

**SPECIAL MEETING
OF THE
ELMWOOD PARK MAYOR AND COUNCIL
AUGUST 27, 2020
12:00P.M.**

1. CALL TO ORDER:

The Special Meeting of the Mayor and Council of the Borough of Elmwood Park was called to order on Thursday, August 27, 2020 at 12:00PM in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

On Roll Call Councilmembers: Fasolo, Golabek, Ingui, Pellegrine, Wechtler, and Council President Balistrieri. Also present were Mayor Colletti, Borough Administrator Foligno, Borough Clerk Erin Delaney, and Borough Attorney Salvatore Ingrassia.

Due to the Coronavirus, also known as COVID-19, precautionary measures were taken in an attempt to prevent further spread of the virus and to protect the health and public safety of the Governing Body, Borough Professionals, and members of the public. As a result, the public was unable to physically attend the meeting. In order to participate in the meeting, the public was required to use the free access number which was provided and advertised in advance.

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 July 27, 2020 and August 24, 2020.

4. APPROVAL OF MINUTES

A motion was made by Councilwoman Wechtler and seconded by Councilwoman Pellegrine to approve the July 21, 2020 Special Executive Session Meeting and August 6, 2020 Work Session and Executive Session Meeting minutes. The motion carried unanimously.

5. ORDINANCES:

FIRST READING

R-344-20

Introduce Ord. #20-28

AN ORDINANCE TO AMEND ORDINANCE 20-20 FIXING THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS, EMPLOYEES AND SERVANTS OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2020. MORE SPECIFICALLY SECTION II MORE SPECIFICALLY THE SALARY SET FOR THE COURT ADMINISTRATOR AND RECREATION DIRECTOR ALSO ADDING A DESIGNATION OF CONSTRUCTION OFFICIAL/BUILDING SUBCODE OFFICIAL AND AMENDING SECTION III MORE SPECIFICALLY PART-

**TIME EMPLOYEES TO INCLUDE THE POSITION OF
ZONING OFFICIAL**

SECOND READING

R-345-20 Introduce Ord. #20-26

**AN ORDINANCE TO AMEND CHAPTER II OF THE CODE
OF THE BOROUGH OF ELMWOOD PARK TITLED
"ADMINISTRATION" MORE SPECIFICALLY ARTICLE
III "DEPARTMENTS OF LOCAL GOVERNMENT"
SECTION 2-33 TITLED "RECREATION AND PARKS
DEPARTMENT" MORE SECIFICALLY SECTION 2-33.2
ENTILTED "RECREATION AND PARKS DIRECTOR"
MORE SPECIFICALLY SECTION 2-33.2b ENTITLED
"APPOINTMENT; TERM"**

6. RESOLUTIONS:

R-346-20 Appoint Recreation Director

R-347-20 Approve Retirement Compensation – Police Department – Gerald
Chiavelli

R-348-20 Accepting A Subaward Grant From the Federal Office of
Juvenile Justice and Delinquency Prevention Provided to the
State of New Jersey Department of Law and Public Safety.

7. PUBLIC COMMENT:

8. ADJOURNMENT:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-344-20**

**RESOLUTION BY: COUNCIL PRESIDENT BALISTRIERI
SECONDED BY: COUNCILMAN GOLABEK**

**INTRODUCE ORDINANCE #20-28
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND ORDINANCE 20-20 FIXING THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS, EMPLOYEES AND SERVANTS OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2020. MORE SPECIFICALLY SECTION II MORE SPECIFICALLY THE SALARY SET FOR THE COURT ADMINISTRATOR AND RECREATION DIRECTOR ALSO ADDING A DESIGNATION OF CONSTRUCTION OFFICIAL/BUILDING SUBCODE OFFICIAL AND AMENDING SECTION III MORE SPECIFICALLY PART-TIME EMPLOYEES TO INCLUDE THE POSITION OF ZONING OFFICIAL

