Lanes. Fire zones/fire lanes shall be enforced jointly by the Police under Ord. 82-15, and Fire Prevention Bureau under N.J.A.C. 5:70-1 et seq.

1. The Fire Official, with the approval of the chief executive officer of the Fire Department and the Chief of Police of the jurisdiction, may designate fire lanes on private property to which the public is invited or which is devoted to public use, if it is necessary to provide safety for the public or to provide proper access for the Fire Department operations in the event of an emergency.

2. Whenever a determination has been made for the fire lane designation, pursuant to (1) 1 above, the Fire Official shall notify the owner of the property in writing by certified mail, or by hand delivering such notice, specifically describing the area designated and the reason for making the designation.

3. The marking of fire lanes shall be the responsibility of, and at the expense of, the property owner and shall be accomplished within thirty (30) days of the receipt of the notification.

4. It shall be a violation of this Code for any person to park a motor vehicle in or otherwise to obstruct a fire lane.

5. Refer to 14-5.4 Violations and Penalties.

(Ord. No. 94-6 § 9; Ord. No. 04-27 §§ I, II; Ord. No. 11-09 § 2; Ord. No. 2015-11)

j. Mobile Food Truck/Trailer Safety

a. Definitions.

As used in this subsection:

Food cart shall mean a cart or other movable device used on the public sidewalks or in public places or roadways, which uses propane or similar fuel for its operation, and is not licensed as a food truck or food trailer.

Food trailer shall mean a non-motorized vehicle designed to be towed by a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

Food truck shall mean a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

Food vehicle shall mean a food truck, food trailer or food cart.

Food vendor or vendor shall mean the owner, owner's agent or representative, or operator of a food vehicle.

Special event shall mean a private or public sporting, cultural, business, charitable or other type of unique activity, including but not limited to, a party, celebration, fair, festival, fundraiser, promotion, show, concert, presentation, entertainment or film production, occurring for a limited or fixed duration.

- b. Application for Annual Inspection: Certificate of Approval.
  1. A food vendor shall apply to the Bureau of Fire Prevention for an inspection.
  2. The application fee shall be one hundred fifty (\$150.00) dollars. Payment of the fee shall be made at the time the application is filed.
  3. If a vendor's application is denied for failure to satisfy inspection requirements, the vendor may file an application for a re-inspection. No fee will be required for the first re-inspection, provided that the application is filed within 30 days of the denial. An application fee shall be required for all other re-inspections.
  4. A certificate of approval shall be issued to a vendor whose application for an inspection has been approved by the Bureau of Fire Prevention. The certificate of approval shall be valid from January 1 to December 31 of the year in which it was issued.
  5. A certificate of approval shall be displayed prominently in or on the food vehicle.
  6. An application for an inspection to renew a certificate of approval shall be filed with the application fee prior to December 31 of the year in which it was issued.
  7. A certificate of approval does not give the vendor the approval to operate anytime or anywhere with-in the Borough of Elmwood Park. A certificate of approval means they have been inspected and meet the minimum requirements. This certificate affords them the opportunity to obtain an inspection certificate for an even in order to operate at a reduced rate of ten (10.00) dollars per event. A copy of their certificate of approval shall accompany the ten dollar payment to receive the discount.
- c. Inspection Required.
  1. No food vehicle shall be operated without first having filed an application for an inspection which has been approved by the Bureau of Fire Prevention.
  2. The Bureau of Fire Prevention shall issue a checklist containing the specific requirements for approval of an application for an inspection. The checklist shall be made available to the public.
  3. Nothing contained in this subsection shall limit the authority of the Bureau of Fire Prevention to inspect a food vehicle at any time to determine if it meets the specific requirements contained in the checklist.
- d. Application for Inspection: Certificate of Approval.
  1. A food vehicle for which an inspection is required shall not be operated with-in the Borough of Elmwood Park unless an application for an inspection with the application fee is filed no later than 14 days before the event and a certificate of approval is issued the day of the event.
  2. The Bureau of Fire Prevention shall have the discretion to accept an application for an inspection for an event that is filed later than 14 days before the event, provided that the vendor pays an additional late service fee of twenty five (\$25.00) dollars. The Bureau of Fire Prevention shall have the discretion to waive the late service fee in appropriate circumstances.
  3. A food vendor shall apply to the Bureau of Fire Prevention for an inspection.
  4. The application fee shall be sixty (\$60.00) dollars. Fifty four (\$54.00) dollar permit fee and six (\$6.00) dollar administrative fee. Payment of the fee shall be made at the time the application is filed.
  5. A certificate of approval shall be issued to a vendor whose application for an inspection has been approved by the Bureau of Fire Prevention, and a satisfactory inspection has been completed.

6. A certificate of inspection shall be displayed prominently in or on the food vehicle.

e. Checklist Requirements for Food Vehicle Inspection.

1. A vendor shall satisfy the following inspection requirements which shall appear on a checklist issued by the Bureau of Fire Prevention:

(a) Fire Extinguisher.

(1) The fire extinguisher required to be mounted in a food vehicle shall be an ABC type, minimum of one 5 lb. extinguisher.

(2) A K type of fire extinguisher shall be required and mounted in the food vehicle if the vendor is using any oils or anything that could cause a grease vapor.

(b) Hood Suppression System.

A hood suppression system that meets or exceeds National Fire Protection Association standards for ventilation control and fire prevention (NFPA 96) shall be required for any food vehicle that creates or emits grease vapors.

(c) Propane Storage and Appliances.

(1) Propane hoses shall be free of leaks.

