

**REGULAR MEETING
OF THE
ELMWOOD PARK MAYOR AND COUNCIL
AUGUST 17, 2023
7:00 P.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, August 17, 2023 at 7:01PM in the Council Chambers of the Municipal Building, 182 Market Street, Elmwood Park, New Jersey.

On Roll Call Councilmembers: Dennis, Fasolo, Golabek, Pellegrine, Sheridan and Council President Balistrieri. Also present were Mayor Colletti, Borough Administrator Foligno, Acting Borough Clerk Shanee Morris, 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 and transmitted on January 6, 2023 and published on January 10, 2023.

4. STRANGERS HELPING STRANGERS:

Mayor Colletti and Council President Balistrieri gave a brief background of the Strangers Helping Strangers organization. They then handed out certificates to all of the volunteers. Chris Braitsch then said a few words and acknowledgments.

5. APPRENTICESHIP ACKNOWLEDGEMENT:

Councilwoman Dennis started by giving a background of the program. Before calling the apprentice forward, Recreation Director Teshawn Warren gave a small biography on Syeira Palmer. She was then presented with a certificate and check for her completion of the program. Lastly, Councilwoman Dennis called forward Lori Sproviero and Stephanie Jacobs to say a few words about Syeira.

The Mayor and Council then shared congratulatory remarks to the volunteers from strangers helping strangers and the apprentice, Syeira.

- 5 minute recess -

6. ORDINANCES: FIRST READING

R-296-23

Introduce Ord. #23-27

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STORM AND SANITARY SEWER IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$130,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

R-297-23

Introduce Ord. #23-28

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$850,000 FOR THE INSTALLATION OF A SYNTHETIC TURF ATHLETIC FIELD AT BOROUGH PARK IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF

BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

- R-298-23 Introduce Ord. #23-29
BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO ELMWOOD DRIVE PARK IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.
- R-299-23 Introduce Ord. #23-30
ORDINANCE ADDING SECTION 37-2, ET SEQ., “MANDATORY DEVELOPMENT FEE” TO CHAPTER 37 “AFFORDABLE HOUSING” OF THE MUNICIPAL CODE OF THE BOROUGH OF ELMWOOD PARK
- R-300-23 Introduce Ord. #23-31
ORDINANCE REPEALING AND REPLACING INCONSISTENCIES FOUND IN SECTION 37-1, ET SEQ., “AFFORDABLE HOUSING OBLIGATION” OF THE MUNICIPAL CODE OF THE BOROUGH OF ELMWOOD PARK
- R-301-23 Introduce Ord. #23-32
AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK, NEW JERSEY AMENDING THE BOROUGH CODE AND ALL GENERAL ORDINANCES OF THE BOROUGH; MORE SPECIFICALLY, CHAPTER 34, MORE SPECIFICALLY SECTION 43-31.14.e; OF THE CANNABIS ORDINANCE WITHIN THE BOROUGH OF ELMWOOD PARK.
- R-302-23 Introduce Ord. #23-33
AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK, NEW JERSEY AMENDING THE BOROUGH CODE AND ALL GENERAL ORDINANCES OF THE BOROUGH; MORE SPECIFICALLY, CHAPTER 4, LICENSING AND BUSINESS REGULATIONS, SECTION 4.7 (CLARIFYING APPLICATION FEES AND LICENSE FEES; CLARIFYING TYPES AND NUMBERS OF LICENSES THAT MAY BE ISSUED);
SECOND READING
- R-303-23 Introduce Ord. #23-24
AN ORDINANCE TO AMEND CHAPTER VII, “TRAFFIC” OF THE CODE OF THE BOROUGH OF ELMWOOD PARK, MORE SPECIFICALLY ARTICLE 7-11, “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS”
- R-304-23 Introduce Ord. #23-25
AN ORDINANCE OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, ACKNOWLEDGING AND ACCEPTING CONTROL AND JURISDICTION OF VAN RIPER AVENUE FROM THE COUNTY OF BERGEN PURSUANT TO FREEHOLDER ORDINANCE NO.

- R-305-23 Introduce Ord. #23-26
ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF ELMWOOD PARK CHAPTER 7, “TRAFFIC, “SECTION 7-35.1, “HANDICAPPED. PARKING ON STREETS” TO CREATE AND ASSIGN A PARKING SPACE FOR AND AS A HANDICAPPED PARKING

7. CONSENT AGENDA:

- R-306-23 Approval of Payroll
- R-307-23 Approval of Bills List
- R-308-23 Cancellation of Bond Balances
- R-309-23 Capital Budget Amendment
- R-310-23 Authorize Vacation Buyback
- R-311-23 Authorize Increase in Hourly Wage - Fire Prevention Department
- R-312-23 Resolution to Refund Overpayment - Tax Exempt Veteran
- R-313-23 Resolution to Refund Overpayment
- R-314-23 Resolution to Refund Overpayment
- R-315-23 Resolution to Refund Overpayment
- R-316-23 Authorize Current Estimate #1 – Orchard Street Drainage Improvements
- R-317-23 Authorize Current Estimate #1 – FY 2021 NJDOT – Mola Boulevard Improvements
- R-318-23 Award Proposal for Professional Services – Alaimo Group Borough Salt Shed
- R-319-23 Award Proposal for Professional Services – Alaimo Group Stormwater Outfall Mapping
- R-320-23 Authorize Contract with Garden State Fireworks, Inc.
- R-321-23 Award Bid for Curbside Recycling
- R-322-23 Authorize Purchase of Equipment - Police Department
- R-323-23 Award Lifepak CR2 Defibrillators
- R-324-23 Authorize Release of Road Opening Performance Bond
- R-325-23 Amendment to Recreation Department Staff
- R-326-23 Appointment of Recreation Department Staff
- R-327-23 Appointment of Counselors for the 2023/2024 School Year Morning Care & After-School Program Recreation Department
- R-328-23 Authorization to Execute Shared Service Agreement with the Elmwood Park Board of Education School Security Officers
- R-329-23 Approval to Submit and Execute Grant Application
- R-330-23 Renew Liquor Licenses for the 2022/2023 License Term
- R-331-23 Renew Liquor Licenses for the 2023/2024 License Term
- R-332-23 Maintenance of 253 Martha Avenue
- R-333-23 Appointment of Firefighters
- R-334-23 Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-335-23 Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-336-23 Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-337-23 Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-338-23 Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-339-23 Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-340-23 Authorize Voiding of Stale Checks
- R-341-23 Approve Block Party Request
- R-342-23 Resolution to Approve the Consent Agenda

8. COUNCIL REPORTS:

9. MAYOR’S REPORT:

10. PUBLIC HEARING:

11. EXECUTIVE:

12. ADJOURNMENT:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-296-23**

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

**INTRODUCE ORDINANCE #23-27
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STORM AND SANITARY SEWER IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$130,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-27**

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STORM AND SANITARY SEWER IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$130,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Elmwood Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake storm and sanitary sewer improvements at various locations in, by and for said Borough. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$130,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$130,000, and (4) \$6,200 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$123,800, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$30,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$6,200, appropriated for down payments on capital improvements or for the capital improvement fund in

budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$6,200 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$123,800 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$123,800 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer, who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk

of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$123,800 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____
Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-297-23**

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

**INTRODUCE ORDINANCE #23-28
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$850,000 FOR THE INSTALLATION OF A SYNTHETIC TURF ATHLETIC FIELD AT BOROUGH PARK IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-28**

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$850,000 FOR THE INSTALLATION OF A SYNTHETIC TURF ATHLETIC FIELD AT BOROUGH PARK IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND

TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

WHEREAS, the Borough Council of the Borough of Elmwood Park has heretofore authorized the installation of a synthetic turf athletic field at Borough Park in, by and for said Borough, and appropriated the sum of \$2,310,000 therefor pursuant to ordinance no. 23-07 adopted by the Borough Council of said Borough on March 16, 2023; and

WHEREAS, the Borough Council now finds and determines that the additional sum of \$850,000 is required for such improvement, NOW, THEREFORE,

BE IT ORDAINED by the Borough Council of the Borough of Elmwood Park, in the County of Bergen, New Jersey (the "Borough"), as follows:

Section 1. The additional sum of \$850,000 is hereby appropriated to the payment of the cost of the improvement authorized by ordinance no. 23-07 adopted by the Borough Council of the Borough on March 16, 2023 (the "Prior Ordinance"). Said additional appropriation shall be met from the down payment appropriated and from the proceeds of the sale of the bonds authorized by this ordinance. Said improvement has been and shall be made as a general improvement and no part of the cost thereof has been nor shall be assessed against property specially benefited.

