

**REGULAR MEETING
OF THE
ELMWOOD PARK MAYOR AND COUNCIL
JANUARY 17, 2019
8:00P.M.**

1. CALL TO ORDER:

The Regular Meeting of the Mayor and Council of the Borough of Elmwood Park was called to order on Thursday, January 17th, 2019 at 8:00P.M. in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

On Roll Call Councilmembers: Balistrieri, Dombrowski, Ingui, Pellegrine, Wechtler, and Council President Golabek were present. Also present were Mayor Caramagna, Borough Administrator Michael Foligno, Assistant Municipal Clerk Marlene DiStefano, and Borough Attorney Salvatore Ingrassia.

2. PRAYER AND 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 on January 7, 2019.

4. ORDINANCES:

FIRST READING

R-50-19

Introduce Ord. #19-01

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.

R-51-19

Introduce Ord. #19-02

AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “DEPARTMENT OF LOCAL GOVERNMENT.” MORE SPECIFICALLY SECTION 2-27 ENTITLED “POLICE DEPARTMENT.”

R-52-19

Introduce Ord. #19-03

AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “SOLID WASTE MANGEMENT.”

R-53-19 Introduce Ord. #19-04

AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “ADMINISTRATION” MORE SPECIFICALLY ARTICLE II “OFFICES CREATED” SECTION 2-7 TITLED “MUNICIPAL CLERK” AND SECTION 2-7.5 TITLED “ADMINISTRATIVE DUTIES OF THE MUNICIPAL CLERK.”

R-54-19 Introduce Ord. #19-05

AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE THREE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”

R-55-19 Introduce Ord. #19-06

AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “FIRE PREVENTION.”

5. CONSENT AGENDA:

- R-56-19 Resolution Authorizing Appointment of Municipal Representatives to the Bergen County Community Development Regional Committee
- R-57-19 Authorize Payment for Borough Clock Installation – Michael Vricella Construction Co.
- R-58-19 Authorize Payment for Recreation Building Wall Repairs – Michael Vricella Construction Co.
- R-59-19 Authorize Payment for Orchard, Franklin, and Lee Street Improvements – American Asphalt & Milling Services
- R-60-19 Authorize Release of Performance Survey Bond & Cash Bonds – Mohammed Ahmed/Sarah Donuts, LLC
- R-61-19 Appointment of Firefighter – Gregory Kiledjian – Company #2
- R-62-19 Appointment of Firefighter – Steven Garcia – Company #2
- R-63-19 Authorize Vacation Buyback – Frank Thorpe
- R-64-19 Authorize Vacation Buyback – Chris Liptak
- R-65-19 Appointment of OEM Deputy Coordinators
- R-66-19 Establishing members of the Stigma-Free Task Force
- R-67-19 Central Bergen Mutual Fire Aid Association Agreement
- R-68-19 Authorizing execution of Risk Management Consultant Agreement
- R-69-19 Appoint Special Legal Counsel – Mark Madaio
- R-70-19 Appoint Special Prosecutor – Albert Wunch
- R-71-19 Approval of Payroll
- R-72-19 Resolution Opposing Construction of the North Bergen Liberty Generating Gas-Fired Power Plant
- R-73-19 Authorize Purchase of 2 2019 Police Interceptor SUVs – Fire Prevention Bureau
- R-74-19 Resolution authorizing the use of the all-purpose room – Elmwood Park Takes Action
- R-75-19 Retirement Compensation Charles Pensari – Police Department

R-76-19 Resolution Authorizing Additional Compensation – Debra Bulmer
R-77-19 Resolution to Accept Consent Agenda

6. DEPARTMENTAL REPORTS

Library Board Minutes – November 19, 2018

7. COUNCIL REPORTS:

8. MAYOR’S REPORT:

9. PUBLIC HEARING:

10. ADJOURNMENT:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-50-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN INGUI
SECONDED BY: COUNCILWOMAN WECHTLER**

**INTRODUCE ORDINANCE #19-01
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.

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, February 21, 2019 at 8:00PM 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 Acting 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: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 19-01**

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH THE WATER DEPARTMENT OF THE BOROUGH OF ELMWOOD PARK, BERGEN COUNTY, NEW JERSEY, TO FIX THE RATES AND PRICES TO BE CHARGED FOR THE USE OF WATER AND ESTABLISH RULES AND REGULATIONS FOR THE DISTRIBUTION, SUPPLY, USE AND PROTECTION OF SAID WATER AND PENALTIES FOR THE VIOLATION OF CERTAIN SAID RULES AND REGULATIONS.

WHEREAS, due to an aggregate 3% increase in water consumption from bulk water supplier, Passaic Valley Water Commission, the following is necessary;

BE IT ORDAINED, by the Mayor and Council, of the Borough of Elmwood Park as follows:

Section 1: A fixed charge known as “the service charge,” will be made to each Consumer for each meter based on the size of the meter or connection regardless of the amount of water consumed as follows:

5/8 in. Meter (average 1 and 2 family homes)	\$49.10
¾ in. Meter	\$55.23
1 in. Meter	\$58.91
1 ½ in. Meter	\$63.80
2 in. Meter	\$65.03
3 in. Meter	\$93.18
4 in. Meter	\$110.35
6 in. Meter	\$142.17
Flush tank connection	\$45.39

Section 2: The following water rates and changes are hereby established for water supplied by the Department.

The minimum quarterly bill for metered service shall be “the service charge” entitling the consumer to 5,000 gallons of water per quarter. All water supplied through meters in excess of the minimum quarterly bill, shall be charged to each consumer at the rate of:

- \$5.42 per 1,000 gallons over 5,000 gallons
- \$5.88 per 1,000 gallons over 70,000 gallons
- \$6.66 per 1,000 gallons over 150,000 gallons
- \$7.15 per 1,000 gallons over 300,000 gallons

3 in. Service	\$196.33
4 in. Service	\$306.30
6 in. Service	\$561.55
8 in. Service	\$881.92
10 in. Service	\$1,099.51
12 in. Service	\$1,472.57

The above schedule for stand by fire line and/or sprinkler connections shall be quarterly charges upon presentation of proper bills from the Water Department of the Borough of Elmwood Park.

Section 3:

The following are hereby established as charges for the installation, repair, replacement and other charges in connection with the operation of the Water Department of the Borough of Elmwood Park:

Turn on charge for non-payment of Water Bill	\$144.07
Water Meter Test (if meter found defective, waive fee) Depends on meter size	\$170.98-\$303.36
A. Construction Water:	
One family dwelling per day.....	\$54.03
Two family dwelling per day.....	\$63.04
B. Water Connection.....	\$288.67
C. Hydrant Water:	
Flat rate per day.....	\$54.03
D. Certified mailing, each occurrence.....	\$25.00
E. Residential Meters: (5/8 in. – 1 in.)	
Re-install meter	
Register face	
New dial	
Broken glass	
New bottom	
New disc	
New register	

Installation, replacement, and repair of existing meters shall be charged at actual current cost for labor and material incurred by the Water Department of the Borough of Elmwood Park and/or Passaic Valley Water Commission.

- F. All commercial users having meters in excess of 3/4" must have them in working order at all times. In the event said meter is inoperative, and no attempt is made for repair/replacement of same, the existing estimated bill shall be tripled the existing estimated rate, upon the effective date of this ordinance. In the event no meter in excess of 3/4" exist, in addition to the tripled estimated bill, the landlord shall be required to purchase and install same upon written order of the Superintendent of Public Works.

Section 4: In the event that payment for water charges is in arrears for 30 days from date of billing, the Borough shall send a delinquent notice regular mail, to the owner, occupier, user or responsible party being billed. After 60 days, a door tag shall be hand delivered to terminate water service. On the 67th day of non-payment from date of billing, water service will be terminated and not reinstated until all fees, penalties, are paid in full in cash.

\$144.07 turn on fee is made to the Borough of Elmwood Park.

Section 4b: In the event that water charges are in the arrears, after 60 days, a door tag will be hand delivered to terminate water service and a fee of \$40.00 will be assessed on to the delinquent water bill.

Section 5: All unpaid water charges as of 12/31 of the present year shall become a Tax Lien on said premises

Section 6: All ordinance or parts of ordinances inconsistent with or in conflict herewith are hereby repealed to the extent of such conflict or inconsistency. This shall take effect after final passage and publication as required by law.

Section 7: All billings as of January 1, 2019 and thereafter will be subject to said rate.

APPROVED:

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Introduced: January 17, 2019

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-51-19**

CONSENT AGENDA

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

**INTRODUCE ORDINANCE #19-02
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “DEPARTMENT OF LOCAL GOVERNMENT.” MORE SPECIFICALLY SECTION 2-27 ENTITLED “POLICE DEPARTMENT.”

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, February 21, 2019 at 8:00PM 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 Acting 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: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 19-02**

AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “DEPARTMENT OF LOCAL GOVERNMENT.” MORE SPECIFICALLY SECTION 2-27 ENTITLED “POLICE DEPARTMENT.”

WHEREAS, the Mayor and Council have become aware of need to streamline the police department in order to make same more efficient in its operation and in order to protect the health and safety of the residents of the Borough of Elmwood Park.

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

SECTION 1: Chapter III of the Code of the Borough of Elmwood Park titled "Department of Local Government" more specifically section 2-27.1 Creation of the Department; Members.

Section a. 2. Shall be amended to read Three (3) Captains. All of the remaining portions of said section shall remain in full force and effect.

Section c. of 2-27.1 shall be totally deleted from said ordinance.

All of the remaining part of the Ordinance relating to Article III known as Department of the Local Government of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3: Invalid Provisions

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4: Effective Date.

This Ordinance shall take effect immediately upon final passage and publication thereof as provided by law.

APPROVED:

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Introduced: January 17, 2019

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-52-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN WECHTLER
SECONDED BY: COUNCILWOMAN PELLEGRINE**

**INTRODUCE ORDINANCE #19-03
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “SOLID WASTE MANGEMENT.”

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, February 21, 2019 at 8:00PM 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 Acting 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: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 19-03**

**AN ORDINANCE TO AMEND CHAPTER XXVII OF THE CODE OF THE BOROUGH
OF ELMWOOD PARK TITLED "SOLID WASTE MANGEMENT."**

WHEREAS, the Mayor and Council have become aware of health concern issues that exist with the disposal of certain household furnishings and related items, in order to protect the health and safety of the residents of the Borough of Elmwood Park.

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

SECTION 1: Chapter XXVII of the Code of the Borough of Elmwood Park titled "Solid Waste Management" is hereby amended by adding the following:

27-6.1 Upholstered furniture.

No person shall in the Borough of Elmwood Park discard any upholstered furniture, cushions, carpet, mattresses and the like, without first securely wrapping the aforementioned in plastic before setting out for trash collection.

27-6.2. Penalty.

The penalty for a violation of **27-6.1** shall be a fine not to exceed the sum of **\$100.00 (One Hundred Dollars)** per occurrence.

SECTION 2: Repealer.

All Ordinances of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3: Invalid Provisions

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4: Effective Date.

This Ordinance shall take effect immediately upon final passage and publication thereof as provide by law.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Introduced: January 17, 2019

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-53-19**

CONSENT AGENDA

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

**INTRODUCE ORDINANCE #19-04
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “ADMINISTRATION” MORE SPECIFICALLY ARTICLE II “OFFICES CREATED” SECTION 2-7 TITLED “MUNICIPAL CLERK” AND SECTION 2-7.5 TITLED “ADMINISTRATIVE DUTIES OF THE MUNICIPAL CLERK.”

