

**WORK SESSION
OF THE
ELMWOOD PARK MAYOR AND COUNCIL
ACTION ITEMS
SEPTEMBER 5, 2024
7:00 P.M.**

1. CALL TO ORDER:

The Work Meeting of the Elmwood Park Mayor and Council for September 5, 2024 was called to order by Borough Clerk Shanee Morris at 7:01PM. The Statement of Compliance was read.

Councilmembers Dennis, Fasolo, Golabek, Pellegrine, Troisi and Council President Sheridan were present. Also present were Mayor Colletti, Borough Clerk Shanee Morris, Borough Administrator Michael Foligno and Borough Attorney Kyle Trent.

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 January 6, 2024 and published on January 10, 2024.

4. ORDINANCES: FIRST READING

R-289-24 Introduce Ord. #24-18
AN ORDINANCE ADOPTING Sections 18-4.1 (“POOL OPERATION AND MAINTENANCE”) AND 16-1.7 (“STAGNANT WATER”) TO ADDRESS POOL OPERATION AND MAINTENANCE

R-290-24 Introduce Ord. #24-19
AN ORDINANCE AMENDING SECTION 5-8.12 (“ENFORCEMENT AGENCY”) TO ALLOW FOR THE BUILDING DEPARTMENT’S ENFORCEMENT OF THE BOROUGH’S FARM ANIMAL PROHIBITION.

SECOND READING

R-291-24 Introduce Ord. #24-15
BOND ORDINANCE TO AUTHORIZE THE 2024 ROAD RESURFACING PROGRAM IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,335,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

R-292-24 Introduce Ord. #24-16
BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BOROUGH PARK PAVILION AND AMPHITHEATER PROJECT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY,

TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

R-293-24

Introduce Ord. #24-17

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$597,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

5. CONSENT AGENDA:

R-294-24

Change in Custodian of Petty Cash Fund

R-295-24

Appointment of Counselors for the 2024/2025 School Year Morning Care & After-School Program Recreation Department

R-296-24

Approve 2024-2025 Flu Professional Services Agreement Between County of Bergen and Borough of Elmwood Park

R-297-24

Resolution to Approve the Consent Agenda

6. WORK SESSION: NON-ACTION ITEMS

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-289-24**

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

**INTRODUCE ORDINANCE #24-18
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE ADOPTING Sections 18-4.1 (“POOL OPERATION AND MAINTENANCE”) AND 16-1.7 (“STAGNANT WATER”) TO ADDRESS POOL OPERATION AND MAINTENANCE

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, September 19, 2024 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: September 5, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 24-18**

AN ORDINANCE ADOPTING SECTIONS 18-4.1 (“POOL OPERATION AND MAINTENANCE”) AND 16-1.7 (“STAGNANT WATER”) TO ADDRESS POOL OPERATION AND MAINTENANCE

BE IT ORDAINED by the Mayor and Council of the Borough of Elmwood, in the County of Bergen, as follows:

SECTION 1. Adoption of Code Section 18-4.1 (“POOL OPERATION AND MAINTENANCE”)

A new Borough Code Section 18-4.1, which shall be titled “POOL OPERATION AND MAINTENANCE” be and hereby is adopted to provide the following language:

- A. All swimming pools shall be maintained in a clean and sanitary condition at all times and during all seasons. All equipment shall be maintained in a satisfactory operating condition during periods when the pool is in use.
- B. No swimming pool shall be used, kept, maintained or operated in the Borough if such use or the operation of same creates a nuisance, a danger to life or detriment to health, or insect-breeding conditions.
- C. A charged violation of this section shall require a mandatory court appearance.
- D. For any person found guilty of violating this section, the fine shall be no less than \$500.

SECTION 2. Adoption of Code Section 16-1.7 (“STAGNANT WATER”)

A new Borough Code Section 16-1.7, which shall be titled “STAGNANT WATER” be and hereby is adopted to provide the following language:

- A. Abandoned pools, ponds & stagnant surface or ground water accumulations creating mosquito or other insect-breeding areas are prohibited.
- B. A charged violation of this section shall require a mandatory court appearance.
- C. For any person found guilty of violating this section, the fine shall be no less than \$500.

