

**BOROUGH OF ELMWOOD PARK**

**WORK MEETING**

**June 27, 2013**

**8:00 p.m.**

The Work Meeting of the Elmwood Park Mayor and Council was called to order by Municipal Clerk Keith Kazmark at 8:01 p.m. Statement of Compliance was read.

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

Now, Therefore Be Advised that the meeting requirements for this meeting have been met by the publishing an annual notice in The Record of Hackensack and Herald News of Woodland Park and by posting such notice in the office of the Borough Clerk as well as in a public place within the Municipal Building and by notifying interested citizens. Said notice was posted on January 1, 2013.

Governing Body members Caramagna, Castiglia, Colletti, Conboy, Pettigano and Vuoncino and were present. Also present were Mayor Mola, Borough Clerk Keith Kazmark and Borough Attorney Brian Giblin.

**Public Hearing:**

Myles Garvey, Fenscak Avenue, stated that he is aware that the Recreation Department will be discussed at tonight's meeting and he requests the opportunity to speak when the topic is discussed. Mayor Mola stated the Council is not aware of what the discussion will pertain to and Mr. Garvey may speak during the tonight's public portion or may speak at the next public portion at a future meeting.

**Work Meeting Agenda Items:**

**1 – Engineering Report:** Mr. Ten Kate stated the concrete road work is almost completed and milling and resurfacing will be completed approximately the third week of July. Kipp Avenue pump station will be completed in approximately two weeks. Boswell Engineering will be starting the planning stage of the Market Street Streetscape. Mr. Ten Kate inquired if the Council wanted placement for decorative waste baskets and benches included in the plan near the park area. Mayor Mola asked Mr. Ten Kate to reach out to Mr. Karcz regarding placement of waste baskets. Mr. Ten Kate discussed the planning of the Orange Avenue improvement. Mr. Ten Kate stated the grant does not include handicap ramps that are not ADA compliant. Mr. Ten Kate stated the emergency generator is on order. He also stated the deadline for applications for Open Space Grants is the end of August and a requirement for the grant is a public hearing be held where the public has the opportunity to address the Governing Body. Councilman Caramagna inquired about the resurfacing of Gilbert Avenue where emergency sewers were conducted. Mr. Ten Kate will reach out to Mr. Karcz for information and report back to the Council.

**2 - Proposal for Professional Planning Services – Rehabilitation Study – Kauker & Kauker LLC – Mr. Kazmark discussed the proposal received from Kauker & Kauker. Mr. Kazmark stated if the Council chooses to move forward, a resolution will be placed on the July 18, 2013 Regular Meeting agenda. Councilman Colletti stated he believes this is a good move and protects the residents and feels the Council should move forward with the plan. Discussion ensued to whether property acquired would be only used for additional parking or for other uses. Councilman Colletti believes the property can only be used for parking. Councilman Vuoncino believes that the plans would not be limited to parking only. Mr. Giblin stated if the zoning changed to extend the commercial zone 50 feet, variances would no longer be required. Mayor Mola discussed how demolishing a two family house and converting the property to a parking lot could bring in less taxes to the Borough. Councilman Vuoncino suggested adding an interim meeting for Mr. Kauker to address the Council so that the Governing Body can decide whether to proceed at that time with the study. A resolution will be placed on the July 18, 2013 Regular Meeting agenda adding an interim meeting to the proposal. Mayor Mola expressed his objection to moving forward.**

**3 – Membership/Contribution letter from Passaic River Coalition – A resolution will be placed on the July 18, 2013 Regular Meeting agenda renewing the Borough's membership in the Passaic River Coalition.**

**4 – Request by Boy Scouts of America regarding donation of Borough vehicle – Mr. Kazmark stated that Mr. Karcz confirmed one vehicle is available for auction and the value is approximately \$1,000. Mr. Kazmark stated if the Council chooses to donate the vehicle it would need to be done by resolution and it might set a precedence where other organization may approach the Borough for donations. After some discussion the Council decided not to donate the vehicle.**

