

**SPECIAL MEETING
OF THE
ELMWOOD PARK MAYOR AND COUNCIL
November 19, 2020
4:00P.M.**

1. CALL TO ORDER:

The Special Meeting of the Mayor and Council of the Borough of Elmwood Park was called to order on Thursday, November 19, 2020 at 4:04PM in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

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

The meeting was held virtually through Zoom platform and was advertised as the same with participant instructions. Mayor Colletti, Borough Administrator Foligno, and Borough Clerk Delaney participated in the Borough Hall Council Chambers with all others participating remotely.

2. PRAYER & FLAG SALUTE:

3. STATEMENT OF COMPLIANCE:

Whereas, Chapter 231 of the Public Laws of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read by the presiding officer.

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing 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 and transmitted on November 13, 2020, published on November 18, 2020, and an updated notice was posted and transmitted on November 16, 2020 in regards to the format of and instructions for today's meeting.

4. ORDINANCES: **FIRST READING**

R-446-20 Introduce Ord. #20-36

AN ORDINANCE TO AMEND CHAPTER 4 "LICENSING AND BUSINESS REGULATION" MORE SPECIFICALLY ARTICLE 34 OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "WRECKERS AND TOW TRUCKS." MORE SPECIFICALLY, SECTION 34.2 ENTITLED "LICENSE REQUIRED; FEES; EXPIRATION." MORE SPECIFICALLY SUBSECTION 34.2c "

5. RESOLUTIONS:

R-447-20 Resolution of the Borough of Elmwood Park, County of Bergen, New Jersey Authorizing and Directing the Borough Planning Board to Conduct a Preliminary Investigation to Determine Whether the Property Commonly Known as Block 1405, Lot 1 As Shown on the Official Tax Map of the Borough Constitutes a Non-Condensation Area in Need of Redevelopment Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

R-448-20 Authorize Purchase of Vehicle – Beyer Ford – Building Department

R-449-20 Resolution to Approve the Consent Agenda

6. PUBLIC HEARING:

7. EXECUTIVE SESSION:

8. ADJOURNMENT:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-446-20**

**RESOLUTION BY: COUNCILMAN FASOLO
SECONDED BY: COUNCILMAN GOLABEK**

**INTRODUCE ORDINANCE #20-36
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 4 "LICENSING AND BUSINESS REGULATION" MORE SPECIFICALLY ARTICLE 34 OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "WRECKERS AND TOW TRUCKS." MORE SPECIFICALLY, SECTION 34.2 ENTITLED "LICENSE REQUIRED; FEES; EXPIRATION." MORE SPECIFICALLY SUBSECTION 34.2c "

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the Municipal Building on Thursday, December 17, 2020 at 7:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the 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.

APPROVED: November 19, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler	X			
Ingui			Recuse		Balistrieri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 19th day of November 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE # 20-36**

AN ORDINANCE TO AMEND CHAPTER 2 "ADMINISTRATION" MORE SPECIFICALLY ARTICLE III OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "DEPARTMENT OF THE LOCAL GOVERNMENT." MORE SPECIFICALLY, SECTION 2-27 ENTITLED "POLICE DEPARTMENT." MORE SPECIFICALLY SECTION 2-27.1 ENTITLED "CREATION OF THE DEPARTMENT; MEMBERS"

WHEREAS, the Mayor and Council have become aware of the need to amend the existing number of licenses issued for towing so as to make the same more efficient in its operation and 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 4, Article 34 of the Code of the Borough of Elmwood Park titled "Licensing and Business Regulation" more specifically section 34-2c which addresses the number of licenses to be issued for towers in the Municipality.

Section 34.2c. Shall be amended to read as follows:

Applications for a towing license shall be made available to the public at the Borough Clerk's office on October 1 and shall be due no later than October 31 of that year. The Borough shall post notice of opportunities for licenses on its website and in the official Borough newspaper. Applications will be investigated by the Police Department on a first-come-first-served basis. The first six (6) towing contractors who submit completed applications to the Borough Clerk and who, upon investigation by the Police Department, are determined by the Police Department to successfully meet all of the requirements for towing services of this article shall be issued towing licenses.

SECTION 2: All of the remaining parts of the Ordinance to the extent that they are not inconsistent with this amendment 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.

ATTEST: _____

Erin Delaney, MPA, RMC
Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: November 19, 2020

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-447-20**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN WECHTLER

SECONDED BY: COUNCILMAN FASOLO

RESOLUTION OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, NEW JERSEY AUTHORIZING AND DIRECTING THE BOROUGH PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 1405, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING I.A.W, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the Mayor and Council (the "Council") of the Borough of Elmwood Park (the "Borough") must authorize the planning board of the Borough (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the Council; and

WHEREAS, the Borough believe it is in the best interest of the Borough that an investigation occur with respect to certain parcels within the Borough and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known BLOCK 1405, LOT 1 on the tax map of the Borough (hereinafter the "Study Area") to determine whether the Study Area Meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5 and N.J.S.A 40A:12A-14, and should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the Borough to use all those powers provided by the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Elmwood Park, New Jersey as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct a preliminary investigation pursuant to N.J. S.A. 40A: 12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as a non-condemnation area in need of redevelopment under the Redevelopment Law.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6 & 12A- 14, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is a non-condemnation redevelopment area. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Borough to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible non-condemnation redevelopment area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a non-condemnation redevelopment area. All objections to a determination that the Study Area is a non-condemnation area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Borough as to whether the Borough should designate the Study Area as a non-condemnation area in need of redevelopment.

Section 7. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

Section 8. This Resolution shall take effect immediately.

APPROVED: November 19, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler	X			
Ingui	X				Balistrieri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 19th day of November 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-448-20**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN WECHTLER
SECONDED BY: COUNCILMAN FASOLO**

**AUTHORIZE PURCHASE OF VEHICLE
BEYER FORD
BUILDING DEPARTMENT**

WHEREAS, the Building Department has requested to purchase (1) 2021 Ford Explorer (K8B) Base 4WD vehicle using funding from Bond Ordinance 20-27A(iii); and

WHEREAS, said vehicle is to be purchased through the ESC Co-Op #65MCESCCPS – ESCNJ 20/21-09 at a total cost of \$34,068.27 with Beyer Ford located in Morristown, New Jersey;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey that they hereby authorize the purchase of (1) 2021 Ford Explorer (K8B) Base 4WD vehicle totaling \$34,068.27 with Beyer Ford.

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

November 18, 2020
Dated

APPROVED: November 19, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler	X			
Ingui	X				Balistrieri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 19th day of November 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-449-20**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN WECHTLER

SECONDED BY: COUNCILMAN FASOLO

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-447-20 through R-449-20 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: November 19, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler	X			
Ingui	X				Balistrieri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 19th day of November 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

PUBLIC COMMENT

Jeffrey Freitag, Hillman Drive, advised that the Zoom platform was not working well as it was difficult to hear all members.

EXECUTIVE SESSION

A motion was made by Councilman Fasolo and seconded by Councilwoman Ingui to enter into Executive Session. Motion carried by the members present.

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Litigation/Legal Reports

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

A motion was made by Councilwoman Pellegrine and seconded by Council President Balistreri to return to the public portion. Motion carried by the members present.

A motion was made by Councilwoman Pellegrine and seconded by Councilman Fasolo to adjourn. Motion carried by the members present.

Respectfully submitted,

Erin Delaney, MPA, RMC
Borough Clerk

Minutes approved at the December 17, 2020 Public Meeting