SECTION 3. Repealer

All Ordinances and parts thereof conflicting herewith be, and the same hereby are, repealed.

SECTION 4. Severability

If any section, paragraph subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.

SECTION 5. Effective Date

This Ordinance shall be effective upon passage and publication as required by law.

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: September 5, 2024

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-290-24**

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

**INTRODUCE ORDINANCE #24-19
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE AMENDING SECTION 5-8.12 (“ENFORCEMENT AGENCY”) TO ALLOW FOR THE BUILDING DEPARTMENT’S ENFORCEMENT OF THE BOROUGH’S FARM ANIMAL PROHIBITION.

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, September 19, 2024 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: September 5, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 24-19**

AN ORDINANCE AMENDING SECTION 5-8.12 (“ENFORCEMENT AGENCY”) TO ALLOW FOR THE BUILDING DEPARTMENT’S ENFORCEMENT OF THE BOROUGH’S FARM ANIMAL PROHIBITION.

BE IT ORDAINED by the Mayor and Council of the Borough of Elmwood, in the County of Bergen, as follows:

SECTION 1. Amendment to Code Section 5-8.12 (“ENFORCEMENT AGENCY”)

Borough Code Section 5-8.12 (“ENFORCEMENT AGENCY”, as previously amended by Ordinance 06-15, be and hereby is amended and supplemented to state:

“The provisions of this section shall be enforced by the Department of Health and Building Department of the Borough of Elmwood Park, or a designee of either Department such as the Health Officer, Health Inspector, or Building Inspector.”

SECTION 2. Repealer

All Ordinances and parts thereof conflicting herewith be, and the same hereby are, repealed.

SECTION 3. Severability

If any section, paragraph subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.

SECTION 4. Effective Date

This Ordinance shall be effective upon passage and publication as required by law.

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: September 5, 2024

Adopted:

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

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-291-24**

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

**INTRODUCE ORDINANCE #24-15
SECOND READING**

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

BOND ORDINANCE TO AUTHORIZE THE 2024 ROAD RESURFACING PROGRAM IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,335,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

was introduced and passed at a meeting held on Thursday, August 15, 2024 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:

BOND ORDINANCE TO AUTHORIZE THE 2024 ROAD RESURFACING PROGRAM IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,335,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

pass on final reading.

APPROVED: September 5, 2024

Robert Colletti, Mayor

ATTEST: _____

Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 24-15**

BOND ORDINANCE TO AUTHORIZE THE 2024 ROAD RESURFACING PROGRAM IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,335,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Elmwood Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake the 2024 Road Resurfacing Program at various locations in, by and for the Borough (including drainage improvements and curb and sidewalk replacement, where necessary), as set forth on a list on file with the Borough Clerk and hereby approved and incorporated herein by this reference thereto. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$1,335,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) the making of such improvements is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,335,000, and (4) \$64,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$1,271,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$215,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$64,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore

adopted for said Borough, are now available to finance said purpose. The sum of \$64,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$1,271,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,271,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer, who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,271,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: August 15, 2024

Adopted: September 5, 2024

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

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-292-24**

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

**INTRODUCE ORDINANCE #24-16
SECOND READING**

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

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BOROUGH PARK PAVILION AND AMPHITHEATER PROJECT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

was introduced and passed at a meeting held on Thursday, August 15, 2024 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:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BOROUGH PARK PAVILION AND AMPHITHEATER PROJECT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

pass on final reading.

APPROVED: August 15, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 15th day of August 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 24-16**

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BOROUGH PARK PAVILION AND AMPHITHEATER PROJECT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Elmwood Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake the Borough Park Pavilion and Amphitheater Project in, by and for the Borough. Said improvement shall include all work, materials, equipment and appurtenances necessary and suitable therefor.