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, February 21, 2019 at 8:00PM 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 Acting 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: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 19-04**

AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “ADMINISTRATION” MORE SPECIFICALLY ARTICLE II “OFFICES CREATED” SECTION 2-7 TITLED “MUNICIPAL CLERK” AND SECTION 2-7.5 TITLED “ADMINISTRATIVE DUTIES OF THE MUNICIPAL CLERK.”

WHEREAS, the Mayor and Council have determined that the citizens and residents of the Borough of Elmwood Park would benefit both in cost savings and maximizing the service rendered and to be more efficient in its operation and to protect the health, safety and welfare of the residents of the Borough of Elmwood Park. **And**

WHEREAS, this Chapter was previously amended and repealed by Ordinance No. 10-09 whereby the Section was entitled Borough Administrator. Wherein, the duties were set forth therein. **And**

WHEREAS, the Mayor and council wish to re-establish the position of **Borough Administrator** and separate the position from the **Municipal Clerk** so as to re-create two separate and distinct position.

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

SECTION 1: Chapter II of the code of the borough of Elmwood Park titled "administration" more specifically article ii “offices created” section 2-7 titled “municipal clerk” and section 2-7.5 titled “administrative duties of the municipal clerk.”

Chapter II of the Code of the Borough of Elmwood Park titled "**Administration**" more specifically **Article II “Offices Created” Section 2-7** shall be and is hereby amended to be referred to and read as “**Municipal Clerk and Borough Administrator**”.

Section 2-7.1 shall be amended to be referred to and be read as **Municipal Clerk Appointment; Term**. All other parts thereto shall remain in full force and effect.

Section 2-7.2 shall be amended to be referred to and be read as **Municipal Clerk Qualifications**. All other parts thereto shall remain in full force and effect.

Section 2-7.3 shall be amended to be referred to and be read as **Municipal Clerk Compensation, Additional**. All other parts thereto shall remain in full force and effect.

Section 2-7.4 shall be amended to be referred to and be read as **Municipal Clerk Powers and Duties**. All other parts thereto shall remain in full force and effect.

Section 2-7.5 shall be amended to be referred to and be read as follows:

Section 2-7.5 shall be amended to read **Administrative Duties of the Borough Administrator**.

Section 2-7.5 (a) Shall be amended and referred to as **Appointment; Term; Removal**. The mayor shall nominate and appoint with the advice and consent of the Borough council the Borough Administrator. This appointment shall remain in effect at the pleasure of the Governing Body.

Section 2-7.5 (b) shall be amended as follows: **Compensation**. The Borough Administrator shall receive compensation as shall be fixed, from time to time, by general salary ordinance. However, said compensation shall not be reduced during the term of office, except by a two-thirds (2/3) majority vote of the Borough Council.

Section 2-7.5 (c) shall be amended as follows: **Powers and Duties.** For the purpose of carrying out the duties and responsibilities limitations permitted by authorized staff and appropriations, the Borough Administrator shall:

1. Serve as Administrative Officer representing the Mayor and Council;
2. Make recommendations to the Mayor and Council as to administrative operations of the Borough;
3. Supervise, schedule and coordinate the administrative staff at Borough Hall and serve as the Personnel Officer/Appointing Authority on behalf of the Mayor and Council with relation to the Civil Service Commission and the general day-to-day operation of Borough employees;
4. Oversee personnel and provide minor discipline as necessary, not to exceed five (5) days suspension of any Borough employee, excluding the Police Department;
5. Investigate at any time the affairs of any Department of the Borough, other than the Police Department;
6. Work with the Chief Financial Officer and Municipal Auditor in the preparation, review and presentation of the annual budget document;
7. Report to Mayor and Council as necessary;
8. Operate as the administrative coordinating point for all Departments with the exception of Police Department;
9. Enforce Borough policies.

SECTION 2: Repealer.

All of the remaining part of the Ordinance relating to Article II known as Offices Created of the Local Government of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3: Invalid Provisions

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4: Effective Date.

This Ordinance shall take effect immediately upon final passage and publication thereof as provide by law.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Introduced: January 17, 2019
Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-54-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN WECHTLER
SECONDED BY: COUNCILWOMAN PELLEGRINE**

**INTRODUCE ORDINANCE #19-05
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”

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, February 21, 2019 at 8:00PM 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 Acting 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: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 19-05**

AN ORDINANCE ESTABLISHING A “3-WAY STOP” AT THE THREE INTERSECTIONS OF CADMUS AND FOURNIER CRESCENT AND TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “TRAFFIC” MORE SPECIFICALLY SECTION 7-21 TITLED “MULTI-WAY STOP INTERSECTIONS.”

WHEREAS, the Mayor and Council have become aware of the necessity to regulate the particular three-way intersection of Cadmus Avenue and Fournier Crescent for safety concerns of traffic and pedestrian crossing, in order to protect the health, safety and welfare of the residents of the Borough of Elmwood Park.

BE IT ORDAINED by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey and pursuant to N.J.S.A. 39:4-140 of the laws of the state of New Jersey the Mayor and Council ordains as follows:

SECTION 1: That by way of this Ordinance the Mayor and Council of the Borough of Elmwood Park do hereby designate and establish a “3-Way Stop” at the three intersections Cadmus Avenue and Fournier Crest in the Borough of Elmwood Park.

SECTION 2: The designated “3-Way Stop” is in the interest of the public and its health, safety and welfare and the inhabitants in and near said intersection.

SECTION 3: The responsible department of the Borough of Elmwood Park shall be responsible and directed through the Borough Administrator to install the necessary “3-Way Stop” signs at the above-mentioned intersection.

SECTION 4: Be it further Ordained by the Mayor and Council that Chapter VII of the Code of the Borough of Elmwood Park titled "Traffic" more specifically section 7-21 titled “Multi-Way Stop Intersections is hereby amended so as to include thereto the “3-Way Stop” intersection of Cadmus Avenue and Fournier Crest as follows:

7-21 Multi-way stop intersections.

Is hereby amended to include the “3-Way Stop” intersection of Cadmus Avenue and Fournier Crest. That traffic will stop in all direction.

SECTION 5: Penalties for violation. Any person who violates the provision of this Ordinance shall, upon conviction thereof, be fined in accordance to the respective and appropriate fine sections of the Borough of Elmwood Park and or as set forth in the Laws of the State of New Jersey.

SECTION 6: The Police Chief and the Police Department of the Borough of Elmwood Park, shall assist and enforce the provisions of this Ordinance.

SECTION 7: Repealer. All Ordinances of the Borough of Elmwood Park to the extent that same are not inconsistent with this Ordinance shall remain in full force and effect until modified or repealed pursuant to law. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3: Invalid Provisions.: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4: Effective Date.: This Ordinance shall take effect immediately upon final passage and publication thereof as provide by law.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Introduced: January 17, 2019
Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-55-19**

CONSENT AGENDA

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

**INTRODUCE ORDINANCE #19-06
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED “FIRE PREVENTION.”

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, February 21, 2019 at 8:00PM 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 Acting 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: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 19-06**

**AN ORDINANCE TO AMEND CHAPTER XIV OF THE CODE OF THE BOROUGH
OF ELMWOOD PARK TITLED “FIRE PREVENTION.”**

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

CHAPTER XIV FIRE PREVENTION

14-1 UNIFORM FIRE SAFETY ACT ENFORCING AGENCY.

14-1.1 Statutory Authority.

The Uniform Fire Safety Act (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey. The New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made a part of the Uniform Fire Code (N.J.A.C. 5:70-1 et seq.). The Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose. It is in the best interest of the Borough of Elmwood Park to have the Uniform Fire Code enforced locally. The local fire service has agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code. (Ord. No. 94-6 Preamble; Ord. No. 04-27 § I; Ord. No. 2015-21)

14-1.2 Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c.383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Borough of Elmwood Park. (Ord. No. 94-6 § 1; Ord. No. 04-27 § I; Ord. No. 2015-21)

14-1.3 Agency Designation.

- a. The local enforcing agency, under the direction and control of the Fire Official, shall enforce the Uniform Fire Code in all buildings, structures and premises within the established boundaries of the Borough of Elmwood Park, other than one- (1) or two (2)-owner occupied buildings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by the Federal Government, Interstate Agencies, the State of New Jersey or the Borough of Elmwood Park.
- b. The local enforcing agency, under the control and direction of the Fire Official, shall faithfully comply with all of the terms and conditions of the Uniform Fire Safety Act and the Uniform Fire Code.
- c. The local enforcing agency shall be the Bureau of Fire Prevention of the Borough of Elmwood Park which shall be a separate agency from the Fire Department, under the direct supervision and control of the Fire Official.
- d. The Fire Official of the Borough of Elmwood Park shall be the authorized person to be in charge of the Fire Prevention Bureau of the Borough of Elmwood Park.

(Ord. No. 94-6 § 2; Ord. No. 04-27 § II; Ord. No. 2015-21)

14-1.4 Duties of the Fire Official.

- a. The Fire Official shall enforce the Uniform Fire Code in all buildings, structures and premises within the established boundaries of the Borough of Elmwood Park other than one (1) and two (2) unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by the Federal Government, Interstate Agencies or the State.
- b. The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

- c. The Fire Official must maintain a separate, running total for Uniform Fire Code Revenues.
- d. The Fire Official shall comply with all duties and responsibilities as listed in N.J.A.C. 5:71-3.3(a) and (b)

(Ord. No. 94-6 § 3; Ord. No. 2015-21)

14-1.4A Duties of the Fire Inspector.

- a. The Fire Inspector shall work under the Fire Official and shall carry out any additional duties and tasks asked of him or her by the Fire Official.
- b. The Fire Inspector shall comply with all duties and responsibilities as listed in N.J.A.C. 5:71-3.3(c).

14-1.5 Organization.

- a. The Bureau of Fire Prevention, as the local enforcing agency, established by subsection 14-1.3 shall be a separate agency from the Fire Department, under the direct supervision and control of the Fire Official, who shall report to the Mayor and Borough Council.
- b. The Mayor and Borough Council shall set the hours of operation of the Bureau of Fire Prevention with recommendations from the Fire Official.
- c. The Bureau of Fire Prevention shall have at least one (1) paid inspector.
- d. The local enforcing agency shall be operated by the Fire Official, subject to paragraphs a. and b. above.

(Ord. No. 94-6 § 4; Ord. No. 2015-21)

14-1.6 Appointments, Qualifications, Term of Office, Removal.

- a. *Appointment and Qualifications of Fire Official.* The Fire Official shall be certified by the State and appointed by the Governing Body as required by the New Jersey Civil Service Commission.
- b. *Appointment and Qualifications of Inspectors and Other Employees.* Inspectors and other employees of the enforcing agency shall be appointed by the Governing Body upon the recommendation of the Fire Official. All life hazard use inspectors shall be certified by the State.
- c. *Term of Office.* The Fire Official shall serve pursuant to the rules established by the New Jersey Civil Service Commission.
- d. *Removal from Office.* The Fire Official, inspectors and other employees of the agency shall be subject to removal by the Governing Body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the Governing Body or a hearing officer designated by the same and as required by the New Jersey Civil Service Commission.

(Ord. No. 94-6 § 5; Ord. No. 2015-21)

14-1.7 Life Hazard Uses.