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in the Municipal Building on Thursday, September 17, 2020 at 7:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the Borough Clerk be, and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: August 27, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler			Recuse	
Ingui	X				Balistrieri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 27th day of August 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 20-28**

AN ORDINANCE TO AMEND ORDINANCE 20-20 FIXING THE SALARY, WAGE AND COMPENSATION OF THE OFFICERS, EMPLOYEES AND SERVANTS OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2020. MORE SPECIFICALLY SECTION II MORE SPECIFICALLY THE SALARY SET FOR THE COURT ADMINISTRATOR ALSO ADDING A DESIGNATION OF CONSTRUCTION OFFICIAL/BUILDING SUBCODE OFFICIAL AND AMENDING SECTION III MORE SPECIFICALLY PART-TIME EMPLOYEES TO INCLUDE THE POSITION OF ZONING OFFICIAL

WHEREAS, the Mayor and Council have been made aware of certain adjustments to the designation of positions as well as designation and adjustments to compensation thereof that are not contained or addressed by the Ordinance; and

WHEREAS, the Mayor and Council wish to correct same by including designation of positions together with adjusting and setting forth commensurable salary and or hourly rate for particular employee(s) effected by such inconsistency and maintain a sense of just and fair treatment; and

WHEREAS, the Mayor and Council have acknowledged and determined that said inconsistency should be addressed by way of amended to the ordinance.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Elmwood Park, County of Bergen, and State of New Jersey that the Salary Ordinance is hereby amended as follows:

SECTION 1: that SECTION II entitled “Department Head & Non-Union Employees” more specifically the salary for the Court Administrator contained in the chart under paragraph 1 shall be amended to read \$69,857.57.

SECTION 2: that SECTION II entitled “Department Head & Non-Union Employees” more specifically the chart under paragraph 1 shall be amended to include a new designation of Construction Official/Building Subcode Official with a salary of \$40.80/Hr.

SECTION 3: that SECTION II entitled “Department Head & Non-Union Employees” more specifically the salary for the Recreation Director contained in the chart under paragraph 1 shall be amended to read \$67,000.00.

SECTION 4: that SECTION III entitled “Part-Time Employees” more specifically the chart under paragraph 1 shall be amended to include a new designation of Zoning Official with a designated salary of \$2,500.00

SECTION 5: that in the event any section, part or provision of this amended Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this rest of the amended Ordinance, or any remaining part of this amended Ordinance other than the part held unconstitutional or invalid.

SECTION 6: that all ordinances or parts thereof, which are inconsistent with the provisions of this amendment, are hereby repealed to the extent of their inconsistencies.

SECTION 7: that this amendment to the Ordinance shall take effect immediately upon its final passage and publication as required by law.

ATTEST: _____

Erin Delaney, MPA, RMC
Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: August 27, 2020

Adopted:

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

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-345-20**

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

**INTRODUCE ORDINANCE #20-26
SECOND READING**

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

AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "ADMINISTRATION" MORE SPECIFICALLY ARTICLE III "DEPARTMENTS OF LOCAL GOVERNMENT" SECTION 2-33 TITLED "RECREATION AND PARKS DEPARTMENT" MORE SECIFICALLY SECTION 2-33.2 ENTILTED "RECREATION AND PARKS DIRECTOR" MORE SPECIFICALLY SECTION 2-33.2b ENTITLED "APPOINTMENT; TERM"

WHEREAS, said ordinance was introduced and passed at a meeting held on Thursday, August 13, 2020 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "ADMINISTRATION" MORE SPECIFICALLY ARTICLE III "DEPARTMENTS OF LOCAL GOVERNMENT" SECTION 2-33 TITLED "RECREATION AND PARKS DEPARTMENT" MORE SECIFICALLY SECTION 2-33.2 ENTILTED "RECREATION AND PARKS DIRECTOR" MORE SPECIFICALLY SECTION 2-33.2b ENTITLED "APPOINTMENT; TERM"

pass on final reading.

