

**BOROUGH OF ELMWOOD PARK**  
**WORK MEETING**  
**September 8, 2016**  
**8:00 p.m.**

The Work Meeting of the Elmwood Park Mayor and Council for September 8, 2016 was called to order by Municipal Clerk Keith Kazmark at 8:01 p.m. The Statement of compliance was read.

Council Members Colletti, Chirido, Dombrowski, Giandomenico and Vuoncino were present. Also present were Mayor Mola, Municipal Clerk Keith Kazmark, Borough Attorney Brian Giblin and Borough Engineer Nordan Murphy.

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 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, 2016.

**Public Hearing:** No one wished to be heard.

**Work Meeting Agenda Items:**

**1 – ENGINEERING REPORT:**

- a. **Monthly Status Report** – Mr. Murphy discussed the County Open Space Applications for both Cherry Hill Park and Birchwood Park improvements. He discussed the maintenance guarantee regarding the PSE&G Energy Strong project. Alaimo Engineering is in the process of coordinating punch list items for the Market Street Force Main Improvements. Mr. Murphy discussed the Pump Station #6 Improvements and stated the completion of the project is anticipated to be February 2017. A corrective work letter has been sent to the contractor regarding the 2015 Road Program. The contractor has not yet completed the corrective work. Minor outstanding items of corrective work need to be completed regarding the Boulevard Improvements for Sections 8, 9 & 10. Final payment will not be authorized until the items have been completed. Construction plans for the hockey rink have been completed and it is anticipated that the project will be ready for advertising mid-September. Discussion ensued as basketball being played at the location. Mr. Murphy stated there is still time to decide whether or not to include basketball with the project. The final estimated construction costs for the project will be lower than the original estimate. Mr. Murphy discussed the Improvements to Summit Avenue, North Street, Franklin Street and Gall Avenue. The project is specified to be completed within 60 calendar days from the issuance of the Notice to Proceed. A new contract completion date of November 8, 2016 has been issued for the Market Street Streetscape – Phase 2 project. The 2016 Road Program is ready to be advertised and a date for the bids to be received is being coordinated with the Clerk's office. Mr. Murphy discussed the Market Street Bridge Pipe Hanger inspection which is anticipated to be completed by October 14, 2016. Once the inspection is completed, an analysis will be completed and distributed for the Council's review.
- b. **Letter from NJ DOT announcing the Transportation Alternatives Program (TAP)** – Borough Clerk Kazmark discussed the grant opportunity and discussion ensued as a Market Street Streetscape – Phase 3 be pursued. Councilman Dombrowski suggested a walking path along the current railroad tracks that cross Market Street. Discussion ensued as to what needs to be considered when applying for grant money. Council President Vuoncino discussed pursuing available grants if a project the Council is working on falls in line with the opportunity. Further discussion will be held over to the September 22, 2016 Work Session.
- c. **Current Cost Estimate #2 – Market Street Streetscape – Phase 2** – A resolution will be placed on the September 15, 2016 Regular Meeting agenda.



- d. **Bid Tabulations – Summit Avenue, North Street, Franklin Street and Gall Avenue –** Discussion ensued as to the bids received. Alaimo Engineering is recommending the bid be awarded to D & L Paving Contractors, Inc. of Nutley. A resolution will be placed on the September 15, 2016 Regular Meeting agenda to award the bid.