Section 2. The sum of \$625,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that a grant in the amount of \$197,153 from the County of Bergen Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund shall be received by the Borough to finance the cost of the purpose. Any of said grant funds so received shall be applied as set forth in Section 10 hereof. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) the making of such improvement is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$625,000, and (4) \$30,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$595,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$80,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$30,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$30,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$595,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$595,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer, who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough,

and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$595,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: August 15, 2024

Adopted: September 5, 2024

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

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-293-24**

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

**INTRODUCE ORDINANCE #24-17
SECOND READING**

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

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$597,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

was introduced and passed at a meeting held on Thursday, August 15, 2024 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:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$597,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

pass on final reading.

APPROVED: August 15, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 15th day of August 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 24-17**

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$597,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Elmwood Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery and new communication and signal systems equipment in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new communication and signal systems equipment consisting of radio equipment for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,385
Bonds and Notes Authorized	\$ 47,615
Period of Usefulness	10 years

B. Acquisition of new additional or replacement equipment and machinery consisting of fire hose for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,385
Bonds and Notes Authorized	\$ 47,615
Period of Usefulness	5 years

C. Acquisition of new additional or replacement equipment and machinery for the use of the Police Department consisting of (i) rifles, (ii) automated license plate reader equipment and (iii) an all-terrain vehicle.

Appropriation and Estimated Cost	\$ 77,500
Down Payment Appropriated	\$ 3,725
Bonds and Notes Authorized	\$ 73,775
Period of Usefulness	5 years

D. Undertaking of various improvements to the Market Street Stormwater Pumping Station.

Appropriation and Estimated Cost	\$300,000
Down Payment Appropriated	\$ 14,290
Bonds and Notes Authorized	\$285,710
Period of Usefulness	40 years

E. (i) Installation of fencing at various locations, (ii) upgrading of the fuel management system at the Department of Public Works ("DPW") Yard and (iii) acquisition of new additional or replacement equipment and machinery for the use of the DPW consisting of (a) portable traffic barriers, (b) a line painting machine and (c) sign making equipment.

Appropriation and Estimated Cost	\$120,000
Down Payment Appropriated	\$ 5,715
Bonds and Notes Authorized	\$114,285
Period of Usefulness	15 years

Aggregate Appropriation and Estimated Cost	\$597,500
Aggregate Down Payment Appropriated	\$ 28,500
Aggregate Amount of Bonds and Notes Authorized	\$569,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 6. It is hereby determined and stated that moneys exceeding \$28,500, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$28,500 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$569,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$569,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and

notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 25 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$569,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director,

Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: August 15, 2024

Adopted: September 5, 2024

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-294-24**

CONSENT AGENDA

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

CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Teshawn Warren was custodian of the Recreation Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Recreation Depart of the Borough of Elmwood Park is changing custodians to Samantha Hebda; and

WHEREAS, Samantha Hebda is bonded in the amount of \$ 1,000 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Elmwood Park, County of Bergen hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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

September 4, 2024
Dated

APPROVED: September 5, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-295-24**

CONSENT AGENDA

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

**APPOINTMENT OF COUNSELORS FOR THE 2024/2025 SCHOOL YEAR
MORNING CARE & AFTER-SCHOOL PROGRAM
RECREATION DEPARTMENT**

WHEREAS, the Recreation Department will be conducting the Morning Care and After-School Program for the 2024/2025 School Year; and

WHEREAS, it was requested that the following individuals be hired for said program:

Alicea, Jacklyn	Morning Care Counselor
Arias, Camilla	After School Teacher
Aspras, Thanasis	After School/Morning Counselor
Atkinson, Barbara	After School Counselor
Caminero, Kyle	After School Counselor
Chojnowki, Kevin	After School Counselor
Collado, Cheryl	After School Counselor
Colon, Joshua	After School Counselor
Cruz, Roman	After School Counselor
Dedios, Annali	After School/Morning Counselor
Figuroa, Joann	After School Counselor
Fontanez, Jennifer	After School Counselor
Garcia, Javier	After School Counselor
Gerald, Matthew	After School Counselor
Gordon, Annamaria	After School Counselor
Hebda, Jeniffer	After School Counselor
Hebda, Lisa	After School/Morning Counselor
Kalinowski, Veronica	Morning Care Counselor
Marino, Mary	Morning Care Counselor