APPROVED: August 27, 2020

Robert Colletti, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC

Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler			Recuse	
Ingui	X				Balistreri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 27th day of August 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 20-26**

AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF ELMWOOD PARK TITLED "ADMINISTRATION" MORE SPECIFICALLY ARTICLE III "DEPARTMENTS OF LOCAL GOVERNMENT" SECTION 2-33 TITLED "RECREATION AND PARKS DEPARTMENT" MORE SECIFICALLY SECTION 2-33.2 ENTILTED "RECREATION AND PARKS DIRECTOR" MORE SPECIFICALLY SECTION 2-33.2b ENTITLED "APPOINTMENT; TERM"

WHEREAS, the Mayor and Council have determined that there exists a need to review the wording set forth in said section of the Borough Ordinance of Elmwood Park and thereby promoting and maximizing the service rendered and to be more efficient in its operation. And

WHEREAS, the Mayor and council wish to address the period of appointment of the Director of Parks and Recreation.

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 III section 2-33.2b titled "Appointment; Term" shall be and is hereby amended and replaced with the following language:

"The Recreation and Parks Director shall be appointed by the Mayor with the advice and consent of the Council, and the term of the office of the Director shall be at the pleasure of the Mayor and Council. Any vacancy in this office shall be filled by appointment of the Mayor and Council."

BE IT FURTHER ORDAINED that all of the remaining parts of the Ordinance relating 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.

ATTEST: _____

Erin Delaney, MPA, RMC
Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: August 13, 2020

Adopted: August 27, 2020

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-346-20**

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

APPOINT RECREATION DIRECTOR

WHEREAS, on July 20, 2020 a letter of resignation was submitted by Donna Puglisi, Recreation Director, to Borough Administrator, Michael Foligno; and

WHEREAS, the above referenced letter further states that the resignation shall be effective July 31, 2020; and

WHEREAS, the Mayor and Council wish to fill the vacancy for the Recreation Director position; and

WHEREAS, the Mayor and Council had directed the Borough Clerk to post said position; and

WHEREAS, said position was duly posted by the Borough Clerk; and

WHEREAS, the Mayor and Council have received numerous applications and, having considered said applications and having interviewed the applicants and having considered the qualifications of each of the applicants, do hereby wish to make said appointment;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park, that the following named individual is hereby appointed as Recreation Director effective September 14, 2020 to serve at the pleasure of the Mayor and Council at an annual salary of \$67,000.00:

Teshawn Warren

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

August 12, 2020

Dated

APPROVED: August 27, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler			Recuse	
Ingui	X				Balistreri	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 27th day of August 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-347-20**

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

**APPROVE RETIREMENT COMPENSATION
POLICE DEPARTMENT
GERALD CHIAVELLI**

WHEREAS, it is desirous of Gerald Chiavelli III, Police Department, to retire from the Borough of Elmwood Park, effective September 1, 2020; and

WHEREAS, Gerald Chiavelli III is covered under a PBA Local 185 Agreement Contract, Gerald Chiavelli III is entitled to:

\$ 13,715.83 (22.25 days) Sick
\$ 36,986.51 (60 days) Vacation

\$ 50,702.34

Base: \$ 160,274.88
Hourly Rate: \$ 77.0552

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 Gerald Chiavelli III's retirement and all such compensation totaling \$50,702.34 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

August 12, 2020
Dated

APPROVED: August 27, 2020

Robert Colletti, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Fasolo	X				Pellegrine	X			
Golabek	X				Wechtler	X			
Ingui			Recuse		Balistrieri			Recuse	

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 27th day of August 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-348-20**

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

**ACCEPTING A SUBAWARD GRANT FROM THE FEDERAL OFFICE OF JUVENILE
JUSTICE AND DELINQUENCY PREVENTION PROVIDED TO THE STATE OF NEW
JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY.**