Section 2. It is hereby determined and stated that (1) the making of such improvement (hereinafter referred to as "purpose") is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose authorized by the Prior Ordinance is \$3,160,000, including the sum of \$2,310,000 appropriated by the Prior Ordinance and the \$850,000 appropriated by this ordinance, and (4) \$460,000 of said sum is to be provided by the down payment, including the \$110,000 appropriated by the Prior Ordinance and the \$350,000 hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$2,700,000, including the \$2,200,000 authorized by the Prior Ordinance and the \$500,000 hereinafter authorized, and (6) the cost of such purpose includes the aggregate amount of \$300,000, including the sum of \$250,000 stated in the Prior Ordinance and the sum of \$50,000 hereby stated, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 3. It is hereby determined and stated that the sum of \$350,000 in the Borough's Recreation Trust Fund is now available to serve as the down payment on said purpose. The sum of \$350,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 4. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$500,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$500,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$500,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 10. The Borough intends to issue the bonds or notes to finance the cost of the improvement authorized by the Prior Ordinance and described herein. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 11. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 12. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____
Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____
Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-298-23**

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

**INTRODUCE ORDINANCE #23-29
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS
IMPROVEMENTS TO ELMWOOD DRIVE PARK IN, BY AND FOR THE BOROUGH
OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY,
TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO
AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION**

AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-29**

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO ELMWOOD DRIVE PARK IN, BY AND FOR THE BOROUGH OF ELMWOOD PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Elmwood Park, in the County of Bergen, State of New Jersey (the "Borough"), is hereby authorized to undertake various improvements to Elmwood Drive Park in, by and for the Borough. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$600,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a Green Acres Grant in the amount of \$269,619 from the State of New Jersey Department of Environmental Protection shall be received by the Borough to finance the cost of the improvements described in Section 1 hereof. Any of said grant funds so received shall be applied as set forth in Section 9 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Borough, (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), (3) the estimated cost of said purpose is \$600,000, (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$600,000, and (5) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$100,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses,

including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$600,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$600,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as

defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$600,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 10. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 11. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this ordinance. If the Borough incurs such costs prior to the issuance of such bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____

Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-299-23**

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

**INTRODUCE ORDINANCE #23-30
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

ORDINANCE ADDING SECTION 37-2, ET SEQ., “MANDATORY DEVELOPMENT FEE” TO CHAPTER 37 “AFFORDABLE HOUSING” OF THE MUNICIPAL CODE OF THE BOROUGH OF ELMWOOD PARK

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-30**

ORDINANCE ADDING SECTION 37-2, ET SEQ., “MANDATORY DEVELOPMENT FEE” TO CHAPTER 37 “AFFORDABLE HOUSING” OF THE MUNICIPAL CODE OF THE BOROUGH OF ELMWOOD PARK.

§37-2 MANDATORY DEVELOPMENT FEE

§37-2.1 Purpose

This article establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH's regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (N.J.S.A. 52:27D-329.2), the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), and the Borough's 2018 Settlement Agreement with Fair Share Housing Center (BER-L-6375-15). Fees collected pursuant to this article shall be used for the purpose of providing very-low, low- and moderate-income housing in accordance with a Court-approved spending plan.

§37-2.2 Basic Requirements

- a. This chapter shall not be effective until approved by Superior Court.
- b. The Borough of Elmwood Park shall not spend development fees until the Court has approved a plan for spending such fees (spending plan).

§37-2.3 Definitions

The following terms when used in this Ordinance shall have the meaning given in this Section.

“Affordable Housing Development” shall mean a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipally-sponsored construction project or a 100% affordable housing development.

“COAH or the Council” shall mean the New Jersey Council on Affordable Housing established under the Fair Housing Act, or any successor agency charged with the administration of the Act.

“Court” shall mean the Superior Court of New Jersey, Law Division, Bergen County.

“Developer” shall mean the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development Fee” shall mean money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Borough, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, et seq., and regulated by applicable COAH Rules.

“Equalized Assessed Value” shall mean the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c. 123 (N.J.S.A. 54:1-35a through c).

“Green Building Strategies” shall mean strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§37-2.4. Residential Development Fees

a. Imposed Fees.

1. Within all districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted.

2. When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application. Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

b. Eligible extractions, including extractions for residential developments.

1. Affordable housing developments and/or developments where the developer has made a payment in lieu of on-site construction of affordable units, if permitted by ordinance or by agreement with the Borough of Elmwood Park, shall be exempt from the payment of development fees.
2. Developments that have received preliminary or final site plan approval prior to the adoption of the Borough's initial development fee ordinance shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
3. Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.
4. Development fees shall be imposed and collected when there is an addition to an existing structure, or when an existing structure undergoes a change to a more intense use or is demolished and replaced. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
5. No fee shall be charged pursuant to this section for any addition or improvement to an existing residential structure, so long as such addition or improvement does not increase the equalized assessed value of the existing structure, as of the date thereof, by more than fifty percent (50%).
6. Not-for-profit developers shall be exempt.

§37-2.5. Non-Residential Development Fees

a. Imposed Fees.

1. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
2. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
3. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

- b. Eligible exactions, ineligible exactions and exemptions for non-residential development.
1. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 2. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 3. Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
 4. A developer of a nonresidential development exempted from the nonresidential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy for the nonresidential development, whichever is later.
 5. If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Borough of Elmwood Park as a lien against the real property of the owner.

§37-2.6. Collection procedures

- a. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority or entity shall notify or direct its staff to notify the construction official responsible for the issuance of a building permit.
- b. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c. The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d. Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e. The construction official responsible for the issuance of a final certificate of occupancy shall notify the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f. Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g. Should the Borough of Elmwood Park fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection,

the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6).

- h. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at the issuance of the certificate of occupancy. No certificate of occupancy shall be issued to the developer until all remaining developer fees have been paid in full.
- i. Appeal of development fees
 - 1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Millburn Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2. A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Elmwood Park Borough. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§37-2.7. Affordable Housing Trust Fund

- a. There is hereby created a separate, interest-bearing Housing Trust Fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.
- b. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - 1. Payments in lieu of on-site construction of affordable units collected in accordance with §37-1.4.e;
 - 2. Developer-contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - 3. Rental income from municipally operated units;
 - 4. Repayments from affordable housing program loans;
 - 5. Recaptured funds;
 - 6. Proceeds from the sale of affordable units; and
 - 7. Any other funds collected in connection with the Borough of Elmwood Park's affordable housing program.
- c. In the event of a failure by the Borough of Elmwood Park to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved spending plan and to expend funds within the applicable required time period as set forth in *In re Tp. of Monroe*, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department

of Community Affairs, Division of Local Government Services ("LGS"), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Borough of Elmwood Park, or, if not practicable, then within the County.

1. Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the noncompliant condition(s), and upon a finding of continuing and deliberate noncompliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.
- d. All interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the Court.