(2) Propane cylinders mounted on the outside of a food vehicle shall be placed and secured in a storage cabinet.

(3) A "no smoking" sign shall be prominently displayed in the area of propane cylinders.

(d) Generator.

(1) A generator shall be free of leaks or sparks emanating from the exhaust system.

(2) A generator shall discharge exhausts in a satisfactory manner.

(3) Exhausts shall not back up into the food vehicle.

(e) Smoke Detectors in Food Trucks.

(1) Smoke detectors shall be placed between the cooking area and the driver's cab.

(2) Smoke detectors shall be in operation while the food truck is in motion.

(f) Carbon Monoxide (CO) Detectors in Food Trucks and Food Trailers.

(1) Food truck: The CO detector shall be mounted between the cooking area and driver's cab.

(2) Food trailer: The CO detector shall be mounted in the area where the generator is located.

(3) The CO detector shall be in operation at all times.

(g) Propane Gas Sensor.

(1) Food trucks and trailers: A propane gas sensor shall be mounted in the area of the propane cylinders and inside of the cooking area.

(2) Nothing contained in this subsection shall limit the authority of the Bureau of Fire Prevention to supplement checklist requirements in a particular case in the interest of public safety.

k. Solar Panel Emblem Posting

(a) Identifying emblems shall be permanently affixed to the front of structures hosting or being powered by photovoltaic electrical power either on the roof or adjacent to the building.

1. The solar emblem shall be a Maltese cross shape, constructed of durable material, with a white reflective background with red letters. Numerals and letters shall be Roman or Latin as required.

i. The sign shall be six inches by six inches (152 mm by 152 mm).

- ii. The height or width of each Maltese cross wing area shall be one and one-eighth inches (29 mm) and have a stroke width of one-half inch (13 mm).
- iii. The center of the Maltese cross, a circle or oval, shall be three inches (76 mm) in diameter and have a stroke width of one-half inch (13 mm).
- iv. All letters and numerals shall be one and one-quarter inch (32 mm) in height and have a stroke width of one-quarter inch (six mm).
- v. The letters PV shall be located in the center circle of the Maltese cross to identify the presence of solar photovoltaic systems. The wording ROOF MOUNTED and/or ADJACENT shall be located immediately beneath the Maltese cross identifying where the solar panels are located.

2. The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.

- i. Premises already equipped with a truss construction sign may install the solar sign immediately above the truss sign.

(b) Detached one- and two-family residential structures shall be exempt from the signage provisions.

(c) The owner of any residential structure or nonresidential structure who installed a roof mounted solar photovoltaic system on or after January 17, 2014, or has installed or provided for the installation of a roof mounted solar photovoltaic system prior to January 17, 2014, shall provide a written notification to the local fire official, which shall include, but need not be limited to:

- 1. The name of the property owner or owners, as well as the address of the residential structure or nonresidential structure upon which the solar photovoltaic system has been installed, and the name of the owner or owners and the address of any other adjacent structure served by the solar photovoltaic system; and
- 2. The year that the roof mounted solar photovoltaic system was installed on the residential structure or nonresidential structure.

(d) A copy of a permit filed pursuant to N.J.S.A. 52:27D-198.17.1.c or written notification issued pursuant to N.J.S.A. 52:27D-198.17.1.d shall be kept on file by the chief of the local fire department.

- 1. The address of the residential structure or nonresidential structure, the address of any other adjacent structure served by the solar photovoltaic system, and any additional information regarding the solar photovoltaic system shall be maintained in a registry by the fire department.
- 2. The information contained in the registry shall serve to alert firefighters, when responding to an emergency situation, that a residential structure or nonresidential structure is equipped with, or is served by, a roof mounted solar photovoltaic system and that reasonable precautions may be necessary when responding to the emergency.

## 1. Fire Watch

### a. Request or Order for Fire Watch.

- 1. A request for a fire watch shall be made in writing to the Fire Official at least ten days prior to an event where practicable, unless an emergent situation is present.
- 2. The Fire Official shall have the authority to order a fire watch for an emergent situation or for an event for which the Fire Official determines a fire watch is necessary.

### b. Conditions of Employment of Fire Watch Personnel.

All fire prevention officers or firefighters of the Borough as fire watch personnel shall be treated as employees of the Borough provided, however, that wages earned for such employment shall not be applied toward the

pension benefits of regular full-time Borough employees serving as fire watch personnel, and all hours worked in such employment shall not be compensable as overtime.

c. Assignment of Fire Watch Personnel.

1. The Fire Official shall determine the number of personnel necessary for each event or emergent situation for which a fire watch is required.
  - a. The fire watch personnel shall be selected from employees serving in the Borough's Bureau of Fire Prevention, or members of the Fire Department.
    - i. Any member serving as fire watch personnel shall be certified at a minimum of Firefighter One and possess a Fire fighter One certificate issued by the division of fire safety.
  - b. Businesses may elect to provide their own fire watch personnel. Should they choose to do this, documentation of ability to perform the duties and responsibilities shall be supplied to the fire official.
    - i. If documentation cannot be supplied, a training class given by the fire prevention bureau shall be supplied at a cost of one hundred fifty (\$150.00) dollars per 15 students.
    - ii. This fee shall be paid directly to the fire prevention bureau.
2. Documentation of fire watch inspections with signatures of persons inspecting shall be submitted to the fire prevention bureau for the file.

d. Payment for Fire Watch Services by Property Owners.