**2 – Discussion of EPFD Stipend Program –** Councilman Colletti discussed items of concern regarding the stipend program such as youth aged fire fighters being included in the program. Fire Chief Pressler stated that these fire fighters are eligible under the current LOSAP program. Council President Vuoncino stated metrics should be developed and put in place for the program. Chief Pressler stated the Department is facing a man shortage therefore he is looking for way to entice more people to become firefighters. Councilman Dombrowski discussed the Council wanting a year to assess how the program works. Chief Pressler stated he knows that it was agreed to a year to gauge the program but feels that 18 months would be better. Discussion ensued as to where the bar is to be set to gauge the success of the program. Councilwoman Giandomenico discussed her request for data from surrounding towns that was never received. She then discussed the data that she received from 13 other towns upon request. Chief Pressler discussed a phone call from Councilman Colletti that the Council agreed to \$2,000 and \$3,000 stipends and to take it back to the different companies. Councilwoman Giandomenico stated she does agree with a stipend program for the Fire Department but did not agree to those amounts and asked for additional information from other municipalities and their payouts. Councilman Colletti discussed the program having a year test period so that the Governing Body can decide as to whether the program will be extended long term. Discussion ensued as to the cost to the Borough for the test period. Chief Pressler stated it would be approximately \$72,000. Council President Vuoncino stated the consensus of the Council is to have a stipend program; however, the Council must also make sure that the program is financially feasible to the residents. Chief Pressler stated that the Fire Department just saved the Borough \$355,000 and does not know why the previously agreed amount might be reneged upon. Councilwoman Giandomenico commended the Fire Department on the work they did to receive the grant for the breathing apparatus packs but the two items are separate and we cannot compare the stipend program to a capital improvement. Mayor Mola agreed that some negotiation should take place with the program but did not agree with the comment that all the members of the Fire Department would turn in the trucks and resign. Chief Pressler stated it would not happen all at once. He further stated this almost happened in 2006 in regard to the Rescue Truck. Mayor Mola asked if the members would be asked to resign if they did not get the stipend program. Assistant Chief Shadwell stated they don't have to be told. Councilman Colletti stated there is a lot of frustration. Fire Fighter Scott Muttell discussed his thoughts regarding having a goal to achieve for the stipend program. He stated having the program can help to get the right people at a fire call and it shouldn't be all about the goal but as a "thank you". Council President Vuoncino discussed the metrics in place which he is asking for. Borough Clerk Kazmark asked Borough Attorney Brian Giblin if the year trial period would be included in the ordinance or would it be the responsibility of the Council to review the ordinance in a years' time. Mr. Giblin stated the Council would need to review the ordinance. Mayor Mola inquired if an annual 2% increase applies to the stipend program. Mr. Giblin will draft the ordinance including the \$2,000 and \$3,000 stipends and omitting the annual increase. Chief Pressler will also forward to Borough Clerk Kazmark the metrics for the Council's review at the September 22, 2016 Work Session.

**3 – Discussion of Fire Grant Award - \$355,498 – Self Contained Breathing Apparatus –** The bond introduction will be placed on the September 15, 2016 Regular Meeting of the Mayor and Council and will be adopted at the October 6, 2016 Regular Meeting. Once the 20 day Estoppel has elapsed the purchase can be made. Fire Chief Pressler will forward to the Clerk's Office the quotes for the purchase.

**4 – Resolution Request to support funding the NJ Transportation Trust Fund –** A resolution supporting the funding of the NJ Transportation Trust Fund on the September 15, 2016 Regular Meeting agenda.

**5 – Resolution Request honoring the 50<sup>th</sup> Anniversary of the Bergen Volunteer Center –** A resolution will be placed on the September 15, 2016 Regular Meeting Agenda.

**6 – Use of Facilities Request – Chambers & All Purpose Room – NJCCD –** A resolution will be placed on the September 15, 2016 Regular Meeting agenda to approve the use of the All Purpose Room and Council Chambers by NJCCD.



**7 – Coin Toss Request – EPFD Defender Fire Company #4** – Mr. Kazmark stated that due to the requested date, a verbal approval by the Council is needed. A confirming resolution will be placed on the September 15, 2016 Regular Meeting agenda.

**8 – Memorandum from CFO Roy Riggiano regarding Bond Anticipation Note Bids** – Mr. Kazmark stated this is an informational item only and does not require any action by the Council.

**9 – Letter from Democratic Chairman Frank Caramagna regarding vacant Council seat** – Mr. Kazmark discussed the timeline in place regarding a Council vacancy. Mayor Mola asked for a small biography from the candidates so that the new Council members can have some insight of the individuals. A blank resolution will be placed on the September 15, 2016 Regular Meeting so that a person can be nominated at the meeting.