§37-2.8. Use of Funds

- a. The expenditure of all funds shall conform to a spending plan approved by the Superior Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address Elmwood Park Borough's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; regional housing partnership programs; conversion of existing nonresidential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved spending plan.
- b. Funds shall not be expended to reimburse Elmwood Park Borough for past housing activities.
- c. At least 30% of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of the median income for Housing Region 1, in which Elmwood Park is located.
 1. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the spending plan.
 2. Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The specific programs to be used for very-low-income affordability assistance shall be identified and described within the spending plan.
 3. Payments in lieu of constructing affordable housing units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d. Elmwood Park Borough may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.

- e. No more than 20% of all revenues collected from development fees may be expended on administration, including but not limited to salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.
 - 1. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses.
 - 2. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or related to securing or appealing a judgment from the Court are not eligible uses of the Affordable Housing Trust Fund.

§37-2.9. Monitoring

- a. The Borough of Elmwood Park shall provide annual reporting of Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, COAH or Local Government Services or other entity designated by the State of New Jersey, and Fair Share Housing Center, as well as posting it to the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, COAH or Local Government Services, or any other forms endorsed by the Special Master and Fair Share Housing Center

§37-2.10. Ongoing collection of fees

- a. The ability of Elmwood Park Borough to impose, collect and expend development fees shall be permitted through the expiration of the repose period covered by its judgment of compliance and shall continue thereafter so long as Elmwood Park Borough has filed an adopted Housing Element and Fair Share Plan with the Court or with a designated state administrative agency, has petitioned for a judgment of compliance from the Court or for substantive certification or its equivalent from a state administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its development fee ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
- b. If the Borough of Elmwood Park fails to renew its ability to impose and collect development fees after the expiration of its judgment of compliance and repose, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to Section 20 of P.L. 1985, c. 222 (N.J.S.A. 52:27D-320).
- c. After the expiration of the judgment of compliance and repose, if the Borough does not pursue or obtain continued authorization, Elmwood Park Borough shall not impose a residential development fee on a development that receives preliminary or final site plan approval, retroactively impose a development fee on such a development, or expend any of its collected development fees.

ATTEST: _____

Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-300-23**

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCIL PRESIDENT BALISTRIERI**

**INTRODUCE ORDINANCE #23-31
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

ORDINANCE REPEALING AND REPLACING INCONSISTENCIES FOUND IN SECTION 37-1, ET SEQ., “AFFORDABLE HOUSING OBLIGATION” OF THE MUNICIPAL CODE OF THE BOROUGH OF ELMWOOD PARK

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-31**

**ORDINANCE REPEALING AND REPLACING INCONSISTENCIES
FOUND IN SECTION 37-1, ET SEQ., “AFFORDABLE HOUSING
OBLIGATION” OF THE MUNICIPAL CODE OF THE BOROUGH
OF ELMWOOD PARK**

PURPOSE

It is the intent of the Mayor and Council of the borough of Elmwood Park to establish and clarify the Borough code to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This section shall apply excerpts where inconsistent with applicable law. This chapter will implement and incorporate the Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1 et seq. ("Fair Share Plan"), in accordance with the Settlement Agreement entered into between the Borough and the Fair Share Housing Center ("FSHC") on March 8, 2018 and addresses the requirements of N.J.A.C. 5:93, as may be amended and supplemented.

§ 37-1 AFFORDABLE HOUSING OBLIGATION.

§ 37-1.1 General Provisions.

- a. This section is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This section shall apply except where inconsistent with applicable law.
- b. This chapter implements and incorporates the Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1 et seq. ("Fair Share Plan"), in accordance with the Settlement Agreement entered into between the Borough and the Fair Share Housing Center ("FSHC") on March 8, 2018 and addresses the requirements of N.J.A.C. 5:93, as may be amended and supplemented. The Settlement Agreement was found to be fair by the Honorable Christine A. Farrington, J.S.C. by order issued on July 30, 2018.
- c. Consistent with that Settlement Agreement, this chapter of the Borough Code sets forth regulations regarding the low- and moderate-income housing units in the Borough to fulfill the constitutional obligation to provide a realistic opportunity for the construction of its fair share of the regional need for affordable housing for low- and moderate-income households, the provisions known as the Substantive Rules of the New Jersey Council on Affordable Housing (“COAH rules”), N.J.A.C. 5:93 et seq., and the Uniform Housing Affordability Controls (“UHAC”), N.J.A.C. 5:80-26.1 et seq., except that the requirements for very-low-income affordable housing as established in P.L. 2008, c. 46 (the “Roberts Bill,” codified at N.J.S.A. 52:27D-329.1) shall supersede those of the UHAC.
- d.
- e. The Borough of Elmwood Park Planning Board adopted a Third Round Housing Element and Fair Share Plan on November 9, 2022 pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., the Settlement Agreement with Fair Share Housing Center, the Fair Housing Act, and applicable rules promulgated by the Council on Affordable Housing (COAH). This chapter implements that Housing Element and Fair Share Plan and addresses the requirements of N.J.A.C. 5:93, as may be amended and supplemented. On or about each anniversary of the Court’s filing of the Judgment of Compliance and Repose through the end of the period of Third Round Judgment of Repose (July 1, 2025), the Borough will provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to all parties to the Borough’s Court-approved settlement agreements, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC. ”
- f. The Fair Housing Act includes two provisions regarding action to be taken by the Borough during the ten-year period of protection provided in the Borough’s agreement

with FSHC. The Borough agrees to comply with those provisions as follows:

1. At the time of a hearing for a Third Round Judgment of Compliance and Repose, the Borough may provide a realistic opportunity review consistent with the midpoint review provisions at N.J.S.A. 52:27D-313, which will consist of a status report as to its implementation of its plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. In the event the Court determines that a site or mechanism no longer presents a realistic opportunity and should be replaced or supplemented, then the municipality shall have the first opportunity to supplement or revise its plan to correct any deficiency.
2. Within 30 days of the third anniversary of the Judgment of Compliance and Repose, the Borough shall prepare a review of compliance with the very-low-income housing requirements required by N.J.S.A. 52:27D-329.1 and its settlement agreement with Fair Share Housing Center. The Borough will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very-low-income requirements, including the family very-low-income requirements referenced herein and in the Borough's settlement agreement with FSHC. Such posting shall invite any interested party to submit comments to the municipality and FSHC on the issue of whether the municipality has complied with its very-low-income housing obligation.

The reports shall be available to the public at the Borough of Elmwood Park Municipal Building, Municipal Clerk's Office, 182 Market Street, Elmwood Park, New Jersey.

§ 37-1.2 **Definitions.**

The following terms when used in this section shall have the meanings given in this subsection:

ACCESSORY APARTMENT

Shall mean a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

ACT

Shall mean the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.).

ADAPTABLE

Shall mean constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT

Shall mean the entity responsible for the administration of affordable units in accordance with this section, N.J.A.C. 5:91, N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq.

AFFIRMATIVE MARKETING

Shall mean a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

AFFORDABILITY AVERAGE

Shall mean the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE

A sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:93-7.4; in the case of an ownership unit, the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

AFFORDABLE DEVELOPMENT

Shall mean a housing development all or a portion of which consists of income-restricted units which may be counted toward the satisfaction of the municipal affordable housing obligation.

AFFORDABLE HOUSING DEVELOPMENT

Shall mean a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

AFFORDABLE HOUSING PROGRAM(S)

Shall mean any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE UNIT

Shall mean a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:93, and/or funded through an affordable housing trust fund.

AGE-RESTRICTED UNIT

Shall mean a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80% of the units are occupied by one person that is 55 years or older (except that persons younger than 19 may not be permanent residents); or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

AGENCY

Shall mean the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

ASSISTED LIVING ARRANGEMENT

A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless, Class A, B, C, D, and E boarding homes as regulated by the New Jersey Department of Community Affairs; residential health-care facilities as regulated by the New Jersey Department of Health and Senior Services; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

CERTIFIED HOUSEHOLD

Shall mean a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

COAH – THE COUNCIL ON AFFORDABLE HOUSING

Shall mean the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

DCA

Shall mean the State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT

Shall mean a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

DEVELOPER

Shall mean any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT

Shall mean the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

FAIR SHARE PLAN

The plan that describes the mechanisms, strategies and the funding sources, if any, by which the Borough proposes to address its affordable housing obligation as established in the housing element, including the draft ordinances necessary to implement that plan and addresses the requirements of N.J.A.C. 5:93-5.