Marriott-Holiday, Kimberly	Morning Care Counselor
Marshburn, Jaiden	After School/Morning Counselor
McOwen, Michelle	After School Director
Mills, Marlon	After School Counselor
Provenzano, Victoria	Morning Care Counselor
Rahill, Ashley	Morning Care Counselor
Ramos, David	After School Counselor
Santillan, Madison	After School Counselor
Scarpulla, Isabella	After School Counselor
Schwartz, Erik	Assistant Director/Teacher
Surgent, Dorothy	After School/Morning Counselor
Surgent, Joanne	Teacher
Tagliabue, Richard	Bus Driver/Morning Counselor
Tesoriero, Beverly	Teacher
Todmann, Darion	After School Counselor
Wechtler, Harry	Bus Driver

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 approve the above-named individuals for the 2024/2025 School Year Morning Care and After-School Program, effective September 5, 2023, at the hourly rates set forth in the 2024 Salary Ordinance.

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

September 4, 2024
 Dated

APPROVED: September 5, 2024

 Robert Colletti, Mayor

ATTEST: _____
 Shanee Morris, RMC, CMR
 Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

 Shanee Morris, RMC, CMR
 Borough Clerk

 Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-296-24**

CONSENT AGENDA

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

**APPROVE 2024-2025 FLU PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF BERGEN AND
BOROUGH OF ELMWOOD PARK**

WHEREAS, the County of Bergen (“County”) is a body politic and corporate of the State of New Jersey;
and

WHEREAS, Borough of Elmwood Park is a Municipal Corporation of the State of New Jersey;
and

WHEREAS, the County of Bergen, Department of Health Services offers a program in which municipalities may contract for the purpose of providing flu vaccine and/or vaccination services/clinics to its residents; and

WHEREAS, the program includes purchasing the vaccines in bulk, and then administration of the vaccine to residents, by either the Municipality’s designated Health Officer or the County’s designated Public Nurse; and

WHEREAS, the hereinafter referred to as the “Municipality”; and

WHEREAS, the County of Bergen, Department of Health Services, having its principal place of business at One Bergen County Plaza, Hackensack, NJ 07601 and hereinafter referred to as the “BCDHS”; and

WHEREAS, the Bergen County Resolution as adopted by the Bergen County Board of Chosen Freeholders authorized by the County Executive to enter into an agreement;

NOW, THEREFORE, IT IS AGREED, by and between the MUNICIPALITY and the COUNTY as follows:

1. The Municipality will purchase the flu vaccine from the County and will decide to either administer same through the Municipality’s designated Health Professional or the Bergen County’s designated Health Professional, as indicated in this agreement below.

2. Municipality will incur cost of \$19.50 per pre-filled syringe for the 2024- 2025 flu vaccine. Due to restrictions by the vendor, the flu vaccine is non-returnable.

3. Municipality will incur an additional fee of \$25.00 per flu vaccine recipient if the BCDHS provides nursing services to administer the flu vaccine.