Payment for a fire watch on private property shall be made by the property owner or tenant in accordance with the following:

1. Compensation for each employee assigned to the fire watch: one hundred dollars (\$100.00) per hour, paid to the Elmwood Park Fire Prevention Bureau
2. Administrative fee: twenty dollars (\$20.00) per hour shall be deducted from the one hundred dollars and paid to the fire prevention bureau.
3. Personnel Payment: eighty dollars (\$80.00) per hour shall be paid to the individual performing the fire watch.
4. Payments for a non-emergent fire watch shall be made in advance in accordance with a statement issued by the Borough. The statement shall include the administrative fee and an estimate of compensation to be paid to employees. If the actual amount of compensation to employees exceeds the estimate, a supplemental statement shall be issued by the Borough. If the estimate exceeds the actual amount of compensation to employees, the property owner shall be reimbursed for the overpayment.
5. Payments to fire watch personnel shall be made to the person or persons by the Borough.
6. The Fire Official shall have the discretion to waive payment for a fire watch in appropriate circumstances.

**14-1.11 Board of Appeals.**

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the local Construction Board

of Appeals. If no such body exists, appeals shall be made to the County Construction Board of Appeals. (Ord. No. 94-6 § 10)

#### **14-1.12 Enforcement, Violations and Penalties.**

Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey. (Ord. No. 94-6 § 11)

#### **14-2 Hazardous Materials Spills, Fires or Leaks; Reimbursement to Borough.**

##### **14-2.1 Definitions.**

As used in this section:

*Expendable items* shall mean any items used to extinguish any fire or stop or contain any leak or spill involving any hazardous materials which cannot be reused or cannot be replenished without cost after that particular fire, leak or spill. These shall include, but are not restricted to, firefighting foam, chemical extinguishing agents, absorbent material, sand, recovery drums and specialized protective equipment to include but not restricted to acid suits, acid gloves, goggles and protective clothing.

*Hazardous material* shall mean any material solid, liquid or gas listed as such under the NFPA Guide of Hazardous Materials or Department of Transportation Guide Book.

*Vehicle* shall mean any motorized equipment, registered or unregistered, including but not limited to passenger cars, motorcycles, trucks, tractor trailers, construction equipment, farm machinery, airplanes and jet planes.

*Vessel* shall mean any container, drum, box, cylinder or tank used to hold or contain or carry or store any hazardous material.

(Ord. No. 95-8 § A)

##### **14-2.2 Purpose.**

a. This section provides for the reimbursement for or the replacement of the specialized and sometimes non reusable equipment required by State and Federal regulations to be made available in the Borough in case of fire, leakage or spillage involving any hazardous material.

b. This section entitles the Borough of Elmwood Park to reimbursement for any expendable items by the Borough or any of its agencies in extinguishing any fire, stopping or containing any leak or controlling any spill of hazardous materials.

(Ord. No. 95-8 § B)

##### **14-2.3 Reimbursement for Expendable Items.**

Reimbursement to the Borough for any expendable items used shall be made by the following parties:

a. The owner or operator of any vehicle responsible for any fire, leak or spill of hazardous material.

b. The owner or person responsible for any vessel containing hazardous material involved in any fire, leak or spill on public or private property whether stationary or transit, whether accidental or through negligence.

c. The owner or person responsible for any property from which any leak or spill of hazardous material emanates, whether accidental or through negligence.

d. Any person responsible for any fire, leak or spill of hazardous material on public or private property, whether accidental or through negligence.

(Ord. No. 95-8 § C)

##### **14-2.4 Reimbursement for Services.**

Any person or company responsible for any fire, leak or spill involving a hazardous material must provide reimbursement in accordance with the schedule which is on file in the office of the Borough Clerk for services rendered by any recovery company, towing company, Fire Department or other technical assistance called for by the Volunteer Fire Department to handle such incident. (Ord. No. 95-8 § D)

#### **14-2.5 Payment.**

Any person, owner or company responsible for any fire, leak or spill of hazardous material shall reimburse the Borough of Elmwood Park for the full price of any expendable items used to extinguish such a fire, stop or contain such a leak or control such a spill within a period of forty-five (45) days after receipt of a bill for such items from the Borough of Elmwood Park. (Ord. No. 95-8 § E)

#### **14-2.6 Violations and Penalties.**

Any person, owner or company responsible for any fire, leak or spill of hazardous material who fails to reimburse the Borough of Elmwood Park within the time set forth in this section shall be liable to the penalty stated in Chapter I, Section 1-5. (Ord. No. 95-8 § F)

### **14-3 Regulation and Disposal of Flammable Materials.**

#### **14-3.1 Bonfires.**

a. No person shall burn or cause to be burned any trash, lumber, leaves, straw or any other combustible material in any street, alley or vacant lot, without a permit from the Fire Marshall, except when such burning shall be done in screened metallic receptacles approved by him and under such proper safeguards as he may direct.

b. On any lot containing a building, no person shall burn, or cause to be burned, any materials, other than firewood, and then only in an approved device, such as a chimera or patio fireplace. This provision shall be enforced by the Elmwood Park Fire Chief or his or her designee.