HOUSING ELEMENT

The portion of the municipality's Master Plan, required by the Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-28b(3) and the Act, that includes the information required by N.J.A.C. 5:93-5.1 and establishes the Borough's fair share obligation.

INCLUSIONARY DEVELOPMENT

Shall mean a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a nonresidential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

LOW-INCOME HOUSEHOLD

Shall mean a household with a total gross annual household income equal to 50% or less of the median household income for the applicable COAH housing region.

LOW-INCOME UNIT

Shall mean a restricted unit that is affordable to a low-income household.

MAJOR SYSTEM

Shall mean the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

MARKET-RATE UNITS

Shall mean housing not restricted to low- and moderate-income households that may sell or rent at any price.

MEDIAN INCOME

The median income by household size for the applicable COAH housing region, as adopted annually by COAH or as approved by the New Jersey Superior Court.

MODERATE-INCOME HOUSEHOLD

Shall mean a household with a total gross annual household income in excess of 50% but less than 80% of the median household income for the applicable COAH housing region.

MODERATE-INCOME UNIT

Shall mean a restricted unit that is affordable to a moderate-income household.

NON-EXEMPT SALE

Any sale or transfer of ownership other than the transfer of ownership between spouses; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a Class A beneficiary and the transfer of ownership by court order.

'RANDOM SELECTION PROCESS

Shall mean a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

REGIONAL ASSET LIMIT

The maximum housing value in each COAH housing region affordable to a four-person household with an income of at 80% of the regional median as defined by adopted/approved regional income limits.

'REHABILITATION

Shall mean the repair, renovation, alteration or reconstruction of any building or structure,

pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6, which, for purposes of affordable housing credit, involves at least one major system of the building or structure.

RENT

Shall mean the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT

Shall mean a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

SPECIAL MASTER

An expert appointed by a Superior Court Judge to assist the Court, the municipality and any intervenors or other interested parties in applying the Mount Laurel Doctrine, including a determination of municipal fair share and an evaluation of the effectiveness of the municipality's Fair Share Plan to the extent permitted by law.

UHAC

Shall mean the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

VERY LOW-INCOME HOUSEHOLD

Shall mean a household with a total gross annual household income equal to 30% or less of the median household income for the applicable COAH housing region.

VERY LOW-INCOME UNIT

Shall mean a restricted unit that is affordable to a very low-income household.

WEATHERIZATION

Shall mean Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

§ 37-1.3 Affordable Housing Programs.

The Borough of Elmwood Park has determined that it will use the following mechanisms to satisfy its affordable housing obligations:

- a. A Rehabilitation Program.
 1. The Borough of Elmwood Park's rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
 2. Both owner occupied and renter occupied units shall be eligible for rehabilitation funds to the extent permitted by law.
 3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
 4. The Borough of Elmwood Park shall dedicate a minimum of \$20,000 for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.
 5. The Borough of Elmwood Park shall adopt a resolution committing to fund any shortfall in the rehabilitation programs for the Borough of Elmwood Park.
 6. The Borough of Elmwood Park shall designate, subject to the laws of the State of New Jersey, one or more Administrative Agents to administer the rehabilitation program in accordance with N.J.A.C. 5:91 and N.J.A.C. 5:93. The Administrative Agent(s) shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental occupancy rehabilitation program to be adopted by

resolution of the Governing Body. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).

7. Units in a rehabilitation program shall be exempt from the Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
 - (a) If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low-or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:93-11 and UHAC.
 - (b) If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to this Chapter and UHAC.
 - (c) Rents in rehabilitated units may increase annually based on the standards in this Chapter.
 - (d) Applicant and/or tenant households shall be certified as income-eligible in accordance with UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

§ 37-1.4 Inclusionary Zoning.

a. Borough-wide Set Aside Requirement.

1. Consistent with the requirement at Section 7.5.c of the Settlement Agreement between Elmwood Park Borough and Fair Share Housing Center, any new multi-family development (including a mixed-use project with a multi-family residential component) (a) approved by the Planning Board or Zoning Board or created through a Redevelopment or Rehabilitation Plan and (b) having a density of at least six (6) dwelling units per acre resulting in the creation of five (5) or more new units shall be required to set aside 15% (if rental) or 20% (if for-sale) of the constructed number of residential units for very-low, low-, and moderate-income households.
 - i. The Borough reserves the right to negotiate a modification to the above set-aside requirement in a redevelopment project where the designated redeveloper agrees to enter into a public-private partnership or a community benefit agreement with the Borough, the Elmwood Park Board of Education, or a local community improvement group.
 2. All set-aside units shall conform to the Uniform Housing Affordability Standards at N.J.A.C. 5:80-26.1 et seq. as modified by the Settlement Agreement with Fair Share Housing Center and with this Chapter.
- b. AH-1 and AH-2 Zones: The zoning of the AH-1 and AH-2 Zone Districts provides for a 15% set-aside for restricted units, to a maximum of 16 units in the AH-1 Zone District and a maximum of eight units in the AH-2 Zone District.
1. Where an executed development agreement exists for affordable housing on a specific site or sites, list the sites below and identify the density and set-aside for each:
 - (a) Elmwood Park River Drive Development, LLC (Block 1201 Lot 3.01) has been approved to provide for a 15% set-aside for restricted units, to a maximum of 16 restricted units, and a density of 40 units per acre.
 - (b) Elmwood Park River Drive Development, LLC (Block 1201 Lot 4.01) has been approved to provide for a 15% set-aside for restricted units, to a maximum of eight restricted units, and a density of 25 units per acre and up to 18,000 square feet of commercial floor area.
- c. Phasing. Final site plan or subdivision approval for a project consisting of both market-rate and affordable housing units (inclusionary developments) shall be contingent upon the development meeting the following phasing schedule for low- and moderate-income

units, whether developed in a single-phase development or in a multi-phase development:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

- d. Design. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units and shall be no further distant, on average, from common amenities provided in the development than market-rate units.
- e. Payments-in-Lieu and Off-Site Construction. The standards for the collection of payments in lieu of constructing affordable units or standards for constructing affordable units off site shall be in accordance with the requirements below: The base dollar amount of the payment in lieu of constructing an affordable unit at the time of adoption of this chapter shall be pursuant to COAH's regulations and/or the amount in a development pro forma on file with the Borough Clerk. This amount shall be adjusted periodically by the Borough to reflect the most current and accurate market conditions or better cover the cost to the Borough to subsidize affordable housing construction. The payment shall be imposed as a condition of development approval by the Planning Board, to the extent permitted by law.
 - 1. During the development approval process, a developer may demonstrate to the governing body that the actual construction cost of an affordable unit less estimated capitalized revenue at the development in question is lower than the imposed payment in lieu in the preceding paragraph. At its discretion, the governing body may impose a payment in lieu amount equal or proximate to the amount estimated by the developer, along with other reasonable public health and safety impact fees and costs.
- f. Utilities.
 - 1. Affordable units shall utilize the same type of heating source as market units within the affordable development.
 - 2. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for its Section 8 program.

§ 37-1.5 New Construction.

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- a. Low-Moderate Split and Bedroom Distribution of Affordable Housing Units.
 - 1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.

Within rental developments, of the total number of affordable rental units, at least 13% shall be affordable to very-low-income households. 2. In each affordable development, at least 50% of the restricted units within each bedroom distribution shall be low-income units, including at least 13% very-low income.