4. If Municipality nurse administers the flu vaccinations, there will not be any additional fee.

5. Flu vaccine can only be purchased by pre-filled syringes, vials are not available.

6. Municipality will be billed once upon completion of all municipality clinics.

7. Compliance Obligations. The County and Municipality acknowledge and agree that by virtue of the services Municipality is to perform under this Contract, the Municipality will adhere to complete compliance with the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, and its Standards for Privacy of Individually Identifiable Health Information, (such regulations and act are hereinafter collectively referred to as “HIPAA”) and more specifically as follows:

i. County and Municipality acknowledge that in order for the BCDHS to disclose to Municipality, or for the Municipality to create or to receive on behalf of BCDHS, information defined as “protected health information” under HIPAA, BCDHS must obtain and document satisfactory assurances that Municipality will appropriately safeguard the information.

ii. Municipality is BCDHS's "Municipality" as such term is defined under the regulatory Standards for Privacy of Individually Identifiable Health Information adopted pursuant to the Health Insurance Portability and Accountability Act of 1996.

iii. Municipality may use and disclose protected health information it receives from BCDHS or that it creates or receives on behalf of BCDHS (collectively, the "Protected Health Information") only to perform its obligations under the Contract and, in such cases, only to the extent that BCDHS may use and disclose such information, or as otherwise permitted or required under this Agreement or required by law.

iv. Municipality may not use or disclose Protected Health Information other than as permitted or required in the Contract or this Agreement, or as required by law.

v. Municipality shall use appropriate safeguards to prevent the use or disclosure of Protected Health Information other than as provided for under the Contract or this Agreement.

vi. Municipality shall promptly report to BCDHS any use or disclose of Protected Health Information not provided for under the Contract or this Agreement of which Municipality becomes aware.

vii. Municipality shall ensure that any agents, including any subcontractor, to whom Municipality provides Protected Health Information, agrees to the same restrictions and conditions that apply to Municipality under this Agreement with respect to such information.

viii. Municipality shall make available to BCDHS, within 15 business days of BCDHS's request, such Protected Health Information maintained by Municipality as BCDHS requires to comply with the access and inspection rights of the individual who is the subject of the information, or the access and inspection rights of the individual's personal representative, in accordance with 45 C.F.R. §164.524.

ix. Municipality shall make available to BCDHS, within 15 business days of BCDHS's request, such Protected Health Information maintained by Municipality as BCDHS requires to make amendments in accordance with 45 C.F.R. §164.526, and Municipality shall incorporate amendments into Protected Health Information as directed by BCDHS.

x. Municipality shall document disclosures of Protected Health Information it makes if and to the same extent that BCDHS is required to document the disclosures under 45 C.F.R. §164.528, and it shall make such documentation available to BCDHS within 15 business days of BCDHS's request.

xi. Municipality shall make available to the Secretary of the United States Department of Health and Human Services its internal practices, books and records relating to the use and disclosure of Protected Health Information for purposes of determining BCDHS's compliance with the standards and implementation specifications for Municipality contracts.

8. Management and Administration; Data Aggregation.

i. Municipality may use such Protected Health Information as is necessary for the proper management and administration of Municipality or the Municipality to perform its legal obligations. Municipality may disclose Protected Health Information for such purposes, but only if (a) the disclosure is required by law, or (b) Municipality obtains reasonable assurances from the person to whom the information is disclosed that it will be held confidentially and used or further disclosed only as required by law or for the purposes for which it was disclosed to the person, and the person notifies Municipality of any breach of confidentiality concerning such information of which it is aware.

ii. Municipality may use the Protected Health Information to provide data aggregation services relating to the health care operations of BCDHS.

9. Term and Termination.

i. The term of this Agreement shall be from September 1, 2024, through June 30, 2025.

ii. Notwithstanding anything to the contrary contained in the Contract, BCDHS may terminate the Contract and this Agreement upon at least 45 days advance written notice of termination, if Municipality materially breaches any term or condition of this Agreement and Municipality fails to cure the breach within the notice period.

iii. Upon Termination of this Agreement, if feasible, Municipality shall return to BCDHS or destroy all Protected Health Information in its possession and retain no copies of such information if infeasible, it may maintain such information; however, the protections of this Agreement will survive termination with respect to such information, and Municipality shall limit further its uses and disclosures of the Protected health Information for those purposes that make the return or destruction of the information infeasible.