The Bureau of Fire Prevention established by subsection 14-1.3 shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs. (Ord. No. 94-6 § 6)

14-1.8 Non-Life Hazard Uses.

- a. In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below:

Use	Description	Fee
A-1	Assembly Occupancy with occupancy load between 1 and 49	\$75
B-1	All buildings and/or occupancies of business use which do not exceed 2,500 square feet	\$60
B-2	All buildings and/or occupancies of business use which are 2,501 square feet but 4,000 square feet or less	\$120
B-3	All buildings and/or occupancies of a business use which are 4,001 square feet but 8,000 square feet or less	\$180
B-4	All buildings and/or occupancies of a business use which are 8,001 square feet but 12,000 square feet or less	\$280
B-5	All buildings and/or occupancies of a business use which are greater than 12,001 square feet	\$350
M-1	All buildings and/or occupancies of mercantile use which do not exceed 2,500 square feet	\$75
M-2	All buildings and/or occupancies of mercantile use which are 2,501 square feet but 4,000 square feet or less	\$150
M-3	All buildings and/or occupancies of mercantile use which are 4,001 square feet but 8,000 square feet or less	\$225
M-4	All buildings and/or occupancies of mercantile use which are 8,001 square feet but 12,000 square feet or less	\$300
M-5	All buildings and/or occupancies of mercantile use which are greater than 12,001 square feet	\$375
S-1	All buildings and/or occupancies of storage use which do not exceed 5,000 square feet	\$200
S-2	All buildings and/or occupancies of storage use which are 5,001 square feet but less than 10,000 square feet	\$400
S-3	All buildings and/or occupancies of storage use which are 10,001 square feet or greater	\$600
R-1	Residential 1 & 2 family non-owner occupied dwellings	\$75
R-2	Residential 3 to 10 units per building	\$175
R-3	Residential 11 to 20 units per building	\$300
R-4	Residential 21 to 30 units per building	\$500
R-5	Residential 31 to 40 units per building	\$550
R-6	Residential 41 to 50 units per building	\$600
R-7	Residential 50 units and up, per building (\$325 + \$15 per every dwelling unit above 50 units)	\$600+\$15per

- b. One and two family owner occupied shall be inspected and charged a fee only upon sale or change of tenant.
- c. Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.
- d. Uses required to register with the State as life hazard uses shall not be required to register under this section.

- e. In the discretion of the Fire Official, vacant buildings will be charged and inspected according to the previous use of the building.
- f. All residential uses shall be inspected to comply with the Uniform Fire Code.

(Ord. No. 94-6 § 7; Ord. No. 2017-12)

14-1.9 Permits and Certificate of Fire Code Status.

- a. The application fees for the permits listed in N.J.A.C. 5:70 et seq. shall be as follows:

Type 1	\$ 54.00
Type 2	\$214.00
Type 3	\$427.00
Type 4	\$641.00
Type 5	Reserved
- b. The cost for the issuance of a Certificate of Fire Code Status shall be \$25.00.

(Ord. No. 94-6 § 8; Ord. No. 04-27 § I)

14-1.10 Technical Amendments.

- a. Smoke Detector and Carbon Monoxide Detector and Portable Fire Extinguisher.
 - 1. Residential Smoke Detectors Required.

(a) Smoke detectors are required upon the sale, rental, transfer or lease of a one (1) or two (2) family dwelling unit. Smoke detectors shall be installed in each dwelling unit, as defined in N.J.A.C. 5:70-4.19 and maintained in accordance with NFPA 72, upon the sale, rental, transfer or lease of any dwelling unit in the Borough of Elmwood Park. As of January 1, 2019 ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/UL 217, incorporated herein by reference. However, A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms.

(b) The installation of an A.C. powered smoke detector system shall be processed as required for new work under the Elmwood Park Building Code.

(c) Each dwelling unit sold, rented, leased or transferred shall have a minimum of one (1) smoke detector on each level. A floor area separated by three (3) or more risers from another floor area shall be considered a separate level. Where a basement exists, a smoke detector shall be installed on the basement ceiling. Smoke detectors may not be required in an unoccupied attic.

(d) In order to achieve compliance with this act, smoke detectors are required to be approved by the Underwriter’s Laboratories, Factory Mutual Research Corp., or other approving agency.

(e) Alarm signals from the smoke detectors shall be clearly audible in all the rooms on the level on which the smoke detector is installed when all intervening doors are closed.

(f) Smoke detectors may be powered by either ten-year sealed battery or A.C. electricity. The installation of the smoke detectors shall be governed by the applicable sections of the National Fire Protection Association (NFPA) Standards No. 72E or 74.

(g) Carbon monoxide alarms shall be installed in all dwelling units except for units in buildings that do not contain a fuel-burning device or have an attached garage, as follows:

- 1. Single station carbon monoxide alarms shall be installed and maintained in the immediate vicinity of any sleeping area(s).
- 2. Carbon monoxide alarms may be battery-operated, hard-wired or of the plug-in type and shall be listed and labeled in accordance with UL-2034 and

shall be installed in accordance with the requirements of this section and NFPA-720.

(h) Portable Fire Extinguishers shall be installed and maintained in accordance with N.J.A.C. 5:70.

2. Maintenance Responsibility.

(a) Sellers, transferors or lessors of any and all dwelling units subject to this chapter shall be responsible for the correct installation and maintenance of smoke detectors and carbon monoxide detectors and portable fire extinguishers.

(b) The owner of a rental unit shall, at the time of installation of the smoke detector, carbon monoxide detector and portable fire extinguisher, and thereafter at the commencement of each new tenancy, provide to the tenant at least one (1) copy of written instruction on the operation, maintenance, and testing of the smoke detector(s) and carbon monoxide detector(s), including the replacement of batteries in the battery operated unit.

(c) The owner of each rental unit shall be responsible for the proper maintenance of the smoke detectors carbon monoxide detectors, including the replacement of batteries, repair or replacement of the unit in accord with the standards hereinabove set forth.

3. Inspections & Records.

Upon the sale of a one- or two-family residence or the rental, lease or transfer of any dwelling unit, the seller, landlord or transferor is required to obtain from the Elmwood Park Fire Prevention Bureau, a smoke detector and carbon monoxide detector and portable fire extinguisher Certificate of Inspection, certifying that the smoke detectors and carbon monoxide detectors and fire extinguishers are in compliance with the provisions of the New Jersey Uniform Fire Code.

4. Fees.

(a) Applications for the smoke detector and carbon monoxide detector and portable fire extinguisher certificate of inspection shall be made to the Elmwood Park Fire Prevention Bureau, 182 Market Street, Elmwood Park, New Jersey 07407, with the application fee prepaid after the receipt of said application, the Fire Official shall have the premises inspected to determine whether the same complies with the terms of the New Jersey Uniform Fire Code. If it complies, a certificate will be issued.

(b) Rental unit inspection fee \$100.00 per unit

(c) Single family residential sale inspection fee \$100.00

(d) Two family residential sale inspection fee \$125.00

(e) Three family residential sale inspection fee \$150.00

(f) Four family residential sale inspection fee \$175.00

(g) Five family residential sale inspection fee \$200.00

(h) Should the inspection reveal a failure five days shall be given to correct the violations and a reinsertion fee of \$25.00 may be imposed and the fee shall be paid before the reinsertion.

(i) Should the re-inspection reveal a second failure three days shall be given to correct the violations and a re-inspection fee of 60.00 shall be imposed and paid before the reinsertion.

(j) Should no one be at the residence to allow the inspector in for inspection a no show fee of \$25.00 shall be imposed and paid before a new inspection date is given.

5. Tampering with System. It is illegal for any person to disable or vandalize any fire detection device or system (N.J.S.A. 5:70 et seq.), and that person shall be subject to a penalty of up to one thousand (\$1,000.00) dollars per occurrence.

6. A penalty may be imposed under N.J.S.A. 52:26D-198.3 Fines for Noncompliance.

Up to \$500.00 (five hundred) for Smoke and or CO noncompliance.

Up to \$100.00 (one hundred) for fire extinguisher noncompliance.

b. Posting of Truss Buildings (P.L. 1991, CH 188).

1. Truss Structures. When the Fire Prevention Bureau shall identify a structure as being of truss-type construction, they shall notify the owner of the building, in writing, of the requirements of this article and in accordance with the New Jersey Uniform Fire Code, 5:70 et seq.

2. Truss Emblem. Upon receipt of such notification, the owner shall be required to permanently affix to said building a truss emblem. The emblem shall be of a bright and reflective color, or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be twelve (12) inches horizontally by six (6) inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem: "F" to signify a floor with truss construction: "R" to signify a roof with truss construction: or "F/R" to signify both a floor and roof with truss construction. Along the bottom edge of the sign, it shall be imprinted in 1" green letters "Sprinklered" if the building is sprinklered and "Unsprinklered" if the building is unsprinklered.

3. Truss Emblems on residential structures shall be obtained from the fire prevention bureau and affixed on or near the electrical meter pan.

c. Opening Burning.

The following provisions are general provisions for precautions against fire to be applied to the use of all properties. Any permitted burning must comply with "Control and Prohibition of Open Burning" by the New Jersey Department of Environmental Protection New Jersey Air Pollution-Control Code, effective October 11, 1971, and all subsequent revisions thereof. Proper permits shall be obtained from the Fire Official.

d. Exterior Exits.

1. Obstructions. No person shall at any time place an encumbrance of any kind upon any fire escape, balcony or ladder intended as a means of escape from fire, nor shall any person place or maintain any obstruction or leave standing or park any automobile or other vehicle in any driveway or alleyways which is liable to interfere with the operation of any Fire Department equipment or egress of occupants in case of fire. Any vehicle parked or left standing in violation hereof shall be deemed a nuisance and a menace to safety, and any Fire Inspector or Police Officer of the Borough of Elmwood Park may remove and store or cause said vehicle to be removed and stored and the owner thereof shall pay the reasonable costs for the removal and storage which may result from such removal before regaining possession of the vehicle. In addition to the foregoing, the person who parked or left such vehicle standing in violation hereof shall upon complaint being made and upon conviction, be subject to the penalties provided in N.J.A.C. 5:70-1 et seq.

2. Maintenance. All exterior stairways and fire escapes shall be kept free of snow and ice. They shall be properly painted and maintained in a safe condition at all times. The owners or lessees of any property upon which there is a driveway or alleyway that is or may be used for parking of vehicles which is liable to interfere with the operation of the Fire Department or egress of occupants in case of fire shall, within ten days after notice is given to them therefor by the Fire Official, procure and install appropriate signs approved by the Fire Official giving notice of the prohibition of parking of vehicles or placing or maintaining any obstruction in any such driveway or alleyway. In addition to any signs installed in accordance herewith, the owners and lessees of said property, when further

required by the chief inspector, shall also cause word markings, colored yellow, to be placed on the pavement within said driveway or alley containing the following message, "Fire Zone No Parking".

e. Automatic Alarm Systems. To control false alarms and insure proper maintenance of automatic fire reporting systems.

1. Emergency Contacts. Any person or organization using an automatic detection or fire alarm system to report a fire in the Borough of Elmwood Park shall provide the Fire Department and Fire Prevention Bureau with a list of three emergency contact names and telephone numbers of people who can be reached twenty-four (24) hours a day, seven (7) days a week, in case the alarm is activated, within three (3) months following final passage of this chapter. In the absence of this list, or not being able to contact the person on the list, the Fire Department and the Police Department will be empowered to use forcible entry equipment to enter the building to investigate the cause of alarm.