- 3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

- (a) The combined number of efficiency and one-bedroom units shall be no greater than 20% of the total low- and moderate-income units;
 - (b) At least 30% of all low- and moderate-income units shall be two-bedroom units;
 - (c) At least 20% of all low- and moderate-income units shall be three-bedroom units; and
 - (d) The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.
- b. Accessibility Requirements.
- 1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.
 - 2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - (a) An adaptable toilet and bathing facility on the first floor;
 - (b) An adaptable kitchen on the first floor;
 - (c) An interior accessible route of travel on the first floor;
 - (d) An interior accessible route of travel shall not be required between stories within an individual unit;
 - (e) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-31 la et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the Borough of Elmwood Park has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
 - (1) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - (2) To this end, the builder of restricted units shall deposit funds within the Borough of Elmwood Park's affordable housing trust fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - (3) The funds deposited under paragraph (2) above shall be used by the Borough of Elmwood Park for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - (4) The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the Borough of Elmwood Park.
 - (5) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Borough of Elmwood Park's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.

- (6) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

c. Maximum Rents and Sales Prices.

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC and by the Superior Court or other relevant authority, utilizing the approved regional income limits .
2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60% of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52% of median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
 - (a) At least 13% of all low-and moderate-income rental units shall be affordable to households earning no more than 30% of median income.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of median income, and each affordable development must achieve an affordability average of 55% for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
 - (a) A studio shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one and one-half- person household;
 - (c) A two-bedroom unit shall be affordable to a three-person household;
 - (d) A three-bedroom unit shall be affordable to a four and one-half- person household; and
 - (e) A four-bedroom unit shall be affordable to a six-person household.
6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
 - (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one and one-half- person household; and
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowners' association fees do not exceed 28% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
8. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30% of the eligible monthly income of the appropriate household size as determined under

N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price, established by the Administrative Agent be lower than the last recorded purchase price.
10. Income limits for all units for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 et seq. shall be applicable within 30 days of the annual publication of determinations of median income by HUD as follows:
 - (a) Regional income limits shall be established for the Region 1 based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial census in Region 1. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80% of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50% of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very-low-income unit for a household of four shall be 30% of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.
 - (b) The income limits calculated each year shall be the result of applying the percentages set forth in Subsection (a) above to HUD's determination of median income for the relevant fiscal year, and shall be utilized until the Borough updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
 - (c) The regional asset limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Borough annually by taking the percentage increase of the income limits calculated pursuant to Subsection (a) above over the previous year's income limits, and applying the same percentage increase to the regional asset limit from the prior year. In no event shall the regional asset limit be less than that for the previous year.
11. The rent of very-low, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the for the Northeast Urban Area. This increase shall not exceed 9% in any one year. Rents for units constructed pursuant to low-income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.
12. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

§ 37-1.6 Affirmative Marketing Requirements.

The requirements of this section apply to all developments that contain affordable housing units, including any currently unanticipated future developments that will provide affordable housing units.

- a. The Borough of Elmwood Park shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Superior Court or other relevant authority, in accordance with with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- b. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers

and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 1 and covers the period of deed restriction.

- c. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 1 comprised of Bergen, Hudson, Passaic and Sussex Counties.
- d. The municipality has the ultimate responsibility for adopting the affirmative marketing plan and for the proper administration of the affirmative marketing program, including initial sales and rentals and resales and re-rentals.
- e. The Administrative Agent designated by the Borough of Elmwood Park shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- f. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to very-low, low-, and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- g. The affirmative marketing plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the affirmative marketing plan, the administrative agent shall consider the use of language translations where appropriate.
- h. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
- i. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Borough of Elmwood Park.
- j. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon written request.

§ 37-1.7 Occupancy Standards.

- a. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Provide an occupant for each bedroom;
 - 2. Provide separate bedrooms for parents and children;
 - 3. Provide children of different sex or gender with separate bedrooms; and
 - 4. Prevent more than two persons from occupying a single bedroom.
- b. Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

§ 37-1.8. Selection of occupants of affordable housing units.

- a. The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.
- a. A waiting list of all eligible candidates will be maintained in accordance with the provisions of N.J.A.C. 5:80-26.1 et seq.

§ 37-1.9 Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

- a. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain

subject to the controls on affordability for a period of at least 30 years and until the municipality takes action thereafter to release the controls on affordability.

- b. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- c. Prior to the issuance of the initial Certificate of Occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
- d. At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this section, an amount equal to the difference between the unit's nonrestricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- e. The affordability controls set forth in this section shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- f. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

§ 37-1.10 Price Restrictions for Restricted Ownership Units, Homeowners' Association Fees and Resale Prices.

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- a. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- b. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- c. The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- d. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.
- e. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the administrative agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale, provided the price, which shall be subject to ten-year, straight-line depreciation, has been approved by the administrative agent. Unless otherwise approved by the administrative agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

§ 37-1.11 Buyer Income Eligibility.

- a. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50% of

median income and moderate-income ownership units shall be reserved for households with a gross household income less than eighty 80% of median income.

- b. Notwithstanding the foregoing, the administrative agent may, upon approval by the Borough Committee, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the administrative agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.
- c. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the administrative agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- d. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowners' association fees, as applicable) does not exceed 33% of the household's certified monthly income.

§ 37-1.12 Limitations on Indebtedness Secured by Ownership Unit; Subordination.
[Ord. No. 10-16 § 11]

- a. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- b. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.6(b).

§ 37-1.13 Control Periods for Restricted Rental Units.

- a. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the controls on affordability for a period of at least 30 years, until the municipality takes action to release the controls on affordability. Prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
1. Restricted rental units created as part of developments receiving 9% low-income-housing tax credits must comply with a control period of not less than a thirty-year compliance period plus a fifteen-year extended use period. b. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Bergen. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- c. A restricted rental unit shall remain subject to the affordability controls of this section, despite the occurrence of any of the following events:
 1. Sublease or assignment of the lease of the unit;
 2. Sale or other voluntary transfer of the ownership of the unit; or
 3. The entry and enforcement of any judgment of foreclosure.

§ 37-1.14 Price Restrictions for Rental Units; Leases.

- a. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.

- b. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- c. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this section.

§ 37-1.15 Tenant Income Eligibility.

- a. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of median income.
 - 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of median income.
 - 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of median income.
- b. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - 1. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - 2. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - 3. The household is currently in substandard or overcrowded living conditions;
 - 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - 5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- c. The applicant shall file documentation sufficient to establish the existence of the circumstances in paragraphs b1 through b5 above with the Administrative Agent, who shall counsel the household on budgeting.

§ 37-1.16 Conversions.

- a. Each housing unit created through the duly approved conversion of a nonresidential structure shall be considered a new housing unit and shall be subject to the affordability controls for a new housing unit.

§ 37-1.17 Alternative living arrangements.

- a. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 - 1. Affirmative marketing (N.J.A.C. 5:80-26.15); provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court or other relevant authority;
 - 2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- b. With the exception of units established with capital funding through a twenty-year operating contract with the Department of Human Services, Division of Developmental

Disabilities, alternative living arrangements shall have at least thirty-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.

- c. The service provider for the alternative living arrangement shall act as the administrative agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

§ 37-1.18 Administration.