10. Notice. Written notice under this Agreement shall be sent via certified mail, return receipt requested, to:

The County:

**Bergen County Department of Health Services
One Bergen County Plaza, 4th Floor Hackensack,
New Jersey, 07601
Attention: Hansel F. Asmar, Director/Health Officer**

The Municipality:

**Borough of Elmwood Park
182 Market Street
Elmwood Park, NJ 07407-1407
Attn.: Shanee Morris, Borough Clerk**

APPROVED: September 5, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-297-24**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

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-294-24 through R-297-24 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: September 5, 2024

Robert Colletti, Mayor

ATTEST: _____
Shanee Morris, RMC, CMR
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 5th day of September 2024. Signed and sealed before me.

Shanee Morris, RMC, CMR
Borough Clerk

Dated

Work Meeting Agenda Items:

PUBLIC HEARING:

The family of Lou Mangano requested for there to be a street sign put in place in his honor.

1 – ENGINEERS REPORT

- a. **Monthly Status Report**– Matthew Baisle from Alaimo Engineering went through his report.
- b. **Additional Fees - Tax Map Update** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- c. **Proposal for Professional Services – Elmwood Drive Park Improvements** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- d. **Proposal for Design Services – 2024 Borough Road Program** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- e. **Final Payment, Current Estimate #6 Change Order #5 – Turf Field** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.

2 – RESOLUTIONS

- a. **Junior Firefighter Application** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- b. **Returning Firefighter** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- c. **New Auxiliary Member – Company 2** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- d. **Fire Department Leave of Absence** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- e. **EMT New Hires** – A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.
- f. **Planning Board Vacancy recommendation** – Mayor Colletti recommended Jeffery Freitag Jr. to join the Planning Board to fill vacancy. The Mayor and Council discuss and agree. A resolution will be placed on the September 19, 2024 Mayor and Council Regular Meeting.

3 – PROPOSED ORDINANCES

- a. **No Parking Zone on Linden Avenue** – An ordinance will be introduced at the September 19, 2024 Mayor and Council Regular Meeting.
- b. **Garbage Receptacle Specifications** – An ordinance will be introduced at the September 19, 2024 Mayor and Council Regular Meeting.

4 – DEPARTMENTAL REPORTS

- a. **Building Department Monthly Report** – August, 2024 – Accepted without discussion
- b. **Millennium Strategies Monthly Report** – Through August, 2024 – Accepted without discussion

5 – COMMITTEE REPORTS:

Councilwoman Dennis reported progress.

Councilman Fasolo reported progress.

Councilman Golabek reported progress.

Councilwoman Pellegrine gave her Police update and announced upcoming events. For her Board of Health update, she announced the upcoming flu clinic as well as the next meeting date. She then announced the next meeting for the Chamber of Commerce. Lastly, she gave her update for the Residents Assistance Program and announced the Stomp out Hunger event.

Councilwoman Troisi gave her Recreation update and announced the ending of the summer concerts as well as the close of registration for aftercare. She then gave an update for the upcoming Community Day. Lastly, she announced the next meeting date for the Board of Education.

Council President Sheridan stated the Village Block Party was a great event as well as the summer concert which has ended.

Mayor Colletti announced the unveiling of the Vietnam Veterans Memorial. It will take place on October 19, 2024.

6 – 2nd PUBLIC HEARING:

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

Jeanie Freitag, Hillman Drive, thanked the Mayor for recommending her son Jeffery to fill the vacancy on the Planning Boards.

Eric Saimson, Obal Avenue, asked about the walkway at Cherry Hill Park.

7 – EXECUTIVE:

A motion was made by Councilman Fasolo and seconded by Councilwoman Troisi to enter into executive. Motion carried unanimously.

EXECUTIVE SESSION

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:

Personnel – Finance

Personnel – Department of Public Works

Recreation

Litigation/Legal Report

Attorney-Client

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 Dennis and seconded by Councilwoman Pellegrine to adjourn. Motion carried by the members present.

Respectfully submitted,

Shanee Morris, RMC, CMR
Borough Clerk