(1969 Code § 32-13; Ord. No. 2017-38)

#### **14-3.2 Hot Ashes and Other Dangerous Materials.**

Ashes, smoldering coals or embers, greasy or oily substances and other matter liable to spontaneous ignition, shall not be deposited or allowed to remain within ten (10) feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles shall be placed on noncombustible stands, unless resting on a noncombustible floor or on the ground outside the building, and shall be kept at least two (2) feet away from any combustible wall or partition. (1969 Code § 32-14)

#### **14-3.3 Accumulations of Combustible Materials; Disposal.**

a. No person shall permit to remain upon any roof or in any court, yard, vacant lot or open space, any accumulation of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind.

b. Every person making, using, storing or having charge or control of any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible trash, waste or fragments shall at the close of each day cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the premises or stored in suitable vaults or in metal or metal-lined and covered receptacles or bins. Suitable presses shall be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

(1969 Code § 32-15)

#### **14-3.4 Flammable Decorations.**

- a. Cotton batting, straw, dry vines, leaves, trees, celluloid or other flammable materials shall not be used for decorative purposes in show windows or in stores without a permit from the Fire Official.
- b. Paper and other readily flammable materials shall not be used for decorative purposes in any place of public assembly unless such materials have first been treated to render them flameproof to the satisfaction of the Fire Official.  
(1969 Code § 32-16)

#### **14-3.5 Violations and Penalties.**

- a. A person who shall violate a provision of this section or fail to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder, or who shall build in violation of a detailed statement or plan submitted and approved thereunder, or of a permit issued thereunder, shall severally for each and every such violation and noncompliance be liable to the penalty stated in Chapter I, Section 1-5. The imposition of a penalty for a violation of this section shall not excuse the violation or permit it to continue, and such violation shall be remedied within a reasonable time; and each ten (10) days that such violation is permitted to exist shall constitute a separate offense.
- b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.  
(1969 Code § 32-17; New)

#### **14-4 Fire Limits.**

##### **14-4.1 Purpose.**

Fire limits shall be established in conjunction with the adopted Borough Zoning Ordinance Map 78-6 and Municipal Zoning and Site Plan Review Ordinance for the protection of closely built commercial buildings against fire hazards, of fire spreading from building to building, and by supplementing restrictions on construction within such limits. (1969 Code § 32-34; Ord. No. 82-22)

##### **14-4.2 Fire Limits Established.**

- a. District - shall be all C.L. Local Commerce, C.G. General Commerce, and C.O. Office Districts as outlined on the Zoning Map. Designated boundary lines of said districts shall be considered limit areas.
- b. District - shall be all I.R. Restricted Industry and I.G. General Industry as outlined on Zoning Map. Designated boundary lines of said districts shall be considered limit areas. All residential districts or zones shall be considered to be “outside fire limits.”
- c. All nonconforming structures shall be considered within fire limits.
- d. All buildings and structures and all additions to existing buildings and structures hereafter erected within the boundaries of the fire limits shall be of Type 1, 2, 4, or 5 Construction of the Uniform Construction Code.
- e. Fire limits shall comprise the areas containing congested business, commercial and industrial uses or in which such use is developing.  
(1969 Code § 32-35; Ord. No. 82-22)

#### **14-5 Parking in Fire Zones or Fire Lanes Prohibited.**

##### **14-5.1 Purpose.**

The purpose of this section is to control the parking of motor vehicles in certain areas and locations designated as fire zones, pursuant to the provisions of and in accordance with the authority of N.J.S.A. 40:48-2.46. (1969 Code § 80-35; Ord. No. 82-15)

##### **14-5.2 Parking in Fire Lane Prohibited.**

No person shall park or locate a motor vehicle in any area containing more than a three (3) family dwelling unit between the buildings, or between the buildings and any street, road, or

driveway which has been designated by the Fire Department as a fire lane. (1969 Code § 80-36; Ord. No. 82-15)

**14-5.3 Signs Required.**

Said fire lanes and/or fire zones shall be appropriately signed in the following style or designation, "Fire Lane - No Parking - Violators subject to a fine and towing at owners' expense." (1969 Code § 80-38; Ord. No. 82-15)

**14-5.4 Violations and Penalties.**

a. Any person who shall violate the terms and provisions of this section shall be subject to a fine of one hundred dollars (\$100.00) plus costs of court for the first offense, and for second offense, a fine of one hundred fifty dollars (\$150.00) plus costs of court and for a third and subsequent offense a fine of two hundred (\$200.00) dollars plus costs of court.

b. Second and subsequent offenses shall also subject the motor vehicle to be towed at the cost and expense of the owner thereof.

(1969 Code § 80-37; Ord. No. 82-15; Ord. No. 91-13)

APPROVED:

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Introduced: January 17, 2019

Adopted: February 21, 2019

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-84-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPROVAL OF PAYROLL**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following payrolls be approved for payment:

	<b>PAYROLL</b>	<b>CHECK</b>	<b>GROSS PAYROLL</b>	<b>SOCIAL SECURITY</b>
<b>CURRENT</b>	<b>2/1/2019</b>	<b>70094</b>	<b>\$504,443.72</b>	<b>\$17,166.09</b>
<b>WATER</b>		<b>1011</b>	<b>\$12,833.78</b>	<b>\$578.00</b>
	<b>\$535,021.59</b>			
	<b>PAYROLL</b>		<b>GROSS PAYROLL</b>	<b>SOCIAL SECURITY</b>
<b>CURRENT</b>	<b>2/15/2019</b>	<b>70130</b>	<b>\$432,529.98</b>	<b>\$16,041.95</b>
<b>WATER</b>		<b>1013</b>	<b>\$14,391.65</b>	<b>\$648.00</b>
<b>MUN CT DWI</b>		<b>20014</b>	<b>900</b>	
<b>TOTAL PAYROLL</b>	<b>\$464,511.58</b>			

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X		X	
Dombrowski	X				Wechtler				
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
 Erin Delaney, MPA  
 Acting Borough Clerk