**5 – Letter requesting approval for Block Party on East Washington Avenue – A resolution approving the request for a block party will place on the July 18, 2013 Regular Meeting agenda.**

**6 – Letter from Scott Karcz requesting approval for summer seasonal employees – Mr. Kazmark stated that Mr. Karcz would like to start three individuals on July 1, 2013 with a confirming resolution placed on the**

July 18, 2013 Regular Meeting agenda. The individuals would be paid \$10 per hour. The Governing Body agreed to authorize the seasonal employees to start on July 1, 2013 with a confirming, retroactive resolution on the July 18, 2013.

**7 – Memorandum from Deb Ricci regarding Proposed Public Health Shared Service Agreement** – Mr. Kazmark discussed communications with Ms. Ricci pertaining to hiring an inspector and stop going through Mid Bergen for the services. Since the discussions began, Lodi has agreed to pay half of the salary for the inspector. Mr. Kazmark stated if another shared service agreement is entered into, the fee schedule for the inspector can be adjusted.

**12 – Documentation regarding the Recreation Commission Structure** – Mr. Kazmark stated the documentation was submitted by Councilman Pettigano. Councilman Pettigano discussed his research regarding Recreation Commissions throughout Bergen County. Councilman Vuoncino inquired what is trying to be accomplished with these discussions. Mr. Kazmark stated the Municipal Code needs to be in line with State statutes. Councilman Vuoncino inquired as to whether Councilman Pettigano is seeking to fill in gaps to the structure or to change the structure completely. Councilman Pettigano stated he is looking to change the structure of the Recreation Commission. He further stated that six out of thirty one municipalities in Bergen County has Commissions, while the others have Advisory Boards. Councilman Pettigano stated that an Advisory Board would perform similar functions as the Recreation Commission, however the power for certain decision making would belong to the Mayor and Council. Councilman Vuoncino inquired which Boards this addresses. Councilman Pettigano stated only the Recreation Commission can be structured differently, the Library Board and the Board of Health cannot be changed as per statute. Councilman Pettigano stated that the Recreation Commission has done a great job, and typically the Recreation Commission has been run as an Advisory Board with the Council making the financial decisions until recently. Councilman Conboy stated at the end of the day the Council has the budgetary authority. Discussion pertaining to conflict of interest ensued. Councilman Pettigano stated he is looking to have the Board report to the Recreation Director and the Mayor and Council. He further stated he feels that Commission member should not be allowed to further the cause of any entities that they are associated with. Councilman Pettigano discussed the lack of respect that has been shown by the Commission. Mr. Giblin stated that the Recreation Commission ruled by State statute, whereas with an Advisory Board or a Committee, the Governing Body would decide what rules apply. He also stated a name change would be needed if a change would be made, the Commission would no longer be able to be called Recreation Commission. Councilman Pettigano suggested Council members reach out to Ms. Puglisi prior to the next work session. He also stated that he would like to see the Commission changed to an Advisory Board just as 85% of the municipalities in Bergen County are. Councilman Conboy stated he does not feel it was right to discuss Ms. Puglisi because she has not been Rice Noticed. He further feels it is not right to discuss the Recreation Commission. Councilman Conboy has seen Commissioners abstain from votes, and does not agree with Councilman Pettigano's statement pertaining to Commissioner's entities may have benefited from funding. Councilman Conboy expressed his opinion on tonight's topic being unfair and wished Councilman Pettigano was around when injustices were happening. Councilman Conboy discussed how Recreation meetings were handled in the past. Councilman Pettigano apologized if he offended anyone. Councilman Colletti discussed the Councilman's concern regarding the Recreation Commission, and his desire to have a meeting between the Council and the Commission to discuss concerns. He further stated after a meeting then the Council can decide if there is a need to move forward. Mayor Mola stated that he hopes that Commissioners that have ties to any entities exclude themselves from items that a conflict of interest exists. He also asked that if anyone on the Council has a suggestion for someone to be appointed to the Recreation Commission to let him know. One of the Commissioners has given their verbal resignation from the Commission, however the Borough is waiting for the written resignation to vacate the seat. A meeting will be requested sometime in September between the Council and the Recreation Commission.

