

**SPECIAL MEETING
OF THE
ELMWOOD PARK MAYOR AND COUNCIL
March 23, 2023
4:00 P.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, March 23, 2023 at 4:00PM in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey. On Roll Call Councilmembers: Dennis, *Golabek, Fasolo, Pellegrine, Sheridan and Council President Balistrieri. Also present were Borough Administrator Foligno, Acting Borough Clerk Shanee Morris, and Borough Attorney Ingrassia.

**Councilman Golabek arrived at 4:02pm*

2. STATEMENT OF COMPLIANCE:

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

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing a special meeting notice in The Record and Herald News and by posting such notice in the office of the Borough Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted and transmitted on March 17, 2023 and published on March 21, 2023.

3. PRESENTATION BY C.F.O ROY RIGGITANO AND BOROUGH AUDITOR STEVE WIELTKOZ, ESQ

Chief Financial Officer Roy Riggitano and Borough Auditor Steve Wielkotz reviewed the budget process with the Council. Mr. Wielkotz explains the no tax increase. The Council then asked a few questions and made some comments.

4. BUDGET INTRODUCTION:

R-161-23	Ordinance #23-14 to Exceed the Municipal Budget Appropriation Limits to Establish a Cap Bank
R-162-23	Introduction of the 2023 Municipal Budget
R-163-23	Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

5. RESOLUTIONS:

R-164-23	Award of Bid – Orchard Street Drainage
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6. PUBLIC HEARING:

7. ADJOURNMENT:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-161-23**

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

**INTRODUCE ORDINANCE #23-14
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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, April 20, 2023 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 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: March 23, 2022

Lorraine Pellegrine, Councilwoman

ATTEST: _____
Shanee Morris, CMR
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	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 23rd day of March 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE # 23-14**

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Elmwood Park in the County of Bergen finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$230,730.89 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Elmwood Park, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Elmwood Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$838,160.12 and that the CY 2023 municipal budget for the Borough of Elmwood Park be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST: _____

Shanee Morris, CMR

Acting Borough Clerk

APPROVED: _____

Lorraine Pellegrine, Councilwoman

Introduced: March 23, 2023

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-162-23**

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

INTRODUCTION OF THE 2023 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023; and

BE IT FURTHER RESOLVED, that said Budget be published in The Record and Herald News in the issue of March 30, 2023; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Elmwood Park does hereby approve the following as the Budget for the year 2023:

2023 Municipal Budget
of the Borough of Elmwood Park ,
County of Bergen for the fiscal year 2023

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2023	2022
1. Surplus	4,598,087.00	4,346,000.00
2. Total Miscellaneous Revenues	7,518,243.86	6,359,855.04
3. Receipts from Delinquent Taxes	490,000.00	470,000.00
4. a) Local Tax for Municipal Purposes	19,155,373.22	19,175,362.00
b) Addition to Local District School Tax		
c) Minimum Library Tax	894,524.00	812,017.00
Tot Amt to be Rsd by Taxes for Sup of Mun. Bud	20,049,897.22	19,987,379.00
Total General Revenues	32,656,228.08	31,163,234.04

Summary of Appropriations	2023 Budget	Final 2022 Budget
1. Operating Expenses: Salaries & Wages	10,736,756.00	10,909,297.00
Other Expenses	14,379,872.08	13,117,201.04
2. Deferred Charges & Other Appropriations	3,242,250.00	3,156,736.00
3. Capital Improvements	250,000.00	150,000.00
4. Debt Service (Include for School Purposes)	1,847,350.00	1,630,000.00
5. Reserve for Uncollected Taxes	2,200,000.00	2,200,000.00
Total General Appropriations	32,656,228.08	31,163,234.04
Total Number of Employees		

2023 Dedicated Water Utility Budget		
Summary of Revenues	Anticipated	
	2023	2022
1. Surplus		
2. Miscellaneous Revenues	3,514,913.00	3,452,500.00
3. Deficit (General Budget)		
Total Revenues	3,514,913.00	3,452,500.00
Summary of Appropriations	2023 Budget	Final 2022 Budget
1. Operating Expenses: Salaries & Wages	497,000.00	497,000.00
Other Expenses	2,600,000.00	2,600,000.00
2. Capital Improvements		
3. Debt Service	367,913.00	305,500.00
4. Deferred Charges & Other Appropriations	50,000.00	50,000.00
5. Surplus (General Budget)		
Total Appropriations	3,514,913.00	3,452,500.00
Total Number of Employees		

Balance of Outstanding Debt		
	General	Utility - Other
Interest	215,000.00	
Principal	1,150,000.00	
Outstanding Balance	7,925,000.00	

Notice is hereby given that the budget and tax resolution was approved by the council of the Borough of Elmwood Park, County of Bergen on March 23, 2023.

A hearing on the Budget and Tax resolution will be held at Municipal Building, on April 20th, 2023 at 7:00 o'clock P.M. at which time and place objections to the Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

Copies of the Budget are available in the office of Shanee Morris, Acting Borough Clerk, at the Municipal Building, 182 Market Street, Elmwood Park, New Jersey, Phone # 201-796-1457 during the hours of 9:00 A.M. to 4:00 P.M

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

March 22, 2023
Dated

APPROVED: March 23, 2023

Lorraine Pellegrine, Councilwoman

ATTEST: _____
Shanee Morris, CMR
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	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 23rd day of March 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-163-23**

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

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964”**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Elmwood Park, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

APPROVED: March 23, 2023

Lorraine Pellegrine, Councilwoman

ATTEST: _____
Shanee Morris, CMR
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	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 23rd day of March 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-164-23**

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

AWARD OF BID – ORCHARD STREET DRAINAGE

WHEREAS, the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey solicited bid proposals for the Orchard Street Drainage; and

WHEREAS, the Bid Opening Committee did receive 8 bids pursuant to the advertisement for the above project; and

WHEREAS, the proposals were opened on Wednesday, March 8, 2023 and the results are as follows;

<u>Contractors</u>	<u>Bid</u>
Diamond Construction	\$488,635.00
Shauger Property Service	\$285,876.36
Crossroads Paving	\$254,325.00
Colonnelli Brothers	\$428,335.00
AJM Contractors	\$274,335.00
CMS Construction	\$313,250.00
John Garcia Construction	\$243,501.65
Montana Construction	\$469,535.00

WHEREAS, the bids submitted have been reviewed by the Borough Attorney and Borough Engineer and are in compliance with the New Jersey Local Public Contract Law, and it is the recommendation of the Mayor and Council that the above-mentioned project be awarded to John Garcia Construction in the amount of \$243,501.65; and

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 bid submitted by John Garcia Construction in the amount of \$243,501.65 be and is hereby awarded to be paid out of future capital bond; and

BE IT FURTHER RESOLVED, that Mayor Robert Colletti and Borough Clerk are 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

March 22, 2023
Dated

APPROVED: March 23, 2023

Lorraine Pellegrine, Councilwoman

ATTEST: _____
Shanee Morris, CMR
Acting Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Dennis	X				Pellegrine	X			
Fasolo	X				Sheridan	X			
Golabek	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 23rd day of March 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

PUBLIC COMMENT

Jeffrey Freitag, Hillman Drive, asked why the special meeting wasn't announced at the March 16th meeting. He questioned why the budget increased by 5% and asked if it all comes from Federal. Lastly, he asked if it has anything to do with redevelopment.

A motion was made by Councilman Fasolo and seconded by Councilwoman Sheridan to adjourn. Motion carried by the members present.

Respectfully submitted,

Shanee Morris, CMR
Acting Borough Clerk

Minutes Approved at the October 19, 2023 Regular Meeting.