\_\_\_\_\_  
 Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-85-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPROVAL OF BILLS LIST**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following Bills List be approved for payment:

<b><u>AS PER ATTACHED COMPUTER LIST 1/18-2/20-2019</u></b>	
<b>CURRENT -</b>	<b>\$5,956,079.50</b>
<b>RECREATION -</b>	<b>\$2,067.60</b>
<b>MUN CT ALCOHOL ED FUND</b>	<b>\$900.00</b>
<b>CAPITAL BUDGET -</b>	
<b>WATER BUDGET -</b>	<b>\$178,603.32</b>
<b>RAP</b>	<b>\$18.99</b>
<b>LIEN REDEMPTION -</b>	<b>\$30,292.02</b>
<b>COMPENSATED ABSENCE</b>	<b>\$47,075.00</b>
<b>UNEMPLOYMENT TRUST</b>	<b>\$6,583.45</b>
<b>SUBTOTAL WITH PAYROLL -</b>	<b>\$6,221,619.88</b>
<b>PAYROLL TOTAL -</b>	<b>\$999,533.17</b>
<b>TOTAL WITHOUT PAYROLL -</b>	<b>\$5,222,086.71</b>
<b><u>AS PER ATTACHED COMPUTER LIST 2/21/2019</u></b>	
<b>CURRENT -</b>	<b>\$281,741.72</b>
<b>RECREATION -</b>	<b>\$7,913.56</b>
<b>CAPITAL BUDGET -</b>	<b>\$185,141.59</b>
<b>WATER BUDGET -</b>	<b>\$22,179.89</b>
<b>WATER CAPITAL -</b>	<b>\$0.00</b>
<b>DOG LICENSE -</b>	<b>\$867.00</b>
<b>LIEN REDEMPTION -</b>	<b>\$0.00</b>
<b>FIRE PREVENTION -</b>	<b>\$71,259.50</b>
<b>ESCROW</b>	
<b>SUBTOTAL</b>	<b>\$569,103.26</b>
<b>TOTAL WITHOUT PAYROLL</b>	<b>\$5,791,189.97</b>

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler			X	
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-86-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE CURRENT ESTIMATE #1 AND CHANGE ORDER #1  
MOLA BOULEVARD – ZUCCARO INC.**

**WHEREAS**, Alaimo Engineering has requested that Current Estimate #1 and Change Order #1 be approved by the Governing Body as stated below:

Contractor: Zuccaro Inc.

Contract #:

PROJECT: Mola Boulevard

Amount of Original Contract:	\$132,680.00
Change Order #1:	\$19,721.85
Adjusted Contract Amount:	\$152,401.85
Total Amount of Work Completed to Date:	\$123,331.85
Less Zero Percent (2%) Retainage:	<u>\$2,466.64</u>
Subtotal:	\$120,865.21

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that Change Order #1 and Current Estimate #1 be approved and payment of \$120,865.21 to Zuccaro Inc. for their services is hereby authorized.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
 Erin Delaney, MPA  
 Acting Borough Clerk

\_\_\_\_\_  
 Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-87-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE VACATION BUYBACK  
CARRIE PARETTI**

**WHEREAS**, the following employee has accumulated vacation days from previous years as an employee with the Borough of Elmwood Park; and

**WHEREAS**, it has been requested by said employee that he receives payment for such days;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive vacation buyback as stated below:

<u>Employee</u>	<u>Amount of Days</u>	<u>Amount of Compensation</u>
Carrie Paretti	10 Days	\$2,578.25

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-88-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE VACATION BUYBACK  
SCOTT KAR CZ**

**WHEREAS**, the following employee has accumulated vacation days from previous years as an employee with the Borough of Elmwood Park; and

**WHEREAS**, it has been requested by said employee that he receives payment for such days;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive vacation buyback as stated below:

<u>Employee</u>	<u>Amount of Days</u>	<u>Amount of Compensation</u>
Scott Karcz	25 Days	\$12,319.39

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-89-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE VACATION BUYBACK  
JOHN T. STANKIEWICZ**

**WHEREAS**, the following employee has accumulated vacation days from previous years as an employee with the Borough of Elmwood Park; and

**WHEREAS**, it has been requested by said employee that he receives payment for such days;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive vacation buyback as stated below:

<u>Employee</u>	<u>Amount of Days</u>	<u>Amount of Compensation</u>
John Stankiewicz	5 Days	\$773.75

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-90-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE SICK TIME BUYBACK  
FRANK THORPE**

**WHEREAS**, the following employee has accumulated sick time from previous years as an employee with the Borough of Elmwood Park; and

**WHEREAS**, it has been requested by said employee that he receives payment for such time;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive sick time buyback as stated below:

<u>Employee</u>	<u>Amount</u>	<u>Amount of Compensation</u>
Frank Thorpe	300 Hours	\$29,399.13

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-91-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE SICK TIME BUYBACK  
MICHAEL FOLIGNO**

**WHEREAS**, the following employee has accumulated sick time from previous years as an employee with the Borough of Elmwood Park; and

**WHEREAS**, it has been requested by said employee that he receives payment for such time;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive sick time buyback as stated below:

<u>Employee</u>	<u>Amount</u>	<u>Amount of Compensation</u>
Michael Foligno	300 Hours	\$31,348.71

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-92-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE DOG LICENSE REFUND**

**WHEREAS**, a request has been made by the Board of Health and Borough Clerk to approve the following refund regarding dog licensing;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following refund is hereby approved:

<u>Payable to:</u>	<u>Amount</u>	<u>Type of Refund</u>
Angelo Ruggiero 183 Falmouth Avenue Elmwood Park, NJ 07407	\$10.00	Original form of payment

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-93-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**REDEEM THIRD PARTY TAX TITLE LIEN**

**WHEREAS**, Frank J. Santora, Tax Collector, has advised that payment has been received in the amount of \$37,893.51 to redeem TTL(s) 16-00014, and subsequent taxes on Block 1317 Lot 1, located at 230 Fencsak Avenue within the Borough, and;

**WHEREAS**, Clemente Enterprises, LLC is holder of Certificate TTL 16-00014 and is therefore entitled to payment of \$ 37,893.51 and;

**WHEREAS**, the lienholder also paid a premium at the time of purchase and is entitled to a refund of same in the amount of \$ 40,500.00;

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Authority of the Borough of Elmwood Park, County of Bergen, State of New Jersey to issue a check in the amount of \$78,393.51, payable to the above-named lienholder, representing the redemption amount of said Certificate and a refund of the Premium.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-94-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINTING THE BOROUGH'S FUND COMMISSIONER AND ALTERNATE FUND  
COMMISSIONER TO THE SOUTH BERGEN MUNICIPAL JOINT INSURANCE  
FUND**

**WHEREAS**, the Borough of Elmwood Park is a member of the South Bergen Municipal Joint Insurance Fund (hereinafter the Fund) for all its property and casualty insurance coverages; and

**WHEREAS**, in accordance with the By-Laws and, more specifically, the requirements of membership in the Fund, the Borough must appoint a Fund Commissioner and Alternate Fund Commissioner to represent the Borough in all pertinent Fund affairs.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey that

**Michael Foligno, Borough Administrator**

and

**Council President Daniel Golabek**

are hereby appointed to serve as the Borough's Fund Commissioner and Alternate Fund Commissioner, respectively, to the South Bergen Municipal Joint Insurance Fund, effective upon adoption of this Resolution, and

**BE IT FURTHER RESOLVED**, a certified copy of this Resolution shall be forwarded to the Fund through the Township's Risk Management Consultant.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-95-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINTMENT OF JUNIOR FIREFIGHTER – MATTHEW RUGLIO – COMPANY #2**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following named be and is hereby appointed as a Junior Volunteer Firefighter for the Elmwood Park Fire Department Company #2:

**Matthew Ruglio**

**BE IT FURTHER RESOLVED**, that said appointment is subject to the usual probationary period.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-96-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**EXPULSION OF FIREFIGHTER – ROBERT DAUBENBERGER – COMPANY #2**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following named be and is hereby removed from the rolls as a Volunteer Firefighter for the Elmwood Park Fire Department Company #2 due to dereliction of duty:

**Robert Daubenberg**

**BE IT FURTHER RESOLVED**, that said removal is effective immediately.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-97-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**OBTAINING SERVICES OF EP&G COMPANY**

**WHEREAS**, the Mayor and Council of the Borough of Elmwood Park has directed the Borough Administrator and Clerk to conduct research to determine whether the Borough could purchase electricity at a discounted fee below PSE&G standard rates; and

**WHEREAS**, after conducting their due diligence, the Borough Administrator and Clerk have determined that it would be in the Borough’s best financial interest to retain the services of EP&G as an independent electricity provider.

**NOW THEREFORE, BE IT RESOLVED**, the Council does hereby Direct the Borough Administrator and Clerk, with the assistance of the Chief Financial Officer and Borough Attorney, to negotiate and enter into an Agreement with EP&G Strategy Company for the purchase of discounted electricity, with Contract Terms not exceeding Statutory Term Limits.

**BE IT FURTHER RESOLVED** that a Certified True Copy of this resolution be tendered to EP&G Company.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-98-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPROVE PROPOSAL FOR DESIGN SERVICES FOR MEMORIAL HIGH SCHOOL  
TENNIS COURT IMPROVEMENTS – ALAIMO GROUP**

**WHEREAS**, Alaimo Group has submitted a proposal for design services for the tennis court improvements at Memorial High School; and

**WHEREAS**, the proposal has been reviewed by the Mayor and Council & Chief Financial Officer and a recommendation has been made for the Borough to approve said proposal; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the proposal totaling \$69,190 is hereby approved.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-99-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINT ASP COUNSELOR  
MARIBEL VALLE – RECREATION DEPARTMENT**

**WHEREAS**, the Recreation Department of the Borough of Elmwood Park has recognized the need to fill one position of ASP counselor and has requested that this position be filled as soon as possible due to a prior resignation; and

**WHEREAS**, it is the recommendation of the Recreation Director to appoint the following named as an ASP Counselor at a rate of \$13.00 per hour;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following named be and is hereby appointed as ASP Counselor effective immediately:

**Maribel Valle**

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler			X	
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-100-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**CERTIFICATION COMPLIANCE REGARDING “ENFORCEMENT GUIDANCE ON  
THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN  
EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF  
1964”**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” as amended, 42 U.S.C. §2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Elmwood Park, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-101-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE THE EXECUTION OF SERVICE AGREEMENT – SALVATORE A.  
INGRAFFIA**

**WHEREAS**, at the Re-Organization Meeting of the Mayor and Council that was held on January 3, 2019, Salvatore A. Ingrassia, Esq. was appointed as the Borough Attorney;

**THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that Mayor Francesco A. Caramagna is hereby authorized to execute the service agreement between the Borough of Elmwood Park and Salvatore A. Ingrassia, Esq.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_

Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-102-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINT SPECIAL COUNSEL REPRESENTATION FOR PROPERTY TAX APPEALS**

**WHEREAS**, the need has risen to appoint Special Counsel for the Borough of Elmwood Park for representation for property tax appeals; and

**WHEREAS**, the following has been recommended by the Borough Attorney:

**Chisa, Shahinian & Giantomasi**

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Elmwood Park hereby appoints as Special Counsel for Tax Appeals to Chisa, Shahinian & Giantomasi located at One Boland Drive, West Orange, NJ 07052 at a rate of \$800.00 a month effective January 1, 2019 through December 31, 2019.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-103-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZE CURRENT ESTIMATE #1 AND CHANGE ORDER #1  
ORCHARD, FRANKLIN, AND LEE STREET IMPROVEMENTS – AMERICAN  
ASPHALT & MILLING SERVICES**

**WHEREAS**, Alaimo Engineering has requested that Current Estimate #1 and Change Order #1 be approved by the Governing Body as stated below:

Contractor: American Asphalt & Milling Services

Contract #: 2018-2

PROJECT: Improvements to Orchard Street, Franklin Street, and Lee Street

Amount of Original Contract:	\$215,464.00
Change Order #1:	\$37,383.35
Adjusted Contract Amount:	\$252,847.35
Total Amount of Work Completed to Date:	\$237,412.10
Less Zero Percent (2%) Retainage:	<u>\$4,748.24</u>
Subtotal:	\$232,663.86

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that Change Order #1 and Current Estimate #1 be approved and payment of \$232,663.86 to American Asphalt & Milling Services for their services is hereby authorized,

**BE IT FURTHER RESOLVED** that Resolution R-59-19 is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-104-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**AUTHORIZING THE EMERGENCY PURCHASE OF A SNAP-TITE HFX HOSE, DUE  
TO THE JANUARY 30, 2019 MARCAL FIRE**

**WHEREAS**, the Borough of Elmwood Park experienced significant fire damage due to the January 30, 2019 Marcal Fire; and

**WHEREAS**, the expenses related to the response, recovery and restoration of services affects the health, safety and welfare of the Borough that requires the immediate response, the need for which was not reasonably foreseen; and

**WHEREAS**, due to the emergency nature of this fire damage, the magnitude of the work required and the equipment needed to make this repair, it was necessary to purchase equipment to address the situation; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that public bidding is not necessary in an emergency situation; and

**WHEREAS**, Witmer Public Safety Group, 104 Independence Way, Coatesville, PA 19320 was contracted to provide the required equipment through an insurance claim filed through the South Bergen Municipal Joint Insurance Fund; and

**WHEREAS**, the amount of the purchase totaled \$38,683.12;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, in the County of Bergen, that the Borough enter into an agreement with Witmer Public Safety Group for the purchase of one (1) new Snap-Tite HFX Hose in an amount not to exceed \$38,683.12

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
 Erin Delaney, MPA  
 Acting Borough Clerk

\_\_\_\_\_  
 Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-105-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**RESOLUTION AUTHORIZING THE EMERGENCY PURCHASE OF A WATEROUS  
CPK-4 FOUR STAGE PUMP, DUE TO THE JANUARY 30, 2019 MARCAL FIRE**

**WHEREAS**, the Borough of Elmwood Park experienced significant fire damage due to the January 30, 2019 Marcal Fire; and

**WHEREAS**, the expenses related to the response, recovery and restoration of services affects the health, safety and welfare of the Borough that requires the immediate response, the need for which was not reasonably foreseen; and

**WHEREAS**, due to the emergency nature of this fire damage, the magnitude of the work required and the equipment needed to make this repair, it was necessary to purchase equipment to address the situation; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that public bidding is not necessary in an emergency situation; and

**WHEREAS**, Jesse's Power Shop, 81 E Route 59, Spring Valley, NY 10977 was contracted to provide the required equipment through an insurance claim filed through the South Bergen Municipal Joint Insurance Fund; and

**WHEREAS**, the amount of the purchase totaled \$18,288.00;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, in the County of Bergen, that the Borough enter into an agreement with Witmer Jesse's Power Shop for the purchase of one (1) new Waterous CPK-4 Four Stage Pump in an amount not to exceed \$18,288.00.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-106-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINTMENT OF INFORMATION TECHNOLOGY PROFESSIONAL  
INTREP SOLUTIONS LLC.**

**WHEREAS**, the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey recognize the need for an Information Technology Professional for the Borough of Elmwood Park; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 19:45A-20.5 et seq., referred to as New Jersey Pay-to Play Law, and the Mayor and Council solicited proposals on Wednesday, January 30<sup>th</sup>, 2019 for this service; and

**WHEREAS**, the Borough of Elmwood Park received 2 proposals to that request; and

**WHEREAS**, the proposals were opened on Thursday, February 14<sup>th</sup>, 2019 and evaluated by a Committee of the Council to determine if responses met the needs of the Borough of Elmwood Park;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey do hereby secure the Services of Intrep Solutions, LLC., 230 Baldwin Avenue, Hasbrouck Heights, NJ at a monthly rate of \$3,300, term ending December 31, 2019.

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-107-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINTMENT – BUILDING DEPARTMENT  
KEYBOARDING I**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following named be, and is hereby appointed as a Full-Time Keyboarding I (Provisional Status), in the Building Department effective February 25, 2019 at a yearly salary of \$33,000.

