

**WORK SESSION  
OF THE  
ELMWOOD PARK MAYOR AND COUNCIL  
ACTION ITEMS  
January 12, 2023  
7:00 P.M.**

**1. CALL TO ORDER:**

The Work Meeting of the Elmwood Park Mayor and Council for January 12, 2023 was called to order by Acting Borough Clerk Shanee Morris at 7:00PM. The Statement of Compliance was read.

Councilmembers Dennis, Fasolo, Golabek, Pellegrine, Sheridan and Council President Balistrieri were present. Also present were Mayor Colletti, Acting Borough Clerk Shanee Morris, Borough Administrator Michael Foligno and Borough Attorney Salvatore Ingrassia.

**2. 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 January 6, 2023 and published on January 10, 2023.

**3. CONSENT AGENDA:**

- |         |  |
|---------|--|
| R-64-23 | Resolution to Rescind Liquor License Renewal<br>Elmo Liquors # 0211-44-001-09                                  |
| R-65-23 | Renew Liquor License for the 2022/2023 License Term  |
| R-66-23 | Approving Settlement in the Matter of Gannett Satellite Information<br>Network, LLC v. Borough of Elmwood Park |
| R-67-23 | Resolution to Approve the Consent Agenda   |

**4. WORK SESSION: NON-ACTION ITEMS**

**5. ADJOURNMENT:**

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-64-23**

**CONSENT AGENDA**

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

**RESOLUTION TO RESCIND LIQUOR LICENSE RENEWAL  
ELMO LIQUORS # 0211-44-001-09**

**WHEREAS**, resolution R-238-22 which was adopted at the June 30, 2022 Regular Meeting of the Elmwood Park Mayor and Council Renewed liquor license # 0211-44-001-09; and

**WHEREAS**, the Borough was not aware the 12.39 Ruling was required for this liquor license renewal until recently being notified by the New Jersey Division of Alcoholic Beverage Control; and

**WHEREAS**, the liquor license holder was approved on July 7, 2022 by the State of New Jersey Division of Alcoholic Beverage Control for a 12.39 Ruling and a 12.18 Ruling;

**NOW, THEREFORE, BE IT RESOLVED**, the Borough of Elmwood Park hereby rescinds the portion of Resolution #238-22 which specifically pertains to renewal of liquor license # 0211-44-001-09 Elmo Liquors.

APPROVED: January 12, 2023

\_\_\_\_\_  
Robert Colletti, Mayor

ATTEST: \_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	X				Balistreri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 12<sup>th</sup> day of January 2023. Signed and sealed before me.

\_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-65-23**

**CONSENT AGENDA**

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

**RENEW LIQUOR LICENSE FOR THE 2022/2023 LICENSE TERM**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Elmwood Park that the following Liquor Licenses, having met all requirements for renewal for the 2022/2023 license year, be and are hereby renewed:

**PLENARY RETAIL DISTRIBUTION LICENSE - \$600**

0211-44-001-09                   **ELMO LIQUOR LLC.**  
**(INACTIVE)**                   299 SHILLING DRIVE  
  SOMERSET, NJ 08873

APPROVED: January 12, 2023

\_\_\_\_\_  
Robert Colletti, Mayor

ATTEST: \_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	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 12<sup>th</sup> day of January 2023. Signed and sealed before me.

\_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-66-23**

**CONSENT AGENDA**

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

**APPROVING SETTLEMENT IN THE MATTER OF GANNETT SATELLITE INFORMATION NETWORK, LLC V. BOROUGH OF ELMWOOD PARK**

**WHEREAS**, litigation is currently pending against the Borough of Elmwood Park in the Superior Court of New Jersey in the matter of *Gannett Satellite Information Network, LLC v. Borough of Elmwood Park et al.*, Docket Number BER-L-006066-22;

**WHEREAS**, the litigation relates to a public records request Gannett Satellite Information Network, LLC made to the Borough under the Open Public Records Act and the common law; and

**WHEREAS**, the Borough and Gannett Satellite Information Network have negotiated a settlement that fully resolves the litigation by way of the Borough’s provision of redacted records and \$2,000.00 in attorneys’ fees to Gannett, in exchange for Gannett’s dismissal of the pending litigation; and

**WHEREAS**, settlement of the pending litigation will avoid the significant expenditure of resources and costs on the part of the Borough which would be necessitated by continued litigation of the pending matter; and

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council hereby approves settlement of the pending litigation; and

**BE IT FURTHER RESOLVED** that the Mayor and Council authorize the appropriate personnel from the Borough’s administration to implement the terms of settlement, including payment of the \$2000.00 attorneys’ fees to Gannett Satellite Information Network and executing and/or filing appropriate settlement documents, in conjunction with and under the direction of the Borough’s Special Counsel handling the litigation.

APPROVED: January 12, 2023

\_\_\_\_\_  
Robert Colletti, Mayor

ATTEST: \_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	X				Balistreri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 12<sup>th</sup> day of January 2023. Signed and sealed before me.

\_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

\_\_\_\_\_  
Dated

**BOROUGH OF ELMWOOD PARK  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-67-23**

**CONSENT AGENDA**

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

**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-64-23 through R-67-23 be and are hereby approved and the **proper** officers are directed to take necessary action on same.

APPROVED: January 12, 2023

\_\_\_\_\_  
Robert Colletti, Mayor

ATTEST: \_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	X				Balistreri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 12<sup>th</sup> day of January 2023. Signed and sealed before me.