- a. The position of Municipal Housing Liaison (MHL) for the Borough of Elmwood Park is established by this section. The Borough Committee shall make the actual appointment of the MHL by means of a resolution.
 1. The MHL must be either a full-time or part-time employee of the Borough of Elmwood Park.
 2. The person appointed as the MHL must be reported to the Superior Court or other relevant authority for approval.
 3. The MHL must meet all COAH requirements for qualifications, including initial and periodic training.
 4. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Borough of Elmwood Park, including the following responsibilities which may not be contracted out to the Administrative Agent:
 - (a) Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - (b) The implementation of the Affirmative Marketing Plan and affordability controls;
 - (c) When applicable, supervising any contracting Administrative Agent;
 - (d) Monitoring the status of all restricted units in the Borough of Elmwood Park's Fair Share Plan;
 - (e) Compiling, verifying and submitting annual reports as required by the Superior Court or other relevant authority;
 - (f) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
 - (g) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH, the Superior Court, or other relevant authority.
 - (h) Ensuring that the persons or entities conducting affirmative marketing of any affordable housing units in the Borough are notifying the entities at Paragraph 7.8 of the Settlement Agreement with Fair Share Housing Center of all available affordable housing units, as required by that same Paragraph.
- b. The Borough of Elmwood Park shall designate by resolution of the Borough Council, subject to the approval of the Superior Court, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:91, N.J.A.C. 5:93 and UHAC.
- c. An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the Governing Body and subject to approval of the Superior Court or other relevant authority. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- d. The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:
 1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH, the Superior Court, or other relevant authority;

2. Affirmative Marketing;

- (a) Conducting an outreach process to ensure affirmative marketing of affordable housing units in accordance with the affirmative marketing plan of Verona and the provisions of N.J.A.C. 5:80-26.15.

Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.³ Household Certification;

- (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
- (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a very-low, low-, or moderate-income unit;
- (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendixes J and K of N.J.A.C. 5:80-26.1 et seq.;
- (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- (f) Employing the random selection process as provided in the affirmative marketing plan of Verona when referring households for certification to affordable units.
- (g) Notifying the following entities of the availability of affordable housing units in the Borough of Elmwood Park: the Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Bergen County NAACP, the Urban League of Bergen County, and the Supportive Housing Association.

4. Affordability Controls;

- (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or County Clerk's office after the termination of the affordability controls for each restricted unit;
- (d) Communicating with lenders regarding foreclosures; and

Ensuring the issuance of continuing certificates of occupancy or certificates pursuant to N.J.A.C. 5:80-26.10. 5. Records retention;

6. Resale and rental;

- (a) Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and
- (b) Instituting and maintaining an effective means of communicating information to very-low, low-, and moderate-income households regarding the availability of restricted units for resale or re-rental.

7. Processing requests from unit owners;

- (a) Reviewing and approving requests for determination from owners of restricted

units who wish to take out home equity loans or refinance during the term of their ownership so that the amount of indebtedness to be incurred will not violate the terms of this chapter;;

- (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air-conditioning systems;
8. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
- (a) Ensure that all restricted units are identified as affordable within the Tax Assessor's office and any municipal utility authority (MUA) and upon notification to the administrative agent of change in billing address, payment delinquency of two consecutive billing cycles, transfer of title, or institution of a writ of foreclosure on all affordable units, notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgment of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Establishing a rent-to-equity program;
 - (g) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund
 - (h) Creating and publishing a written operating manual, as approved by the Borough Committee and COAH, its successor agency, or Court of competent jurisdiction, setting forth procedures for administering such affordability controls; and
 - (i) Providing annual reports to COAH, its successor agency, or Court of competent jurisdiction as required.
9. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

**§ 37-1.20 Enforcement of Affordable Housing Regulations.
[Ord. No. 10-16 § 16]**

- a. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- b. After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - (a) A fine of not more than the penalty provided for in Chapter 1, Section 1-5, or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - (b) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Borough of Elmwood Park Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (c) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
- c. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 - d. The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.
 - e. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 - f. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the

excess which would have been realized from an actual sale as previously described.

- g. Failure of the low- and moderate-income unit to be either sold at the Sheriffs sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- h. The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.

§ 37-1.21 Appeals.

Appeals from all decisions of an Administrative Agent designated pursuant to this section shall be filed in writing with the Borough Clerk of the Borough of Elmwood Park.

ATTEST: _____

Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-301-23**

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

**INTRODUCE ORDINANCE #23-32
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK, NEW JERSEY AMENDING THE BOROUGH CODE AND ALL GENERAL ORDINANCES OF THE BOROUGH; MORE SPECIFICALLY, CHAPTER 34, MORE SPECIFICALLY SECTION 43-31.14.e; OF THE CANNABIS ORDINANCE WITHIN THE BOROUGH OF ELMWOOD PARK.

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-32**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK, NEW JERSEY AMENDING THE BOROUGH CODE AND ALL GENERAL ORDINANCES OF THE BOROUGH; MORE SPECIFICALLY, CHAPTER 34, MORE SPECIFICALLY SECTION 43-31.14.e; OF THE CANNABIS ORDINANCE WITHIN THE BOROUGH OF ELMWOOD PARK.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMWOOD PARK AS FOLLOWS (ADDITIONS NOTED IN UNDERLINE, DELETIONS NOTED IN ~~STRIKETHROUGH~~):

INTENT OF THIS ORDINANCE

WHEREAS This Ordinance intends to amend a specific section of the Licensing and Business *Regulation 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 as follows:

34-31.14.e Cannabis Retailers. [Added 8-19-2021 by Ord. No. 21-13]

Cannabis retailers shall be permitted in the C-G Zone subject to the following conditions:

~~No structure housing a cannabis retailer shall be closer than 500 feet from a parcel housing a pre-existing public or private school identified in the New Jersey Department of Education's School Directory within Elmwood Park. The distance of 500 feet shall be measured in a straight line from the edge of the parcel housing the pre-existing public or private school to the nearest point of the structure housing the cannabis retailer. Should any new school be constructed within this 500 foot distance after a cannabis retailer commences operation, the cannabis retailer shall be grandfathered in as a conditionally permitted use.~~

Buffer Zone. The primary entrance of a cannabis establishment may not be closer than 250 feet from the primary entrance of the nearest pre-existing public or private K-12 school; or child-care center licensed by the State of New Jersey. The buffer zone distance shall be measured in a straight line from the geometric center of the primary entrance of the cannabis establishment to the geometric center of the primary entrance of the nearest pre-existing public or private K-12 school or child-care center licensed by the State of New Jersey, unless there is an impassable barrier within those 250 feet; in these cases: the buffer zone distance shall be measured along the center of the shortest publicly accessible pedestrian travel path.

SECTION 1. If any part of this Ordinance is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect upon final passage and publication.

SECTION 4. This Ordinance shall be a part of the Code of the Borough of Elmwood Park as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

SECTION 5. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article, and/or Section number of the Code of the Borough of Elmwood Park in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeal of existing provisions not intended to be repealed.

ATTEST: _____

Shanee Morris, CMR

Acting Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine to amend section c to reflect the current number of licenses from three to four.

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-302-23**

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

**INTRODUCE ORDINANCE #23-33
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK, NEW JERSEY AMENDING THE BOROUGH CODE AND ALL GENERAL ORDINANCES OF THE BOROUGH; MORE SPECIFICALLY, CHAPTER 4, LICENSING AND BUSINESS REGULATIONS, SECTION 4.7 (CLARIFYING APPLICATION FEES AND LICENSE FEES; CLARIFYING TYPES AND NUMBERS OF LICENSES THAT MAY BE ISSUED);

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 21, 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 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 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-33**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ELMWOOD PARK, NEW JERSEY AMENDING THE BOROUGH CODE AND ALL GENERAL ORDINANCES OF THE BOROUGH; MORE SPECIFICALLY, CHAPTER 4, LICENSING AND BUSINESS REGULATIONS, SECTION 4.7 (CLARIFYING APPLICATION FEES AND LICENSE FEES; CLARIFYING TYPES AND NUMBERS OF LICENSES THAT MAY BE ISSUED);

BE IT ORDAINED by the mayor and council of the borough of elmwood park as follows (additions noted in UNDERLINE, deletions noted in ~~STRIKETHROUGH~~):

INTENT OF THIS ORDINANCE

WHEREAS, This Ordinance intends to amend a specific section of the Licensing and Business Regulation 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 as follows:

§ 4-7.3. Licensing. [Added 8-19-2021 by Ord. No. 21-13; amended 3-17-2022 by Ord. No. 22-041

a. Local Licensing Authority.