**Rodamanthi Scarpulla**

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-108-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**APPOINTMENT – MAYORS OFFICE  
KEYBOARDING I**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following named be, and is hereby appointed as a Full-Time Keyboarding I (Provisional Status), in the Mayor’s Office effective February 25, 2019 at a yearly salary of \$33,000.

**Mirella Hernandez**

and;

**BE IT FURTHER RESOLVED**, that said employee shall also receive an additional \$2,000 in conjunction with the Resident Assistance Program (RAP).

I, Roy Riggitano, Chief Financial Officer for the Borough of Elmwood Park do hereby confirm that there are sufficient funds available for this resolution.

\_\_\_\_\_  
Roy Riggitano, Chief Financial Officer

\_\_\_\_\_  
Dated

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-109-19**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMEMBER DOMBROWSKI  
SECONDED BY: COUNCIL PRESIDENT GOLABEK**

**RESOLUTION TO APPROVE THE CONSENT AGENDA**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the actions noted in the Consent Agenda, Resolutions R-78-19 through R-109-19 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: February 21, 2019

\_\_\_\_\_  
Francesco A. Caramagna, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 21<sup>st</sup> day of February 2019. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA  
Acting Borough Clerk

\_\_\_\_\_  
Dated

## COMMITTEE REPORTS

Councilman Dombrowski again congratulated Mr. Brunda and the soccer team on their success. He then discussed the number of fire calls for 2019 and the recent devastating Marcal fire. The Fire Prevention Bureau is currently working with federal and state agencies to determine the cause of the fire which is still under investigation. Councilman Dombrowski acknowledged the loss of jobs that the Marcal fire produced but also noted that Elmwood Park has proved its strength during a difficult time and thanked everyone that offered donations and their time during this difficult period. He announced a Wet-Down event for July 13<sup>th</sup>, 2019 to be held at 619 River Drive where sponsors are still needed and shared Fire Official Kochik's contact information with the public should they ever need to contact him. He concluded his report by wishing Borough resident Jeff Leider good luck as he will be traveling to Washington DC to advocate on behalf of rare diseases in front of Congress.

Councilwoman Ingui stated that she met with the Chief of the Ambulance Corps. to discuss operations and the desperate need for volunteers. She shared the number of calls thus far for 2019 and an overview of their time and effort put into the Marcal fire. Councilwoman Ingui talked about the Marcal fire from her personal perspective and gave kudos to all departments that had a major role in responding to the fire. She also touched base on the PTO fundraiser, EP Strong Day and thanked all of those involved in putting it together. She concluded her report by acknowledging upcoming Rare Disease Day.

Councilwoman Pellegrine discussed the most recent Board of Health meeting, announced the upcoming meeting and stated that the rabies clinics are scheduled for May and November. Councilwoman Pellegrine made the following announcements: The Second Annual Police Meet and Greet will be held on April 25<sup>th</sup>, free Income Tax Assistance programs will take place on February 23<sup>rd</sup> and March 16<sup>th</sup>, and the first Council Corner gathering is scheduled for February 23<sup>rd</sup>. Lastly, she concluded her report by also thanking those first responders that answered to the Marcal fire.

Councilwoman Wechtler commended all departments and responders that did a fantastic job responding to the Marcal fire and keeping the community safe. She then announced that the next Homeowners Association meeting will occur on February 27<sup>th</sup> where a new business in town, Gemini Insurance, will be the guest speaker.

Councilwoman Balistrieri reported on the operations of the Department of Public Works and their contributions in assisting with the Marcal fire. In regards to the Stigma Free initiative, there was a ribbon cutting on February 6<sup>th</sup>, in which the County Executive attended, for the unveiling of the stigma-free signs that will be placed throughout the town. There was also a Stigma Free meeting this evening, with the next meeting to be held on March 21<sup>st</sup>. She then moved on to give her Recreation Department updated and completed her report by addressing the Marcal fire as well.

Council President Golabek announced that the Board of Education meeting will be held on February 26<sup>th</sup> and the Planning Board had two meetings in February as there was an application for a new flower distribution business. This new business is favorable to the community as the prior business dealt with more heavy materials that frequently disrupted neighbors. The Council President then shared that there have been a series of meetings held with stakeholders regarding Borough parks and the direction the Borough would like to take with them. He then, too, thanked all of those who aided in the Marcal fire and concluded his report by stating his March goals will be focusing on and ADA/Access for All and Green Team Committee.

Borough Attorney Ingraffia commended Borough Administrator Foligno for setting up a seminar in regards to the Open Public Records Act (OPRA).

Borough Administrator Foligno announced that the first quarter safety meeting and a Department Head meeting was held earlier in the day.

Mayor Caramagna took the time to genuinely thank everyone involved in assisting with the Marcal fire and those that supported the community during this tragedy and its aftermath and also thanked God for ensuring that everyone was kept safe.

**PUBLIC COMMENT**

Dominic Scalcione, E. 54<sup>th</sup> Street, inquired about Resolution R-105-19 in regards to the cost and the reasoning behind the purchase of the 4-stage pump. Councilman Dombrowski informed him that it was a purchase that needed to replace a piece of equipment that was damaged during the Marcal Fire and Acting Borough Clerk Delaney stated the price of the purchase as \$18,288.00.

A motion was made by Councilwoman Wechtler and seconded by Council President Golabek to adjourn. Motion carried unanimously.

Respectfully submitted,

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Erin Delaney, MPA  
Acting Borough Clerk

*Minutes approved at the July 18, 2019 Regular Meeting of the Mayor and Council*