2. Building Complex Indicator. Any location having more than one (1) building in a complex, but reporting the fire location as the main building location, shall have an indicating panel showing the location of the building or area where the fire alarm was activated. This indicating panel shall be visible from the outside of the building.

3. Fire Bell Marking. Any fire detector system with an outside bell or other audible indicator, shall be RED in color and marked "Fire Alarm, when sounding call 911" to indicate it is a part of the Fire Alarm System.

4. False Fire Alarms. Any repeated false fire alarms caused by a malfunctioning detection system, shall be deemed a violation of this Code and subject to the penalties provided. In case of a false alarm, any person having knowledge thereof shall immediately notify the Fire Official. In case of false alarms, the Fire Prevention Bureau shall cause an investigation to be made and keep an annual record of said alarms on file for each given year. For each false alarm, the following penalties are described: for the first false alarm, a verbal warning shall be issued; for the second false alarm a written warning shall be issued, for the third false alarm a fine of two hundred and fifty (\$250.00) dollars; for the fourth false alarm, a fine of five hundred (\$500.00) dollars; for the fifth and subsequent false alarms, a fine of five hundred dollars (\$500.00) dollars per occurrence shall be paid to the Borough of Elmwood Park Fire Prevention Bureau. A successive false alarm shall be defined as an alarm indication on the same system not caused by an actual alarm of fire.

5. Sprinkler Alarm Systems. It is recommended that each separate sprinkler system (automatic fire suppression system) have a separate location code sent to a central station, and have an external indicating alarm. It is required that a maximum of three sprinkler systems may use the same location code to a central station. A floor plan of the building area showing the riser locations and the area protected by each riser must be provided to the Fire Department.

f. Access to Fire Hydrants. To insure access to fire hydrants in the Borough of Elmwood Park for the safety and welfare of the public, a clear area of five (5) feet must be maintained in all directions from the fire hydrant as well as meeting the road side parking requirements.

The owner or lessee of any property within five (5) feet of a fire hydrant shall be responsible to see that a five (5) foot clear space is provided in all directions from the fire hydrant. The requirements of this paragraph shall be completed by the responsible party not later than twenty-four (24) hours after any natural obstruction such as snow shall prevent access to the fire hydrant and within twelve (12) hours of any other type of obstruction.

Upon the failure of any person in maintaining the open space for all fire hydrants in accordance with this paragraph, shall be deemed a violation of the Fire Safety Code, shall be required to appear in the Borough of Elmwood Park Municipal Court and shall be fined up to five hundred (\$500.00) dollars at the discretion of the Judge of the Borough of Elmwood Park.

The Elmwood Park Police Department and the Elmwood Park Fire Prevention Bureau shall be responsible for the strict enforcement of the aforementioned Access to Fire Hydrants.

g. Rapid Entry System.

1. Buildings; General. All new commercial and/or manufacturing buildings constructed after the effective date of this section, all existing commercial and/or manufacturing buildings which undergo remodeling in excess of one thousand (\$1,000.00) dollars after the effective date of this section, and all existing commercial and/or manufacturing buildings within twenty-four (24) months of the effective date of this section, shall be provided with a master key KNOX BOX at a location approved by the Fire Prevention Bureau. Such box shall be provided with master keys necessary for access to all portions of the premises. Such box and keys shall be provided prior to occupancy and/or final inspection.

2. Buildings with Elevators. All buildings equipped with elevators shall be provided with a master key KNOX BOX as in section 1. above.

The building owner/manager shall provide:

(a) Two (2) sets of keys for entry to building and all portions of premises.

(b) Two (2) sets of elevator control keys if elevators are equipped with Fire Department bypass switches.

h. Reserved

i. Fire Zones/Fire Lanes. Fire zones/fire lanes shall be enforced jointly by the Police under Ord. 82-15, and Fire Prevention Bureau under N.J.A.C. 5:70-1 et seq.

1. The Fire Official, with the approval of the chief executive officer of the Fire Department and the Chief of Police of the jurisdiction, may designate fire lanes on private property to which the public is invited or which is devoted to public use, if it is necessary to provide safety for the public or to provide proper access for the Fire Department operations in the event of an emergency.

2. Whenever a determination has been made for the fire lane designation, pursuant to (1) 1 above, the Fire Official shall notify the owner of the property in writing by certified mail, or by hand delivering such notice, specifically describing the area designated and the reason for making the designation.

3. The marking of fire lanes shall be the responsibility of, and at the expense of, the property owner and shall be accomplished within thirty (30) days of the receipt of the notification.

4. It shall be a violation of this Code for any person to park a motor vehicle in or otherwise to obstruct a fire lane.

5. Refer to 14-5.4 Violations and Penalties.

(Ord. No. 94-6 § 9; Ord. No. 04-27 §§ I, II; Ord. No. 11-09 § 2; Ord. No. 2015-11)

j. Mobile Food Truck/Trailer Safety

a. Definitions.

As used in this subsection:

Food cart shall mean a cart or other movable device used on the public sidewalks or in public places or roadways, which uses propane or similar fuel for its operation, and is not licensed as a food truck or food trailer.

Food trailer shall mean a non-motorized vehicle designed to be towed by a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

Food truck shall mean a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

Food vehicle shall mean a food truck, food trailer or food cart.

Food vendor or vendor shall mean the owner, owner's agent or representative, or operator of a food vehicle.

Special event shall mean a private or public sporting, cultural, business, charitable or other type of unique activity, including but not limited to, a party, celebration, fair, festival, fundraiser, promotion, show, concert, presentation, entertainment or film production, occurring for a limited or fixed duration.

- b. Application for Annual Inspection: Certificate of Approval.
 1. A food vendor shall apply to the Bureau of Fire Prevention for an inspection.
 2. The application fee shall be one hundred fifty (\$150.00) dollars. Payment of the fee shall be made at the time the application is filed.
 3. If a vendor's application is denied for failure to satisfy inspection requirements, the vendor may file an application for a re-inspection. No fee will be required for the first re-inspection, provided that the application is filed within 30 days of the denial. An application fee shall be required for all other re-inspections.
 4. A certificate of approval shall be issued to a vendor whose application for an inspection has been approved by the Bureau of Fire Prevention. The certificate of approval shall be valid from January 1 to December 31 of the year in which it was issued.
 5. A certificate of approval shall be displayed prominently in or on the food vehicle.
 6. An application for an inspection to renew a certificate of approval shall be filed with the application fee prior to December 31 of the year in which it was issued.
 7. A certificate of approval does not give the vendor the approval to operate anytime or anywhere with-in the Borough of Elmwood Park. A certificate of approval means they have been inspected and meet the minimum requirements. This certificate affords them the opportunity to obtain an inspection certificate for an even in order to operate at a reduced rate of ten (10.00) dollars per event. A copy of their certificate of approval shall accompany the ten dollar payment to receive the discount.
- c. Inspection Required.
 1. No food vehicle shall be operated without first having filed an application for an inspection which has been approved by the Bureau of Fire Prevention.
 2. The Bureau of Fire Prevention shall issue a checklist containing the specific requirements for approval of an application for an inspection. The checklist shall be made available to the public.
 3. Nothing contained in this subsection shall limit the authority of the Bureau of Fire Prevention to inspect a food vehicle at any time to determine if it meets the specific requirements contained in the checklist.
- d. Application for Inspection: Certificate of Approval.
 1. A food vehicle for which an inspection is required shall not be operated with-in the Borough of Elmwood Park unless an application for an inspection with the application fee is filed no later than 14 days before the event and a certificate of approval is issued the day of the event.
 2. The Bureau of Fire Prevention shall have the discretion to accept an application for an inspection for an event that is filed later than 14 days before the event, provided that the vendor pays an additional late service fee of twenty five (\$25.00) dollars. The Bureau of Fire Prevention shall have the discretion to waive the late service fee in appropriate circumstances.
 3. A food vendor shall apply to the Bureau of Fire Prevention for an inspection.
 4. The application fee shall be sixty (\$60.00) dollars. Fifty four (\$54.00) dollar permit fee and six (\$6.00) dollar administrative fee. Payment of the fee shall be made at the time the application is filed.
 5. A certificate of approval shall be issued to a vendor whose application for an inspection has been approved by the Bureau of Fire Prevention, and a satisfactory inspection has been completed.

6. A certificate of inspection shall be displayed prominently in or on the food vehicle.

e. Checklist Requirements for Food Vehicle Inspection.

1. A vendor shall satisfy the following inspection requirements which shall appear on a checklist issued by the Bureau of Fire Prevention:

(a) Fire Extinguisher.

(1) The fire extinguisher required to be mounted in a food vehicle shall be an ABC type, minimum of one 5 lb. extinguisher.

(2) A K type of fire extinguisher shall be required and mounted in the food vehicle if the vendor is using any oils or anything that could cause a grease vapor.

(b) Hood Suppression System.

A hood suppression system that meets or exceeds National Fire Protection Association standards for ventilation control and fire prevention (NFPA 96) shall be required for any food vehicle that creates or emits grease vapors.

(c) Propane Storage and Appliances.

(1) Propane hoses shall be free of leaks.

(2) Propane cylinders mounted on the outside of a food vehicle shall be placed and secured in a storage cabinet.

(3) A "no smoking" sign shall be prominently displayed in the area of propane cylinders.

(d) Generator.

(1) A generator shall be free of leaks or sparks emanating from the exhaust system.

(2) A generator shall discharge exhausts in a satisfactory manner.

(3) Exhausts shall not back up into the food vehicle.

(e) Smoke Detectors in Food Trucks.

(1) Smoke detectors shall be placed between the cooking area and the driver's cab.

(2) Smoke detectors shall be in operation while the food truck is in motion.

(f) Carbon Monoxide (CO) Detectors in Food Trucks and Food Trailers.

(1) Food truck: The CO detector shall be mounted between the cooking area and driver's cab.

(2) Food trailer: The CO detector shall be mounted in the area where the generator is located.

(3) The CO detector shall be in operation at all times.

(g) Propane Gas Sensor.

(1) Food trucks and trailers: A propane gas sensor shall be mounted in the area of the propane cylinders and inside of the cooking area.

(2) Nothing contained in this subsection shall limit the authority of the Bureau of Fire Prevention to supplement checklist requirements in a particular case in the interest of public safety.

k. Solar Panel Emblem Posting

(a) Identifying emblems shall be permanently affixed to the front of structures hosting or being powered by photovoltaic electrical power either on the roof or adjacent to the building.

1. The solar emblem shall be a Maltese cross shape, constructed of durable material, with a white reflective background with red letters. Numerals and letters shall be Roman or Latin as required.

i. The sign shall be six inches by six inches (152 mm by 152 mm).

- ii. The height or width of each Maltese cross wing area shall be one and one-eighth inches (29 mm) and have a stroke width of one-half inch (13 mm).
- iii. The center of the Maltese cross, a circle or oval, shall be three inches (76 mm) in diameter and have a stroke width of one-half inch (13 mm).
- iv. All letters and numerals shall be one and one-quarter inch (32 mm) in height and have a stroke width of one-quarter inch (six mm).
- v. The letters PV shall be located in the center circle of the Maltese cross to identify the presence of solar photovoltaic systems. The wording ROOF MOUNTED and/or ADJACENT shall be located immediately beneath the Maltese cross identifying where the solar panels are located.

2. The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.

- i. Premises already equipped with a truss construction sign may install the solar sign immediately above the truss sign.