WHEREAS, on April 1, 2020 the Police Department of the Borough of Elmwood Park applied for a Federal grant, under the provisions of the Juvenile and Delinquency Prevention Act (JJDP Act) of 1974, 42 USC sec 5631-5633, under the grant name of FY2016 Title II, awarded to the Department of Law and Public Safety, under Federal Award Identification number 2016-JF-FX-0039, who has sub awarded to the Elmwood Park Police Department as a subrecipient for the specific purpose as set forth in the application for the grant to expand and provide the Summer Expansion Program for the Junior Police Academy Program, a not for profit program, implemented on a yearly basis,; and

WHEREAS, the application having been approved and an awarded of \$9,000.00 from the NJ Department of Law and Public Safety for a Summer Expansion Program, for the Junior Police Academy, for the sub award period for the summer of 2020 was granted without matching funds; and

WHEREAS, the purpose of the grant is designed and implemented for the summer expansion program, more specifically to be used for the Junior Police Academy program of the Borough of Elmwood Park, which initiative is to promote and restore a favorable climate between the youth of our Borough and the Police Department and at the same time to improve the quality of life for the citizens, residents and businesses of this neighborhood; and

WHEREAS, as a condition of the grant, requires that the Borough of Elmwood Park on behalf of the Elmwood Park Police Department as a not for profit organization to authorize the acceptance of the subaward grant and that the acceptance of the grant is for the particular purpose as described on the application as submitted;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Elmwood Park does hereby “authorize to accept “ and does hereby accept the Subaward grant of the sum of \$9,000.00 and further certifies that the sum of the subaward will be and is hereby accepted for the purpose so described in the application and will comply with any and all guidelines and requirements set forth with the award of the particular grant. The Mayor and Council further authorize the submission of any and all documents to the New Jersey Department of Law and Public Safety; and

BE IT FURTHER RESOLVED that the Mayor and Council does hereby authorize the expenditure of said funds in accordance with this subaward and does acknowledge that it is subject to the requirements set forth in the appropriate Federal Regulations, the General Conditions for subawards promulgated by the Department of Law and Public Safety, all applicable Statutes of the State of New Jersey and the requirements of the State of New Jersey for State and Local financial accounting including the filing of single audits as required under 2 C.F.R. Part 200, Subpart F, Audit Requirements (2 C.F.R. §200.500, and/or State Circular Letters 15-08-0MB and 07-0S-0MB (if applicable). It is subject, also, to any general conditions and assurances, approved budget, application authorization, certifications, and special conditions attached to this program.

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

August 12, 2020
Dated

APPROVED: August 27, 2020

Robert Colletti, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
Borough Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 27th day of August 2020. Signed and sealed before me.

Erin Delaney, MPA, RMC
Borough Clerk

Dated

PUBLIC COMMENT

Borough Clerk Delaney read the following into the record which was submitted via e-mail by Barbara Cornetto:

Dear Mayor and Council,

As an Elmwood Park resident and taxpayer I would like to know why there is such a long delay in the Library renovation. It is obvious that the work has been at a stand still for many months. There is a water line that still has not been connected, the parking lot is only half paved and I'm sure the interior of the building is not close to completion. I am looking for answers as to what is causing this delay, how much oversight is being done on this project, and are there any issues with inspections or funding.

Looking forward to your response,

Respectfully,
Barbara Cornetto

Mayor Colletti stated that the delay can be attributed to required paperwork not initially being filed with the Building Department and COVID-19 restrictions.

Jeffrey Freitag, Hillman Drive, advised that he was happy to see milling being done at the tennis courts. In regards to the library, he requested information on who is managing the project and whose fault the delays are. Additionally, Mr. Freitag requested the spelling of the new Recreation Director's name and wished him luck.

A motion was made by Councilman Fasolo and seconded by Councilwoman Ingui to adjourn. Motion carried unanimously.

Respectfully submitted,

Erin Delaney, MPA, RMC
Borough Clerk

Minutes approved at the September 17, 2020 Special Meeting of the Mayor and Council.