**13 – Renewal letter from South Bergen Municipal JIF** – A resolution to renew with South Bergen Municipal JIF will be placed on the July 18, 2013 Regular Meeting agenda.

**8 – ORDINANCES:**

- a. **Animal Control** – Mr. Kazmark stated the Borough needs an ordinance that will back signage for the Police Department. Councilman Pettigano stated signage at the parks states dogs are not permitted. Mr. Kazmark asked for the ordinance or code number that is on the signs so that he may cross reference the signs with the Municipal Code. Discussion regarding the installation of disposal dispenser in the parks. The consensus of the Council was to not allow dogs within the parks.

**9 – DEPARTMENTAL REPORTS:**

- a. Court Report – May 2013 – Accepted without discussion.
- b. Building Department Inspection Report – April 26, 2013 – June 26, 2013 – Accepted without discussion.
- c. Recreation Department Report – June 2013 – Accepted without discussion.
- d. Recreation Commission Minutes – May 20, 2013 – Accepted without discussion.

**10– COMMITTEE REPORTS:**

Councilman Castiglia reported progress.

Councilman Caramagna discussed the parking situation on Gilbert Avenue near Gilbert Avenue. Discussion ensued to the time parking will be restricted. Councilman Caramagna made a suggestion to look into make a portion of Falmouth Avenue a one way street. The Councilman discussed the recent Homeowners Association meeting.

Councilman Conboy discussed a DWI checkpoint that he witnessed. Councilman Conboy discussed the funds put into the current budget for tax appeals. Councilman Conboy stated that Summer Camp has begun and it is projected approximately 470 children will be registered in this year's camp. He attributed it to the affordable cost of the camp.

Councilman Pettigano stated the Board of Health will be discussing the hiring of an inspector at their upcoming meeting.

Councilman Vuoncino reported progress.

Councilman Colletti discussed statements made by Mr. Egan regarding matching grant funds that is available is available. Mr. Kazmark discussed conversations between himself and Mr. Egan. Councilmen Colletti asked for verification on the Borough's Safety Inspector. Mr. Kazmark stated that Mr. Karcz is the Borough's Safety Inspector. Councilman Colletti inquired if a conflict of interest exists because Mr. Karcz is also the Department of Public Works Superintendent. Mr. Kazmark stated a conflict does not exist due to routine inspections that are conducted by Bergen JIF.

Mayor Mola asked the Council if they have had the opportunity to go to Chamberlain Avenue to view the parking issues. The Mayor suggested the Council meeting with the business owner to discuss the parking on Chamberlain Avenue. Mayor spoke to a County Freeholder regarding the County Park. He expressed his frustration with the process regarding the County Park.

**11 – Executive Session:**

- a. Police Department – Off Duty Pay Rate
- b. Synkote Paint
- c. Fenscak Avenue & Boulevard

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:

**Police Department – Off Duty Pay Rate**  
**Synkote Paint**  
**Fenscak Avenue & Boulevard**

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 Vuoncino and seconded by Councilman Conboy to enter into Executive Session. Motion carried by the members present.

**Police Department – Off Duty Pay Rate**  
**Synkote Paint**  
**Fenscak Avenue & Boulevard**

A motion was made by Councilman Castiglia and seconded by Councilman Pettigano to return to the public session. Motion carried by the members present.

A motion was made by Councilman Castiglia and seconded by Councilman Pettigano to adjourn. Motion carried by the members present.

Respectfully Submitted,



Keith Kazmark, RMC/CMC/MMC  
Municipal Clerk