**10 – Correspondence regarding funding for COAH Planning & Legal Services** – Mr. Kazmark discussed the planning and legal services going over the not to exceed amounts on the COAH litigation. Due to the litigation regarding COAH further discussion will be held over in an executive session.

**11 – Discussion of Noise Issues arising from Eastside Park, Paterson** – Police Chief Foligno discussed the action plan that he has in place regarding the noise carrying over from Paterson's East Side Park. Discussion ensued as to what Paterson Officials have been contacted regarding the noise. Chief Foligno is going to reach out to the Paterson Police Chief to discuss the complaints received from Borough residents. Discussion ensued as to Council members attending a Paterson Public Meeting. Mr. Kazmark suggested scheduling a meeting with the Paterson Administration prior to going to a public Council meeting. Mayor Mola stated that he, the Police Chief and the Administrator have been working together to try and put a stop to the noise for over a year. Mr. Kazmark will schedule a meeting with the Paterson Administration to address the concerns regarding the noise nuisance.

**12 – Discussion of Department of Corrections Inspection/PREA** – Chief Foligno discussed the inspection performed by the Department of Corrections. He further discussed the mandated changes needed regarding the cells located in the Police Department. Councilwoman Giandomenico inquired if there are any grants available that would be applied for to make the needed changes. Chief Foligno stated he is not aware of any grant opportunities.

**13 – Discussion of Court Room Security Matters** – Chief Foligno discussed the security survey that was conducted by the Prosecutor's Office. Mr. Kazmark discussed the concern of the que line for the Municipal Court. Limited discussion ensued because of the sensitive nature and the presence of members of the public. Some discussion ensued as to addressing security measures.

**14 – ORDINANCES:**

**a. Proposed Ordinance restricting smoking in public places** – Chief Foligno discussed a group that has been making rounds to Police Departments and smoking medicinal marijuana legally by their entrances. Chief Foligno stated that having an ordinance in place addressing no smoking on Borough owned property would enable the Police to advise of the municipal code and ask them to leave the property while smoking. Mr. Giblin will provide a draft ordinance for Chief Foligno's review and introduction for the September 15, 2016 Regular Meeting agenda.

**b. E-Mail from CCO Richard Bolan regarding Property Maintenance Code** – Mr. Kazmark discussed with the Council Building Official Richard Bolan's request that the property maintenance code be amended. He discussed the 2015 International Property Maintenance Code. Mr. Kazmark inquired if the Council would allow the ordinance committee to meet with staff from the Building Department to review and present the Council with an amended chapter for the Municipal Code. There were no objection with Mr. Kazmark's suggestion.

**15 – DEPARTMENTAL REPORT:**

- a. Police Department Report – July 2016** – Accepted without discussion.
- b. Municipal Court Report – July & August 2016** – Accepted without discussion.
- c. Building Department Report – July 2016** – Accepted without discussion.

d. **Finance Department Report – August 2016** – Accepted without discussion.

**16 – COMMITTEE REPORTS:**

Councilman Chirido reported progress.

Councilman Colletti expressed his sadness over the recent fatal house fire.

Councilman Dombrowski discussed the upcoming 9-11 Memorial and field dedication.

Councilwoman Giandomenico stated the next Board of Education meeting is September 27, 2016.

Council President Vuoncino discussed the resident issues that were brought up at the last public meeting and the Council addressing those concerns.

Mayor Mola had no report.

**17 – EXECUTIVE SESSION:**

**a. Litigation – COAH**

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 – COAH**

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 Chirido and seconded by Councilman Giandomenico to enter into Executive Session. Motion carried unanimously.

**Litigation – COAH**

A motion was made by Councilman Colletti and seconded by Councilman Dombrowski to return to the public session. Motion carried unanimously.

A motion was made by Councilman Colletti and seconded by Councilwoman Dombrowski to adjourn. Motion carried unanimously.

Respectfully submitted,

  
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Keith Kazmark, RMC/CMC/MMC  
Municipal Clerk

*Approved at the October 6, 2016 Regular Meeting of the Mayor and Council.*