(b) Detached one- and two-family residential structures shall be exempt from the signage provisions.

(c) The owner of any residential structure or nonresidential structure who installed a roof mounted solar photovoltaic system on or after January 17, 2014, or has installed or provided for the installation of a roof mounted solar photovoltaic system prior to January 17, 2014, shall provide a written notification to the local fire official, which shall include, but need not be limited to:

- 1. The name of the property owner or owners, as well as the address of the residential structure or nonresidential structure upon which the solar photovoltaic system has been installed, and the name of the owner or owners and the address of any other adjacent structure served by the solar photovoltaic system; and
- 2. The year that the roof mounted solar photovoltaic system was installed on the residential structure or nonresidential structure.

(d) A copy of a permit filed pursuant to N.J.S.A. 52:27D-198.17.1.c or written notification issued pursuant to N.J.S.A. 52:27D-198.17.1.d shall be kept on file by the chief of the local fire department.

- 1. The address of the residential structure or nonresidential structure, the address of any other adjacent structure served by the solar photovoltaic system, and any additional information regarding the solar photovoltaic system shall be maintained in a registry by the fire department.
- 2. The information contained in the registry shall serve to alert firefighters, when responding to an emergency situation, that a residential structure or nonresidential structure is equipped with, or is served by, a roof mounted solar photovoltaic system and that reasonable precautions may be necessary when responding to the emergency.

1. Fire Watch

a. Request or Order for Fire Watch.

- 1. A request for a fire watch shall be made in writing to the Fire Official at least ten days prior to an event where practicable, unless an emergent situation is present.
- 2. The Fire Official shall have the authority to order a fire watch for an emergent situation or for an event for which the Fire Official determines a fire watch is necessary.

b. Conditions of Employment of Fire Watch Personnel.

All fire prevention officers or firefighters of the Borough as fire watch personnel shall be treated as employees of the Borough provided, however, that wages earned for such employment shall not be applied toward the

pension benefits of regular full-time Borough employees serving as fire watch personnel, and all hours worked in such employment shall not be compensable as overtime.

c. Assignment of Fire Watch Personnel.

1. The Fire Official shall determine the number of personnel necessary for each event or emergent situation for which a fire watch is required.
 - a. The fire watch personnel shall be selected from employees serving in the Borough's Bureau of Fire Prevention, or members of the Fire Department.
 - i. Any member serving as fire watch personnel shall be certified at a minimum of Firefighter One and possess a Fire fighter One certificate issued by the division of fire safety.
 - b. Businesses may elect to provide their own fire watch personnel. Should they choose to do this, documentation of ability to perform the duties and responsibilities shall be supplied to the fire official.
 - i. If documentation cannot be supplied, a training class given by the fire prevention bureau shall be supplied at a cost of one hundred fifty (\$150.00) dollars per 15 students.
 - ii. This fee shall be paid directly to the fire prevention bureau.
2. Documentation of fire watch inspections with signatures of persons inspecting shall be submitted to the fire prevention bureau for the file.

d. Payment for Fire Watch Services by Property Owners.

Payment for a fire watch on private property shall be made by the property owner or tenant in accordance with the following:

1. Compensation for each employee assigned to the fire watch: one hundred dollars (\$100.00) per hour, paid to the Elmwood Park Fire Prevention Bureau
2. Administrative fee: twenty dollars (\$20.00) per hour shall be deducted from the one hundred dollars and paid to the fire prevention bureau.
3. Personnel Payment: eighty dollars (\$80.00) per hour shall be paid to the individual performing the fire watch.
4. Payments for a non-emergent fire watch shall be made in advance in accordance with a statement issued by the Borough. The statement shall include the administrative fee and an estimate of compensation to be paid to employees. If the actual amount of compensation to employees exceeds the estimate, a supplemental statement shall be issued by the Borough. If the estimate exceeds the actual amount of compensation to employees, the property owner shall be reimbursed for the overpayment.
5. Payments to fire watch personnel shall be made to the person or persons by the Borough.
6. The Fire Official shall have the discretion to waive payment for a fire watch in appropriate circumstances.

14-1.11 Board of Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the local Construction Board

of Appeals. If no such body exists, appeals shall be made to the County Construction Board of Appeals. (Ord. No. 94-6 § 10)

14-1.12 Enforcement, Violations and Penalties.

Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey. (Ord. No. 94-6 § 11)

14-2 Hazardous Materials Spills, Fires or Leaks; Reimbursement to Borough.

14-2.1 Definitions.

As used in this section:

Expendable items shall mean any items used to extinguish any fire or stop or contain any leak or spill involving any hazardous materials which cannot be reused or cannot be replenished without cost after that particular fire, leak or spill. These shall include, but are not restricted to, firefighting foam, chemical extinguishing agents, absorbent material, sand, recovery drums and specialized protective equipment to include but not restricted to acid suits, acid gloves, goggles and protective clothing.

Hazardous material shall mean any material solid, liquid or gas listed as such under the NFPA Guide of Hazardous Materials or Department of Transportation Guide Book.

Vehicle shall mean any motorized equipment, registered or unregistered, including but not limited to passenger cars, motorcycles, trucks, tractor trailers, construction equipment, farm machinery, airplanes and jet planes.

Vessel shall mean any container, drum, box, cylinder or tank used to hold or contain or carry or store any hazardous material.

(Ord. No. 95-8 § A)

14-2.2 Purpose.

a. This section provides for the reimbursement for or the replacement of the specialized and sometimes non reusable equipment required by State and Federal regulations to be made available in the Borough in case of fire, leakage or spillage involving any hazardous material.

b. This section entitles the Borough of Elmwood Park to reimbursement for any expendable items by the Borough or any of its agencies in extinguishing any fire, stopping or containing any leak or controlling any spill of hazardous materials.

(Ord. No. 95-8 § B)

14-2.3 Reimbursement for Expendable Items.

Reimbursement to the Borough for any expendable items used shall be made by the following parties:

a. The owner or operator of any vehicle responsible for any fire, leak or spill of hazardous material.

b. The owner or person responsible for any vessel containing hazardous material involved in any fire, leak or spill on public or private property whether stationary or transit, whether accidental or through negligence.

c. The owner or person responsible for any property from which any leak or spill of hazardous material emanates, whether accidental or through negligence.

d. Any person responsible for any fire, leak or spill of hazardous material on public or private property, whether accidental or through negligence.

(Ord. No. 95-8 § C)

14-2.4 Reimbursement for Services.

Any person or company responsible for any fire, leak or spill involving a hazardous material must provide reimbursement in accordance with the schedule which is on file in the office of the Borough Clerk for services rendered by any recovery company, towing company, Fire Department or other technical assistance called for by the Volunteer Fire Department to handle such incident. (Ord. No. 95-8 § D)

14-2.5 Payment.

Any person, owner or company responsible for any fire, leak or spill of hazardous material shall reimburse the Borough of Elmwood Park for the full price of any expendable items used to extinguish such a fire, stop or contain such a leak or control such a spill within a period of forty-five (45) days after receipt of a bill for such items from the Borough of Elmwood Park. (Ord. No. 95-8 § E)

14-2.6 Violations and Penalties.

Any person, owner or company responsible for any fire, leak or spill of hazardous material who fails to reimburse the Borough of Elmwood Park within the time set forth in this section shall be liable to the penalty stated in Chapter I, Section 1-5. (Ord. No. 95-8 § F)

14-3 Regulation and Disposal of Flammable Materials.

14-3.1 Bonfires.

a. No person shall burn or cause to be burned any trash, lumber, leaves, straw or any other combustible material in any street, alley or vacant lot, without a permit from the Fire Marshall, except when such burning shall be done in screened metallic receptacles approved by him and under such proper safeguards as he may direct.

b. On any lot containing a building, no person shall burn, or cause to be burned, any materials, other than firewood, and then only in an approved device, such as a chimera or patio fireplace. This provision shall be enforced by the Elmwood Park Fire Chief or his or her designee.

(1969 Code § 32-13; Ord. No. 2017-38)

14-3.2 Hot Ashes and Other Dangerous Materials.

Ashes, smoldering coals or embers, greasy or oily substances and other matter liable to spontaneous ignition, shall not be deposited or allowed to remain within ten (10) feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles shall be placed on noncombustible stands, unless resting on a noncombustible floor or on the ground outside the building, and shall be kept at least two (2) feet away from any combustible wall or partition. (1969 Code § 32-14)

14-3.3 Accumulations of Combustible Materials; Disposal.

a. No person shall permit to remain upon any roof or in any court, yard, vacant lot or open space, any accumulation of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind.

b. Every person making, using, storing or having charge or control of any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible trash, waste or fragments shall at the close of each day cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the premises or stored in suitable vaults or in metal or metal-lined and covered receptacles or bins. Suitable presses shall be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

(1969 Code § 32-15)

14-3.4 Flammable Decorations.

- a. Cotton batting, straw, dry vines, leaves, trees, celluloid or other flammable materials shall not be used for decorative purposes in show windows or in stores without a permit from the Fire Official.
- b. Paper and other readily flammable materials shall not be used for decorative purposes in any place of public assembly unless such materials have first been treated to render them flameproof to the satisfaction of the Fire Official.
(1969 Code § 32-16)

14-3.5 Violations and Penalties.

- a. A person who shall violate a provision of this section or fail to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder, or who shall build in violation of a detailed statement or plan submitted and approved thereunder, or of a permit issued thereunder, shall severally for each and every such violation and noncompliance be liable to the penalty stated in Chapter I, Section 1-5. The imposition of a penalty for a violation of this section shall not excuse the violation or permit it to continue, and such violation shall be remedied within a reasonable time; and each ten (10) days that such violation is permitted to exist shall constitute a separate offense.
- b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
(1969 Code § 32-17; New)

14-4 Fire Limits.

14-4.1 Purpose.

Fire limits shall be established in conjunction with the adopted Borough Zoning Ordinance Map 78-6 and Municipal Zoning and Site Plan Review Ordinance for the protection of closely built commercial buildings against fire hazards, of fire spreading from building to building, and by supplementing restrictions on construction within such limits. (1969 Code § 32-34; Ord. No. 82-22)

14-4.2 Fire Limits Established.

- a. District - shall be all C.L. Local Commerce, C.G. General Commerce, and C.O. Office Districts as outlined on the Zoning Map. Designated boundary lines of said districts shall be considered limit areas.
- b. District - shall be all I.R. Restricted Industry and I.G. General Industry as outlined on Zoning Map. Designated boundary lines of said districts shall be considered limit areas. All residential districts or zones shall be considered to be “outside fire limits.”
- c. All nonconforming structures shall be considered within fire limits.
- d. All buildings and structures and all additions to existing buildings and structures hereafter erected within the boundaries of the fire limits shall be of Type 1, 2, 4, or 5 Construction of the Uniform Construction Code.
- e. Fire limits shall comprise the areas containing congested business, commercial and industrial uses or in which such use is developing.
(1969 Code § 32-35; Ord. No. 82-22)

14-5 Parking in Fire Zones or Fire Lanes Prohibited.

14-5.1 Purpose.

The purpose of this section is to control the parking of motor vehicles in certain areas and locations designated as fire zones, pursuant to the provisions of and in accordance with the authority of N.J.S.A. 40:48-2.46. (1969 Code § 80-35; Ord. No. 82-15)

14-5.2 Parking in Fire Lane Prohibited.