\_\_\_\_\_  
Shanee Morris, CMR  
Acting Borough Clerk

\_\_\_\_\_  
Dated

## **Work Meeting Agenda Items:**

### **1 – EXECUTIVE:**

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine to enter into executive session. Motion carried by 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:

#### **Legal Reports/Litigation**

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

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

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine to return to the public portion of the meeting. Motion carried by members present

### **PUBLIC HEARING:**

Jacqueline, who is a Cannabis Advisor was there representing Linda Solana. She asked if the Mayor and Council will consider expanding zoning in reference to Cannabis businesses.

Dean Didyk asked if he can extend a retaining wall into the right of way. Borough Attorney Ingraffia explained and will prepare a resolution

### **2 – ENGINEERS REPORT**

- a. **Current Estimate #1 – FY2022 NJDOT MA Program – Grove Street Improvements** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- b. **Proposal for Professional Services – Orchard Street Drainage Design** – Thomas Lemanowicz explains the plan to replace pipe and informed the Mayor and Council that a bid for the project will go out soon. A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- c. **Current Estimate #2 Change Order #1 – 2021 Borough Road Program** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- d. **Current Estimate – Vietnam Veterans Memorial Statute** – Councilman Golabek asked for a timeline in relation to this project. Thomas Lemanowicz responds. A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- e. **Current Estimate #2 Change Order #2 – FY 2018 NJDOT MA Program – Mola Blvd. from Hillman Dr. to Rt. 46** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- f. **Proposal for Professional Services – 2022 Road Program** – Mayor and Council briefly discuss with Thomas Lemanowicz from Alaimo Engineering and decided to move this item to the work session on February 2, 2023
- g. **Monthly Status Report** – Thomas Lemanowicz from Alaimo Engineering gave his monthly report. Councilman Golabek asked about expanding the Turf Project to more than one area of Borough Field.

### **3 – CORRESPONDENCE**

- a. **Borough Clubs** – Borough Administrator Foligno discussed with the Mayor and Council a way to help Borough clubs with funding. Further discussion is needed with the C.F.O and Borough Attorney Salvatore Ingraffia. Mayor and Council will be discussed again at a later date.

#### **4- RESOLUTIONS**

- a. **Resolution to Refund Overpayment** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- b. **Resolution to Redeem Third Party Tax Lien** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- c. **EMT New Hires** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- d. **Temporary Part-time Finance Clerk** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.
- e. **Promotions – Police Department** - A resolution will be placed on the January 19, 2023 Regular Meeting of the Mayor and Council agenda.

#### **5 – PROPOSED ORDINANCES**

- a. **Fire Department** – Ordinance will be introduced at the January 19, 2023 Regular Meeting of the Mayor and Council.

#### **6 – DEPARTMENTAL REPORTS**

- a. **Library Board Meeting Minutes – November 21, 2022 & 2023 Meeting Dates** – Accepted without discussion
- b. **Board of Health Meeting Minutes – November 14, 2022 & December 12, 2022** – Accepted without discussion
- c. **Municipal Court Monthly Report – November, 2022** – Accepted without discussion
- d. **Millennium Strategies Monthly Report through December, 2022** – Accepted without discussion
- e. **Building Department Monthly Report – December, 2022** – Accepted without discussion
- f. **Recreation Advisory Board Meeting Minutes – September 19, 2022 & 2023 Meeting Dates** – Accepted without discussion

#### **7 – APPLICATIONS**

- a. **Elmwood Park-Paterson Elks Lodge #60 – Raffle -March 10, 2023** – Accepted without discussion

#### **8 – COMMITTEE REPORTS:**

Councilwoman Dennis reported progress.

Councilman Golabek would like for the Fire Department stipend program to be moved on. The Mayor discuss with the Council and they all agree. Borough Attorney Ingraffia and Borough Administrator Foligno will work on how to implement the changes.

Councilman Fasolo gave his Police report and announced the “Bowling with the Blue” event. Hye then congratulated Mr. Freitag on being reappointed as the Chairman for the Planning Board.

Councilwoman Pellegrine gave her Board of Health update and announced they had their re-organization meeting. She then gave dates for upcoming meetings.

Councilwoman Sheridan gave her report for the Home Owners Association and announced the Police Chaplains will speak at the next meeting. She then Announced the Elks will have a lunch with people who have special needs. Lastly, she thanked the Police for the Veterans breakfast that was held at the Elks Club.

Council President Balistriero thanked Police Chief Foligno and Police Department for the upcoming bowling event.

Mayor Colletti reported progress.

#### **9 – 2nd PUBLIC HEARING:**

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine to open to the public.

Jeanette Randazzo stated she had an understanding that the clubs received funds from the Borough. She explains Specifically what the AARP club does. Jeanie Freitag added to her comment and gave a background on the clubs as well.

A motion was made by Councilwoman Pellegrine and seconded by Councilwoman Sheridan to enter into Executive Session. Motion carried by the members present.

**10 – EXECUTIVE:**

- a. Litigation/Legal Reports
- b. Personnel – Clerk’s Office

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

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

**WHEREAS**, the Governing Body wishes to discuss:

**Legal Reports/Litigation**  
**Personnel – Clerk’s Office**

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

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

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

Respectfully submitted,

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Shanee Morris, CMR  
Acting Borough Clerk

*Minutes approved at the July 20, 2023 Regular Meeting.*