1. The Borough "Cannabis ~~and Marijuana~~ Administration Board" is hereby designated to act as the local agency to process and administer the licensing procedure for the Borough for all cannabis establishments. Upon completion of the review of the applications for licensing, a written report and recommendation shall be submitted to the Borough Council, who is and will be considered the licensing authority, as to the approval or denial of the particular license application. Under all circumstances in which State law requires communication to the Borough by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the Borough of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be exercised by the Borough Council of the Borough of Elmwood Park.

2. Under no circumstances shall a local license for a cannabis establishment issued by the Borough Council be effective until or unless the State has issued the requisite permits or licenses to operate such a facility. It is the intent of this section that no cannabis establishment may lawfully operate in the Borough of Elmwood Park without the issuance of a State permit or license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other states licensing authority as well as oversight and issuance of a license by the Borough.

b. Classification of Licenses. The Borough, subject to land use approval and state licensure, may issue the following municipal licenses to operate a cannabis ~~establishment~~ business

Class I 1 Cannabis e Cultivation Class 2 Cannabis ~~m~~ Manufacturing

Class 3 Cannabis Wholesaler

Class 4: Cannabis Distributor ~~cannabis supplier license (cultivation processing manufacturing, wholesalers, and distributors)~~ (class 1 to 4 of the state statute

Class ~~II-V~~ 5: cannabis Cannabis retailer Retailer license

Class ~~III-VI~~ 6: cannabis Cannabis delivery Delivery service Service license are hereby prohibited from operating anywhere in the Borough of Elmwood Park, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Borough of Elmwood Park.

Class ~~IV~~: Conditional

Class ~~V~~: Microbusiness license. [Amended 7-21-2022 by Ord. No. 22-191

c. Maximum Number of Licenses. The Borough may issue no more than ~~two~~ three (3) each of the following license categories: Cultivators, ~~Processors~~ Manufacturers, Wholesalers, and Distributors; and a maximum of ~~three~~ four (4) Class ~~II~~ 5 Cannabis Retailer license; zero (0)

Class ~~III~~ 6 Cannabis Delivery Service licenses and ~~two~~ Three (3) each ~~Class IV-Conditional Licenses and Class License, Class V License,~~ Microbusiness License.

Class ~~III~~ 6 Cannabis delivery service is hereby prohibited from operating anywhere in the Borough of Elmwood Park, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Borough of Elmwood Park. Licensure in all classes maybe, but are not required to be, held by the same entity or individual, but an entity may not hold more than one cannabis retailer license. Any license conditionally issued by the Borough is contingent upon the locally licensed entities or individual's subsequent recipient of a State permit or license of the same class or type of regulated cannabis activity. [Amended 7-21-2022 by Ord. No. 22-19; 7-21-2022 by Ord. No. 22-191]

d. Application. Persons wishing to obtain any classification of cannabis license shall file a license application with the Cannabis ~~and Marijuana~~ Administration Board on a standardized form established by the Cannabis ~~and Marijuana~~ Administrative Board and approved by the Mayor and Council and available in the Borough Clerk's office. The Cannabis ~~and Marijuana~~ Administrative Board shall establish a reasonable application period and deadline for all applications. Except as specifically provided below, an application shall be deemed incomplete and shall not be processed by the Cannabis ~~and Marijuana~~ Board until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

1. The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of:
 - (a) A deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.
2. The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination, and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
3. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code.
4. The applicant shall submit to the satisfaction of the Cannabis ~~and Marijuana~~ Administrative Board proof of financial capability to open and operate the cannabis establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the Cannabis ~~and Marijuana~~ Administrative Board and approved by the Borough Council.
5. The applicant shall submit all required nonrefundable fees for the application for conditional license in accordance with the following fee schedule: [Amended 7-21-2022 by Ord. No. 22-19]

<u>Class 1 Cannabis Cultivation</u>	<u>\$500.00</u>
<u>Class 2 Cannabis Manufacturing</u>	<u>\$500.00</u>
<u>Class 3 Cannabis Wholesaler</u>	<u>\$500.00</u>
<u>Class 4: Cannabis Distributor</u>	<u>\$500.00</u>
<u>Class 5: Cannabis Retailer</u>	<u>\$500.00</u>

~~Class I: \$500 Cannabis Supplier license (Cultivator, Processors, Wholesalers, and Distributors).~~

~~(b) Class II: \$500 Cannabis Retailer license.~~

~~(c) Class IV-Conditional License : \$500.00 Conditional License~~

~~(d) Class V Microbusiness License: \$500.00 Microbusiness License~~

4. Editor's Note: This ordinance also provided that notwithstanding the creation of ~~Class IV and Class V licenses~~ Conditional and Microbusiness Licenses, the Mayor and Council shall refrain from issuing these licenses until such time that the Mayor and Council are satisfied that

the issuance of these licenses is in the best interest of the Borough. Such consideration shall be implemented by way of adoption of resolution(s) and upon the satisfaction of the Mayor and Council and consideration of the best interest of the Borough.

6. Within ten (10) business days of the Borough's notification to applicant of award of conditional municipal license, the applicant shall submit all annual registration fees required in accordance with the following fee schedule, which shall be refunded in the event the applicant does not receive a license from the State of New Jersey Cannabis Regulatory Commission:

Class 1 Cannabis Cultivation \$40,000.00

Class 2 Cannabis Manufacturing \$40,000.00

Class 3 Cannabis Wholesaler \$40,000.00

Class 4: Cannabis Distributor \$40,000.00

Class 5: Cannabis Retailer \$20,000.00

~~(a) Class I: \$40,000.00 per year Cannabis Supplier License (Cultivators, Processors, Wholesalers, and Distributors.~~

~~(b) Class II: \$20,000 per year Cannabis Retailer License.~~

g. Inactive Licenses.

1. Following the commencement of retail sales of cannabis or cannabis products, the Cannabis ~~and Marijuana~~ Administrative Board may recommend to the Borough Council to suspend or revoke any license if the licensed premises have been inactive or unoccupied by the licensee for at least six (6) months.

h. State License.

1. The Cannabis ~~and Marijuana~~ Administrative Board may recommend to the Borough Council that the Borough Council may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended, or revoked.

4-8. SALES NEAR SCHOOLS RESTRICTED.

§ 4-8.1. Definitions. [1969 Code 44-111

As used in this section:

CONDITIONAL LICENSE — A license granted subject to a future location to be acquired upon receipt of a state cannabis license. [Added 7-21-2022 by Ord. No. 22-191

GOODS — Shall mean any goods, ~~wares~~ wares or merchandise, and particularly foodstuffs.

MICROBUSINESS LICENSE — A license granted where all the owners of the business must be current New Jersey resident(s) and must have resided in the State of New Jersey for the past two (2) years: at least fifty-one (51%) percent ~~present~~ of the owners, directors, officers and employees must be residents of the Borough of Elmwood Park (or at least an adjoining municipality); the business can have no more than ten (10) employees; the business operating space can be no more than 2,500 square feet (and in the case of cultivators, can have a height of no more than 24 feet); there are limitations on the monthly volume of cannabis that the business can be involved in; no owner, director, officer or other person with a financial interest and decision-making authority in any other cannabis business (whether that business is a microbusiness or not) is permitted to have any financial interest in a microbusiness.

[Added 7-21-2022 by Ord. No. 22-191

PERSON — Shall mean any person, firm, ~~association~~ association or corporation.

PUBLIC SCHOOL PROPERTY — Shall mean any property of the Board of Education of the Borough of Elmwood Park, upon which is located a public school.

SALE — Shall mean the sale or offering for sale or soliciting trade.

SCHOOL HOURS — Shall mean any time between 7:00 a.m. and 6:00 p.m., on weekdays, exclusive of Saturdays, during such days as the school may be in session.

STREET — Shall mean any public road, ~~sidewalk~~ sidewalk or other thoroughfare.

SECTION 1. If any part of this Ordinance is for any reason held to be invalid, such a decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect upon final passage and publication.