No person shall park or locate a motor vehicle in any area containing more than a three (3) family dwelling unit between the buildings, or between the buildings and any street, road, or

driveway which has been designated by the Fire Department as a fire lane. (1969 Code § 80-36; Ord. No. 82-15)

14-5.3 Signs Required.

Said fire lanes and/or fire zones shall be appropriately signed in the following style or designation, “Fire Lane - No Parking - Violators subject to a fine and towing at owners’ expense.” (1969 Code § 80-38; Ord. No. 82-15)

14-5.4 Violations and Penalties.

a. Any person who shall violate the terms and provisions of this section shall be subject to a fine of one hundred dollars (\$100.00) plus costs of court for the first offense, and for second offense, a fine of one hundred fifty dollars (\$150.00) plus costs of court and for a third and subsequent offense a fine of two hundred (\$200.00) dollars plus costs of court.

b. Second and subsequent offenses shall also subject the motor vehicle to be towed at the cost and expense of the owner thereof.

(1969 Code § 80-37; Ord. No. 82-15; Ord. No. 91-13)

APPROVED:

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Introduced: January 17, 2019

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-56-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL
REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT
REGIONAL COMMITTEE**

WHEREAS, the Municipality of Elmwood Park has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2018-2019 term starting July 1, 2018 and ending on June 30, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints Francesco Caramagna as its representative and Joseph Dombrowski as its alternate and that the Mayor hereby appoints Michael Foligno as his representative and Erin Delaney as his alternate to serve on the Community Development Regional Committee for FY 2017-2018; and

BE IT FURTHER RESOLVED that an original copy of this resolution be sent via postage mail or email to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us **as soon as possible and no later than Friday, January 18, 2019.**

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-57-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZE PAYMENT FOR BOROUGH CLOCK INSTALLATION – MICHAEL
VRICELLA CONSTRUCTION CO.**

WHEREAS, Michael Vricella Construction Co. completed the Borough Clock Installation located on Market Street; and

WHEREAS, the invoice has been reviewed by Alaimo Engineering and a recommendation has been made for the Borough to authorize payment;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the payment of \$9,300.00 to Michael Vricella Construction Co. for their services is hereby authorized.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-58-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZE PAYMENT FOR RECREATION BUILDING WALL REPAIRS –
MICHAEL VRICELLA CONSTRUCTION CO.**

WHEREAS, Michael Vricella Construction Co. completed the Recreation Building Wall Repairs; and

WHEREAS, the invoice has been reviewed by Alaimo Engineering and a recommendation has been made for the Borough to authorize payment;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the payment of \$2,700.00 to Michael Vricella Construction Co. for their services is hereby authorized.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-59-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZE PAYMENT FOR ORCHARD, FRANKLIN, AND LEE STREET
IMPROVEMENTS – AMERICAN ASPHALT & MILLING SERVICES**

WHEREAS, American Asphalt & Milling Services completed the Improvements for Orchard, Franklin, and Lee Streets; and

WHEREAS, the invoice has been reviewed by Alaimo Engineering and a recommendation has been made for the Borough to authorize payment;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the payment of \$232,663.86 to American Asphalt & Milling Services for their services is hereby authorized.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-60-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZE RELEASE OF PERFORMANCE SURVEY BOND & CASH BONDS –
MOHAMMED AHMED/SARAH DONUTS, LLC**

WHEREAS, applicant Mohammed Ahmed/Sarah Donuts, LLC completed the site work at 463 Market Street, Block 1411, Lot 1 and has requested the release of Performance Guarantees posted for the project; and

WHEREAS, the request has been reviewed by Boswell Engineering and a recommendation has been made for the Borough to authorize said release;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the amount of performance guarantee bond to be released to Mohammed Ahmed/Sarah Donuts, LLC be \$369,500.00 for completion of site work and is hereby authorized.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-61-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

APPOINTMENT OF FIREFIGHTER – GREGORY KILEDJIAN – COMPANY #2

BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following named be and is hereby appointed as a Volunteer Firefighter for the Elmwood Park Fire Department Company #2:

Gregory Kiledjian

BE IT FURTHER RESOLVED, that said appointment is subject to the usual probationary period.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-62-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

APPOINTMENT OF FIREFIGHTER – STEVEN GARCIA – COMPANY #2

BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following named be and is hereby appointed as a Volunteer Firefighter for the Elmwood Park Fire Department Company #2:

Steven Garcia

BE IT FURTHER RESOLVED, that said appointment is subject to the usual probationary period.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-63-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZE VACATION BUYBACK
FRANK THORPE**

WHEREAS, the following employee has accumulated vacation days from previous years as an employee with the Borough of Elmwood Park; and

WHEREAS, it has been requested by said employee that he receive payment for such days;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive vacation buyback as stated below:

<u>Employee</u>	<u>Amount of Days</u>	<u>Amount of Compensation</u>
Frank Thorpe	30 Days	\$23,519.30

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-64-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZE VACATION BUYBACK
CHRIS LIPTAK**

WHEREAS, the following employee has accumulated vacation days from previous years as an employee with the Borough of Elmwood Park; and

WHEREAS, it has been requested by said employee that he receive payment for such days;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following employee is hereby approved to receive vacation buyback as stated below:

<u>Employee</u>	<u>Amount of Days</u>	<u>Amount of Compensation</u>
Chris Liptak	30 Days	\$18,757.06

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-65-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

APPOINTMENT OF OEM DEPUTY COORDINATORS

WHEREAS, the appointment of the Emergency Management Coordinator consists of a 3 year term per NJSA App. A:9-41; and

WHEREAS, OEM Deputy Coordinators may be appointed on a yearly basis;

NOW THEREFORE BE IT RESOLVED, that Captain Frank Thorpe, Nicholas Fedorsin and Kenneth Pressler are appointed as Deputy Emergency Management Coordinators for calendar year 2019; and

BE IT FURTHER RESOLVED, the salary is in agreement with the 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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-66-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

ESTABLISHING MEMBERS OF THE STIGMA-FREE TASK FORCE

WHEREAS, the Mayor and Council of the Borough of Elmwood Park in an attempt to focus attention and bring awareness to Mental Health and Stigma, wishes to establish members for it's stigma-free task force; and

WHEREAS, by the Mayor and Council of the Borough of Elmwood Park that we do hereby establish a Stigma-Free Task Force consisting of 22 members appointed on an annual basis; and

NOW THEREFORE BE IT RESOLVED, that the following persons are hereby appointed to the Elmwood Park Stigma-Free Task Force:

Mayor Francesco A. Caramagna
Council Liaison Sandy Balistrieri
Nadja Capan-Lopez – EPTA
Stalin Guzman – EPTA
Yamilet Capan-Lopez – EPTA
Chris Liptak – Law Enforcement
Pete Pais – Ambulance
Bill Shadwell – Fire Department
Dorin Asparas – Board of Education
Denise Ingui – Rare is Beautiful
Jeff Leider – Let Them Be Little
Councilwoman Lorraine Pellegrine – Board of Health
Doris Wechtler – EPTA
Lori Sproviero – EPTA
Caitlyn Miller – Student
Nick Balistrieri – Student
Pastor Mike Capron – Clergy
Danielle Leva - Schools
Scott Karcz – DPW
Chakib Fakhoury – Board of Recreation

Unfilled – Chamber of Commerce
Unfilled – Library Board

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-67-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

CENTRAL BERGEN MUTUAL FIRE AID ASSOCIATION AGREEMENT

WHEREAS, the Central Bergen Mutual Fire Aid Association of ELMWOOD PARK, FAIR LAWN, GLEN ROCK, MAYWOOD, PARAMUS, ROCHELLE PARK, AND SADDLE BROOK have bonded together in mutual aid agreement to supply equipment and manpower to each other in case of any fire where outside assistance is needed; and

WHEREAS, to relieve any department of the financial burden incurred by the use of their extinguishing agent by another department, it is mandatory the replacement be made to the supplying department within forty-eight (48) hours after the use of such agent;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, that the Mayor is authorized to execute an approval to supplement the existing mutual aid agreement to require that replacement of extinguishing agent used by another fire department on a mutual aid call be made to the supplying department within forty-eight (48) hours after the use of such extinguishing agent, and that all towns involved be allowed use of each other's radio frequency whenever necessary in connection with mutual aid calls, which approval shall be for a term of two years, effective January 1, 2019; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the Acting Borough Clerk is hereby authorized and directed to forward a copy of the within resolution to the aforementioned municipalities.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-68-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**AUTHORIZING EXECUTION OF RISK MANAGEMENT CONSULTANT
AGREEMENT**

WHEREAS, the Mayor and Council of the Borough of Elmwood Park appointed Professional Insurance Associates, Inc. as the Borough’s Risk Management Consultant for a two year period ending December 31, 2019; and

WHEREAS, Professional Insurance Associates, Inc. have requested the execution of the consultant agreement for the year 2019,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, that the Mayor and Acting Borough Clerk are hereby authorized to execute said agreement; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the Acting Borough Clerk is hereby authorized and directed to forward a copy of the agreement to Professional Insurance Associates, Inc. by February 1, 2019.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-69-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**APPOINT SPECIAL LEGAL COUNSEL
MARK MADAIO**

WHEREAS, the need has arisen within the Elmwood Park Volunteer Ambulance Corps. to secure special legal counsel to conduct an administrative investigation into a personnel matter; and

THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the appointment of Mark Madaio, Esq. as special legal counsel at the hourly rate of \$150 per hour with a not to exceed amount of \$5,000; and

BE IT FURTHER RESOLVED, that Mayor Francesco A. Caramagna is hereby authorized to execute said contract.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-70-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**APPOINT SPECIAL PROSECUTOR
ALBERT WUNCH**

WHEREAS, the need has arisen within the Elmwood Park Police Department to appoint a Special Prosecutor to represent the Borough and prosecute a disorderly persons case in Teterboro Municipal Court; and

THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the appointment of Albert Wunch at the hourly rate of \$150 per hour with a not to exceed amount of \$5,000; and

BE IT FURTHER RESOLVED, that Mayor Francesco A. Caramagna is hereby authorized to execute said contract.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-71-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

APPROVAL OF PAYROLL AND BILLS LIST

BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following payrolls and bills be approved for payment:

AS PER ATTACHED COMPUTER LIST 1/1/2019 TO 1/16/2019

CURRENT	\$4,222,917.52
RECREATION	\$0.00
MUN CT ALCOHOL ED FUND	\$900.00
CAPITAL BUDGET	\$0.00
WATER BUDGET	\$28,734.52
WATER CAPITAL	\$0.00
LIEN REDEMPTION	\$0.00
FIRE PREVENTION	\$0.00
COMPENSATED ABSENCE	\$127,188.68

AS PER ATTACHED COMPUTER LIST 1/1/2019 TO 1/16/2019

CURRENT	\$1,292,447.35
RECREATION	\$3,896.50
CAPITAL BUDGET	\$241,963.86
WATER BUDGET	\$195,746.29
WATER CAPITAL	\$0.00
DOG LICENSE	\$0.00
LIEN REDEMPTION	\$0.00
FIRE PREVENTION	\$580.32
ESCROW	\$0.00

	PAYROLL	CHECK NUMBERS	GROSS PAYROLL	SOCIAL SECURITY
CURRENT	1/17/2019	70016	\$371,353.93	\$21,274.39
WATER		1003	\$13,081.78	\$589.00
COMPENSATED ABSENCE		6101	\$127,188.68	

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler			X	
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-72-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**RESOLUTION OPPOSING CONSTRUCTION OF THE NORTH BERGEN LIBERTY
GENERATING GAS-FIRED POWER PLANT**

WHEREAS, Los Angeles-based Diamond Generating Corporation, a subsidiary of Mitsubishi, has proposed and has requested permits to build a \$1.5B, 1,200-MW natural gas-fired power plant (aka North Bergen Liberty Generating Station) in North Bergen, NJ on a 15-acre parcel near Railroad Avenue on the banks of Bellman's Creek. The electric energy produced by this plant would be transmitted by a 6.5 mile, 345-kV underground and submarine cable through North Bergen, Fairview, Cliffside Park and Edgewater and a new cable trench under the Hudson River to connect with ConED's substation on West 49th Street in Manhattan. All of this electricity would be used by ConED in New York. The project is anticipating permit approvals by the Environmental Protection Agency and the New Jersey Department of Environmental Protection by the end of 2019, and to be operational by 2022; and

WHEREAS, this natural gas plant would be one of the largest sources of air pollution and greenhouse gas emissions in New Jersey; and

WHEREAS, the municipality and town council of Elmwood Park has a principal responsibility to protect the health and safety of its residents, businesses and institutions; and

WHEREAS, the people and environment of New Jersey have been increasingly subjected to a build-out of natural gas infrastructure, including but not limited to pipelines and distribution networks, compressor stations, power plants, combustion heating systems, metering and regulation stations, and pigging stations; and

WHEREAS, peer-reviewed scientific studies link exposure between air pollutants emitted from natural gas infrastructure facilities and neurological, cardiovascular and respiratory disease, cancer, birth defects, and other adverse health impacts. Acute health impacts from these toxic exposures can cause burning eyes, headaches, breathing difficulty and nausea for nearby populations and can exacerbate health problems. Chronic health impacts can include certain types of cancer as well as damage to lungs, liver, kidneys, reproductive, nervous and cardiovascular systems; and

WHEREAS, the American Medical Association acknowledges the hazards of natural gas infrastructure and associated adverse health impacts; and

WHEREAS, the National Ambient Air Quality Standards (NAAQS) are based on average population risks across a large area over a long period of time but do not adequately address human toxicity for residents living in close proximity to natural gas infrastructure or where they are subject to episodic high exposures during events such as blowdowns; and

WHEREAS, on February 7, 2010 a gas blow operation was being performed at the Kleen Energy Systems LLC power plant construction site in Middletown, Conn. in which flammable natural gas was pumped under high pressure through new fuel gas lines to remove debris. During this operation, an extremely large amount of natural gas was vented into areas where it could not

easily disperse. Welding and other work was being performed nearby, creating an extremely dangerous situation. An explosion occurred when the gas contacted an ignition source taking the lives of six workers and injuring 50 others; and

WHEREAS, the top 11 electric plant operators in the U.S. have been fined over \$13.3B since 2000 for 161 environmental violations' and

WHEREAS, current protocols used for assessing compliance with ambient air quality standards do not adequately determine intensity, frequency or durations of actual human exposures to pollutants and mixtures of pollutants emitted from natural gas infrastructure, noting that periodic 24-hour average measures can underestimate actual exposures by an order of magnitude; and

WHEREAS, gas infrastructure facilities can annually emit into the air hundreds of tons of pollutants including particulate matter, toxic chemicals such as sulfur dioxide, mercury, and criteria pollutants (such as nitrogen oxides which cause smog, acid rain and contribute to ozone production),ⁱ some of which are known carcinogens such as benzene and formaldehyde, and can also be sources of radioactive contaminationⁱⁱ and are known to increase the severity of asthma and other respiratory diseases. Particulate matter, once inhaled, can affect the heart and lungs and cause serious health effects including lung cancer. Long-term exposure to ozone is linked to aggravation of asthma, emphysema, and chronic bronchitis, and it is likely to be one of many causes of asthma development. Long-term exposures to ozone may also be linked to permanent lung damage, such as abnormal lung development in children. Both ozone and particulate pollution have been linked to premature death, cardiovascular harm and increased susceptibility to infections. Recent studies have also linked air pollution to increases in obesity, diabetes, Parkinson's disease, Alzheimer's and other forms of dementia and stroke. People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers; and

WHEREAS, the best estimates of annual emission from the proposed power plant are based on a careful sample set of EPA data on U.S. gas-fired power plants of the same type (combined-cycle), similar vintage (online since 2012) and comparable size (complexes of over 300 megawatts) but nevertheless may differ from actual results due to a number of variations in the periodicity of EPA data collection and plant operating conditions. However, reasonable annual estimates are expected to be in the range of the amounts shown below. (Note: NO_x refers to nitrogen dioxide and nitric oxide, SO_x refers to many types of sulfur and oxygen compounds such as sulfur monoxide, sulfur dioxide, higher sulfur oxides, and disulfur oxides):

- CO₂ = 3.5 million metric tonnes
- NO_x = up to 375,000 pounds
- Methane = 73 metric tonnes
- SO_x = up to 30,000 pounds; and

WHEREAS, people who live or work in close proximity to natural gas infrastructure facilities such as power plants and compressors are most at risk—particularly developing fetuses, children, the elderly, and those with cardiovascular, lung or respiratory problems and other vulnerable subpopulations, although under certain weather and terrain conditions, these pollutants can have a wider impact. Some homes in New Jersey are within 3,000 feet of the proposed plant and Harlem/Upper Manhattan (where one in four children suffers from asthma), which is downwind of the prevailing winds, is within 3.6 miles; and

WHEREAS, based on the American Lung Association “State of the Air 2018” report, the counties of Bergen and Hudson, which will be most impacted by emissions from this power plant already have significant populations (in some cases the largest in New Jersey), with pediatric and adult asthma, COPD, lung cancer, cardiovascular disease and diabetes,ⁱⁱⁱ whose conditions will only be exacerbated by additional volumes of air pollution; and

WHEREAS, developing fetuses and children are uniquely vulnerable to exposures as they receive proportionally greater doses of pollutants than adults and have immature organs and detoxification systems; and

WHEREAS, methane is the primary ingredient of natural gas and leaks at every system stage, including extraction, processing, transmission, distribution, and end-use consumption; and

WHEREAS, methane is an extremely potent greenhouse gas with a global warming potential that is 34 times that of carbon dioxide over a 100-year timeframe and 86 times that of carbon dioxide over a 20-year timeframe; and

WHEREAS, methane emissions from gas power plants may be considerably higher than previously thought. A 2017 study found that gas-fired power plants released more than 20 times more methane than the facilities had estimated; and

WHEREAS, Bergen and Hudson Counties (proposed site of the North Bergen plant) already receive grades of ‘F’ from the American Lung Association for ozone air pollution,^{iv} the new plant will increase the concentration of ground ozone, increase the health hazards and risks from this pollutant and make it even more difficult to reduce the level of this pollutant. Conditions such as chronic obstructive pulmonary disease (COPD)—a long-lasting obstruction of the airways—can be exacerbated by even small increases in elevated ozone levels (e.g., an increment of 10 ppb), with a corresponding effect on public health and health care costs. As with chronic lung disease, even a small increase in the previous week’s average ozone level has substantial effects on death rates. One study showed that a small (10 ppb) increase in ozone pollution was associated with a 0.52 percent increase in deaths per day. This study found that an estimated 3,700 deaths annually in the U.S. could be attributed to this small increase in daily ozone levels; and

WHEREAS, New Jersey’s environmental justice communities already have some of the worst air quality in the nation, building another massive gas power plant will only exacerbate their plight; and

WHEREAS, municipalities to the North and Northeast of the proposed gas-fired plants will be particularly impacted by the Palisades ridge to the East that will prevent pollution from being easily dispersed to the East on prevailing westerly winds; and

WHEREAS, the proposed gas-fired electric plant will be approximately one mile from an existing gas-fired electric plant operated by PSE&G that is already one of the largest sources of air pollution in New Jersey and which already produces over 2 million metric tons of CO₂ annually,

WHEREAS, of the top 10 companies (parent corporations) most penalized for environmental violations in the US, nine are in the petroleum and energy industry and five are in the electric energy production industry (American Electric Power, Duke Energy, Dominion Energy, FirstEnergy and Alliant Energy); and

WHEREAS, the proposed gas-fired plant will produce limited economic benefits to the town of North Bergen and, to a lesser degree, surrounding towns, this will primarily occur during the construction phase^v (due, in part, to the fact that NJ electrical generating equipment is exempt from property tax) and after that the residents of these towns will continue to incur the health care costs associated with increased pollution for another 30 to 40 years; and

WHEREAS, the annual health impacts of burning 1 (one) Bcf/day of gas in the NY/NJ metropolitan area are estimated to be: ; and

Impact	Incidents per year	Societal Value*	Direct Medical and Other Costs
Premature Mortality	35.3	\$238,712,000	\$10,585,000
Chronic Bronchitis	22.3	\$10,554,000	\$2,700,000
Hospital+ER visits	32.8	\$432,000	\$345,000
Asthma Attacks	724.5	\$43,000	\$42,000
Respiratory Symptoms	32,720	\$1,190,000	\$1,190,000
Work Loss Days	6,374	\$1,160,000	\$1,079,000
Mercury Related	NA	\$12,277,000	\$13,277,000
Total		\$265,369,000	\$29,217,000

*Costs to consumers for which they are not reimbursed.

WHEREAS, an alternative approach to producing electricity from solar panels which would avoid all of the environmental and health issues noted in this resolution while still providing new jobs and other financial benefits to local towns and would be in conformance with Governor Murphy’s goal to increase the use of renewable energy even if all of the electricity was sold to New York City, could potentially gain local support and should be considered; and

WHEREAS, the NJ Work Environmental Council has stated, “Climate justice is worker justice. We stand together for both worker protections and strong climate policies because we can’t have one without the other. An injury to the planet is an injury to us all; and

WHEREAS, the proposed gas-fired plant will provide electric energy to New York only, residents of Hudson and Bergen Counties and the rest of New Jersey will only incur the health care costs and environmental degradation caused by the plant during construction and operation; and

WHEREAS, the gas-fired power plant represents a direct threat to one of the state’s most crucial ecological resources. Wetlands such as the Meadowlands serve many beneficial functions. They are a natural filtration system, purifying our water. They preserve biodiversity by hosting a number of plant and animal species. They play a crucial role in flood mitigation by absorbing storm waters, protecting urban or residential communities in nearby flood zones. The construction of and pollution from the proposed plant could affect quantity and quality of water flows, thereby harming the delicate animal and plant habitats in the wetlands and undermining their critical hydrological functions. The rehabilitation of the Meadowlands, which has been a triumph for the local groups that have worked hard to recover this area, would be squandered in order to provide power to New York City residents; and

WHEREAS, the plant will be within the half mile US DOT Evacuation Zone for oil train derailments which have been known to explode and can only be handled by letting them burn out; and

WHEREAS, location of the plant conflicts with the Regional Plan Association’s 2017 finding of the Meadowlands being at risk from sea level rise. The RPA’s Fourth Regional Plan^{vi} found that

"of all the places in the tri-state region challenged by increased flooding from climate change, the New Jersey Meadowlands is at greatest risk." It also concluded that "The Meadowlands are also likely to be one of the first places to be permanently inundated from sea-level rise."; and

WHEREAS, geological changes along the East Coast are causing land to sink along the seaboard. This is exacerbating the flood-inducing effects of sea level rise, which has been occurring faster in the western Atlantic Ocean than elsewhere in recent years. A 2016 article in Scientific American^{vii} reported that Sandy Hook is sinking at the rate of over one inch per decade while regional sea level is rising at over three inches per decade; and

WHEREAS, construction would require digging a 40 foot trench through the Meadowlands to connect to Williams' Transco Pipeline, thus risking damage to sensitive wetlands. The connection to the Williams pipeline may require upgrades to the line and expansion of its compressor station at Riverdale risking increases in dangerous emissions from the compressor station; and

WHEREAS, the owners of the proposed gas-fired plant have stated this is being built to replace the energy that will be lost when the Indian Point Nuclear Plant is closed,^{viii} a 2017 study by Hudson Riverkeeper and the Natural Resources Defense Council states, "By 2023, assumed new energy efficiency and required new renewable energy [will] provide as much output as IPEC would have produced."; and

WHEREAS, the proposed gas-fired plant will require 8.6M gallons of sewage discharge wastewater per day which will allow evaporation of chemicals in the water to contribute to the existing levels of air pollution; and

WHEREAS, the proposed plant will require diesel generator backups for winter gas shortage situations which in turn will require storage of 1M gallons of diesel fuel onsite which has inherent risks of spills and leakage which would produce additional air pollution as well as ground pollution to sensitive wetlands and nearby water bodies; and

WHEREAS, the gas-fired plant will require on site storage of chemicals such as ammonia, bleach and acids as well as trucks to supply these products this increases the potential for spills into nearby wetlands and streams; and

WHEREAS, the proposed gas-fired plant will increase the volume of fracked-gas used in New Jersey which will also increase the drilling and associated environmentally destructive activities associated with its production and transport as well as increased pressure on New Jersey and the Delaware River Basin Commission to accept fracked waste water for disposal; and

WHEREAS, the proposed gas-fired plant will utilize fracked natural gas thus increasing the amount of energy produced by fossil fuels in direct opposition to Governor Murphy's commitment to moving New Jersey to 100% clean renewable energy usage. This type of massive fossil fuel infrastructure will last for several decades due to its large sunk costs (\$1.5B). This will increase long-term dependence on dirty fossil fuels and their associated environmental damage and health risks and is incompatible with the administration's energy goals. The average New Jersey gas-fired power plants went online 23 years ago and 13 percent of the state's gas plants went online more than 40 years ago.

THEREFORE, BE IT RESOLVED, that the municipality and town council of Elmwood Park in the interest of protecting its residents, businesses and institutions, as of January 17, 2019, strongly opposes construction of the North Bergen Liberty Generating power plant.

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward this Resolution to

- New Jersey Governor Phil Murphy
- Commissioner of the NJ Department of Environmental Protection
- State Senator Nellie Pou
- State Assemblypersons Sumter and Wimberly
- Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901
- The Sierra Club – New Jersey Chapter, 145 W. Hanover Street, Trenton NJ 08618
- Hackensack Riverkeeper
- Hudson County Freeholders and Administration and all Hudson County Municipal Councils, Boards of Health and Environmental Commissions
- Bergen County Freeholders and Administration and all Bergen County Municipal Councils, Boards of Health and Environmental Commissions
- League of New Jersey Municipalities
- NJ Advance Media

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-73-19**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILWOMAN WECHTLER

**AUTHORIZE PURCHASE OF 2 2019 POLICE INTERCEPTOR SUVS
FIRE PREVENTION BUREAU**

WHEREAS, the Fire Prevention Bureau has requested to purchase two fire department chief vehicles using funding from fees collected; and

WHEREAS, two 2019 Police Interceptor SUVs will be purchased through State Contracting utilizing Cranford Contract #47-CPCPS Item #2 at a cost of \$71,259.50 with Beyer-Ford LLC located in Morristown, New Jersey.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey that they hereby authorize the purchase of 2 2019 Police Interceptor SUVs totaling \$71,259.90 with Beyer-Ford LLC; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, that they hereby authorize a purchase with Northeast Communications Inc. for \$15,514.60 for the 2 lighting packages for said vehicles.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-74-19**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILWOMAN WECHTLER

**RESOLUTION AUTHORIZING THE USE OF THE ALL PURPOSE ROOM
ELMWOOD PARK TAKES ACTION**

WHEREAS, a request was made by Elmwood Park Takes Action to use the all-purpose room for meeting purposes only; and

WHEREAS, the Mayor and Council has reviewed the request and agreed to allow the group use the all-purpose room for the dates requested;

NOW THEREFORE BE IT RESOLVED, that Elmwood Park Takes Action is hereby authorized to use the room on the following dates from 5:30PM-8PM:

Thursday, January 17, 2019
Thursday, February 21, 2019
Thursday, March 21, 2019
Thursday, April 18, 2019
Thursday, May 16, 2019
Thursday, June 20, 2019
Thursday, July 18, 2019
Thursday, August 15, 2019
Thursday, September 19, 2019
Thursday, October 17, 2019
Thursday, November 21, 2019
Thursday, December 19, 2019

BE IT FURTHER RESOLVED, that rescheduling of the approved dates must be made no later than 10 days prior to the approved meeting date.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-75-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN WECHTLER**

**RETIREMENT COMPENSATION CHARLES PENSARI
POLICE DEPARTMENT**

WHEREAS, it is desirous of Charles Pensari, Police Department , to retire from the Borough of Elmwood Park, effective February 1, 2019;

WHEREAS, Charles Pensari is covered under a PBA Local 185 Agreement Contract, Charles Pensari is entitled to:

\$ 0.00 (0 days) Sick
\$ 13,916.36 (19.6250 days) Vacation

\$ 13,916.36

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey that the Mayor and Council accept Charles Pensari’s retirement and all such compensation total of \$13,916.36 shall be approved for payment through payroll office.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____
Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-76-19**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILWOMAN WECHTLER

**RESOLUTION AUTHORIZING ADDITIONAL COMPENSATION
DEBRA BULMER**

WHEREAS, additional duties have been bestowed upon Debra Bulmer to include being the Assistant Records Clerk for the Police Department; and

WHEREAS, following discussion by the Governing Body additional compensation in the amount of \$5,000 was agreed upon;

THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that Debra Bulmer be and is hereby authorized to receive additional compensation in the amount of \$5,000 for the duties associated with Assistant Records Clerk for the Police Department.

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

Dated

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri			X		Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui			X		Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-77-19**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILWOMAN WECHTLER

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-50-19 through R-75-19 be and are hereby approved and the proper officers are directed to take necessary action on the same.

APPROVED: January 17, 2019

Francesco A. Caramagna, Mayor

ATTEST: _____

Erin Delaney, MPA
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Pellegrine	X			
Dombrowski	X				Wechtler	X			
Ingui	X				Golabek	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 17th day of January 2019. Signed and sealed before me.

Erin Delaney, MPA
Acting Borough Clerk

Dated

COUNCIL REPORTS

Councilwoman Denise Ingui gave the following Ambulance Corps. report: a monthly meeting was held on January 9th with the next meeting scheduled for February 13th, for the year of 2018 there was a total of 1,366 calls, volunteers are desperately needed as 4 key members resigned in 2018, and, lastly, a meet and greet is in the planning stages to be held in early April.

Councilman Dombrowski stated that the Fire Department has had a busy year thus far with 23 calls. Of those 23 calls, Fire Prevention had to investigate 3 active fires and 2 were motor vehicle turn overs. He reminded residents to keep items away from their furnaces and/or hot water heaters. For any senior citizen interested in getting a carbon monoxide and/or fire detector installed free or charge they can contact our Fire Official. Lastly, Councilman Dombrowski wished Deputy Clerk Barbara Dispoto well in her future endeavors, wished Councilwoman Ingui a Happy Birthday, and Congratulated Marlene DiStefano on a successful meeting.

Councilwoman Wechtler shared that the first Homeowners meeting will take place on January 23rd at the senior center for anyone wishing to attend, it is an open invitation.

Councilwoman Balistreri gave the following Recreation report: Basketball season has begun and the teams are doing well, KinderCrew is a training for youth ages 4-6 that will take place at the training facility in Garfield, indoor soccer begins on January 18th for grades 1-4, recreation membership (new and renewals) are now available, street hockey is ongoing and now offered indoors, applications are accessible for spring and summer permits, and summer camp preparations will be delayed this year due to computer issues. On behalf of the DPW, she announced that Christmas Tree pick-up has been extended for one week, our main roads have been salted in anticipation of the forecasted snow, and “Curb Your Dog” signs will be placed by Rosemont within the next week or two. There was an Elmwood Park Takes Action meeting held prior to the council meeting and the task force has been reappointed. Additionally, in the near future, Councilwoman Balistreri announced that her granddaughter will be doing a stigma-free fundraiser by selling bracelets, all proceeds to go to the taskforce.

Councilwoman Pellegrine shared, for her Board of Health update, that the reorganization meeting was held and new officers were selected for 2019. Meetings are held on the second Monday of each month, except for July and August, at 7PM with the next meeting scheduled for February 11th. The Police Department Records Bureau will now be open Monday-Thursday from 9AM-9PM, every other Friday from 9AM-9PM, and every other Saturday from 8AM-1PM. The Department was fortunate enough to receive \$4,594.94 through the State Body and Armor Replacement program which will allow for the purchase of body armor for new officers for any officer whose armor is due to expire. Councilwoman Pellegrine announce a collaborative new project between Councilwoman Balistreri and herself called “Council Corner” which will identify two goals each year to work towards. The first meeting will take place on Saturday, February 23rd from 1-3PM.

Council President Golabek, as the Council Planning Board representative, announced that there was a meeting held on January 16th of which one resolution was passed regarding the Riverfront Project.

Borough Attorney Salvatore Ingraffia gave an update on Borough correspondence.

Borough Administrator/Police Chief Foligno provided a synopsis of the Borough’s cybersecurity matter.

MAYORS REPORT

Mayor Caramagna started his report by apologizing to those individuals who may have sent him an e-mail during the time in which the e-mail system was down as he was unable to respond. There was a Ribbon Cutting to commemorate the Borough Clock being up and fully functioning. The Mayor shared that he had a meeting with the Division of Economic Development of Bergen

County that is interested in coming to Elmwood Park to support the business sector. He then took the time to give kudos to Councilwomen Pellegrine and Balistreri for their hard work and noted that the entire council is working very hard together. To conclude his report, he thanked Mr. Foligno for his hard work and a job well done.

PUBLIC HEARING

Jeffrey Freitag, Hillman Drive, inquired about councilmember voting on the ordinances read on introduction. Additionally, he questioned the status and estimated completion date of the project located at Market Street and Mola Boulevard and potential alternate side street sweeping program.

Anthony Lapone, Stefanic Avenue, expressed concerns about the revamping of the towing process and suggested incorporating input from towing businesses in the process.

Dorin Aspras, Van Riper Avenue, communicated difficulties regarding snow shoveling and snow plowing as on her street, and similar streets, there is often times nowhere to place the snow due to the limited spaced in front of their properties. Secondly, she noted that there is a speeding issue on her street.

Motion made by Councilwoman Pellegrine and seconded by Council President Golabek to adjourn. Motion carried unanimously at 8:57P.M.

Respectfully submitted,

Erin Delaney, MPA
Acting Borough Clerk

Minutes approved at the April 18, 2019 Regular Meeting of the Mayor and Council