SECTION 4. This Ordinance shall be a part of the Code of the Borough of Elmwood Park as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

SECTION 5. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article, and/or Section number of the Code of the Borough of Elmwood Park in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeal of existing provisions not intended to be repealed.

ATTEST: _____

APPROVED: _____

Shanee Morris, CMR
Acting Borough Clerk

Robert Colletti, Mayor

Introduced: August 17, 2023

Adopted:

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine 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-303-23**

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

**INTRODUCE ORDINANCE #23-24
SECOND READING**

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

AN ORDINANCE TO AMEND CHAPTER VII, “TRAFFIC” OF THE CODE OF THE BOROUGH OF ELMWOOD PARK, MORE SPECIFICALLY ARTICLE 7-11, “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS”

was introduced and passed at a meeting held on Thursday, July 20, 2023 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 VII, “TRAFFIC” OF THE CODE OF THE BOROUGH OF ELMWOOD PARK, MORE SPECIFICALLY ARTICLE 7-11, “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS”

pass on final reading.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-24**

AN ORDINANCE TO AMEND CHAPTER VII, "TRAFFIC" OF THE CODE OF THE BOROUGH OF ELMWOOD PARK, MORE SPECIFICALLY ARTICLE 7-11, "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"

WHEREAS, the Mayor and Council of the Borough of Elmwood Park have been and are aware of multiple complaints from the residents regarding vehicle parking in certain areas; and

WHEREAS, the Mayor and Council have determined that there is a need to limit and or prohibit and control such parking in certain areas; and

WHEREAS, the Mayor and Council have determined that such limitation, control, and prohibition would advance the Borough of Elmwood Park residents' health, safety, and welfare.

NOW THEREFORE IT IS HEREBY ORDAINED, by the Mayor and Council of the Borough of Elmwood Park, that Chapter VII, Article 7-11 is hereby amended to reflect that parking in the designated location be limited to a restricted time so reflected, and same will be amended to contain the following wording:

Street Time Day Time Restriction Location

Market Street (a) North	2 hr.	7:00 a.m.-7:00 p.m.	Beginning 600 feet from the easterly curb line of County Route #507 (River Drive) to the New York Susquehanna and Western Railroad crossing
(b) South	2 hr.	7:00 a.m.-7:00 p.m.	Beginning 520 feet from the easterly curb line of County Route #507 (River Drive) to the New York and Western Railroad crossing
Market Street (a) North	2 hr. 20 min	7:00 a.m.-7:00 p.m. 7:00 a.m.-7:00 p.m.	Beginning 600 feet from the easterly curb line of County Route #507 (River Drive) to the intersection of Paul Kohner Place Beginning at the intersection of Paul Kohner Place to the New York Susquehanna and Western Railroad crossing.
(b) South	2 hr. 20 min	7:00 a.m.-7:00 p.m. 7:00 a.m.-7:00 p.m.	Beginning 520 feet from the easterly curb line of County Route #507 (River Drive) to a point 475 feet west of the New York and Western Railroad crossing. Beginning from a point 475 feet west of the New York and Western Railroad crossing and terminating at that same crossing.

BE IT FURTHER ORDAINED, by the Council of the Borough of Elmwood Park, that if any provision of this amended Ordinance shall be held invalid or contrary to the law, then such provision of the Ordinance shall be deemed separable from the remaining provisions of this Ordinance and shall not affect the validity of the other provisions of the Ordinance.

BE IT FURTHER ORDAINED by the Council of the Borough of Elmwood Park that all other language contained therein shall remain valid and in full force and effect.

BE IT FURTHER ORDAINED, this Amended Ordinance shall take effect immediately upon its final passage and publication as required by law.

ATTEST: _____

APPROVED: _____

Shanee Morris, CMR

Robert Colletti, Mayor

Acting Borough Clerk

Introduced: July 20, 2023

Adopted: August 17, 2023

A motion was made by Councilwoman Pellegrine and seconded by Councilman Golabek 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. Mayor Colletti then thanked Borough Attorney Ingraffia and Borough Administrator Foligno for their assistance with this process.

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-304-23**

**RESOLUTION BY: COUNCILWOMAN PELLEGRINE
SECONDED BY: COUNCILWOMAN SHERIDAN**

**INTRODUCE ORDINANCE #23-25
SECOND READING**

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

AN ORDINANCE OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, ACKNOWLEDGING AND ACCEPTING CONTROL AND JURISDICTION OF VAN RIPER AVENUE FROM THE COUNTY OF BERGEN PURSUANT TO FREEHOLDER ORDINANCE NO. 23-09

was introduced and passed at a meeting held on Thursday, July 20, 2023 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 OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, ACKNOWLEDGING AND ACCEPTING CONTROL AND JURISDICTION OF VAN RIPER AVENUE FROM THE COUNTY OF BERGEN PURSUANT TO FREEHOLDER ORDINANCE NO. 23-09

pass on final reading.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-25**

AN ORDINANCE OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, ACKNOWLEDGING AND ACCEPTING CONTROL AND JURISDICTION OF VAN RIPER AVENUE FROM THE COUNTY OF BERGEN PURSUANT TO FREEHOLDER ORDINANCE NO. 23-09

WHEREAS, Van Riper Avenue in Elmwood Park runs in a west/east direction from Market Street, a County road, to Mola Boulevard, a municipal road, then crosses the NYS&W Main Line railroad tracks, and proceeds east to Wenzel Street, a municipal road, where it dead ends due to the fact that the Garden State Parkway and New Jersey Highway / Interstate Route 80 have terminated the easterly section of Van Riper so that it no longer continues to Elmwood Park's border with the Township of Saddle Brook; and

WHEREAS, Van Riper Avenue, a County Road in the Borough of Elmwood Park, is a public thoroughfare under the jurisdiction and control of the County of Bergen as set forth in the Freeholder Minutes of 1936 at Page 357 beginning at Market Street in Elmwood Park (formerly East Paterson) and ending at 54th St in Elmwood Park and the Freeholder Minutes of 1939 at Page 402 beginning at 54th Street to the easterly municipal boundary of Elmwood Park; and

WHEREAS, the County and the Borough entered into a Shared Services Agreement for the repair and improvement of the Van Riper Avenue culvert and roadway east of Mola Boulevard and for the transfer of the right-of-way jurisdiction from the County to the Borough pursuant to Freeholder Resolution 2034-10 and Borough Resolution 74-10 and the aforesaid improvements have been complete; and

WHEREAS, Van Riper Avenue in Elmwood Park is no longer needed for County Road purposes as a result of the location of the Garden State Parkway and New Jersey Highway / Interstate Route 80; and

WHEREAS the Borough of Elmwood Park and the County has determined that the transfer of this portion of Van Riper Avenue to the Borough of Elmwood Park would be beneficial to the public welfare; and

WHEREAS, the County Engineer has recommended that Van Riper Avenue in Elmwood Park be discontinued as a county road, as reflected in Ordinance No. 23-9, approved on May 3, 2023, and adopted by the County of Bergen, New Jersey, attached as Exhibit "A"; which authorizes and transfers jurisdiction and control to the Borough of Elmwood; and

WHEREAS, Van Riper Avenue is discontinued as a County Road and transferred to the Borough of Elmwood Park will be subject to a reservation of rights for existing utilities, if any, to remain and be serviced in the discontinued road unless the utilities choose to remove and relocate them and further subject to existing easements, if any; and

WHEREAS, N.J.S.A. 27:16-1(g) provides that the governing body of the County may "vacate any road or highway under its control or any portion thereof that may be unnecessary for public travel"; and

WHEREAS, N.J.S.A. 27:16-28(a) provides that any road or portion thereof owned by any county may be discontinued as a county road and returned to the jurisdiction and control of the municipality wherein the same is situated by an ordinance or resolution, as appropriate, passed by the affirmative vote of a majority of all the members of the governing body; and

WHEREAS, pursuant to N.J.S.A. 27:16-28(a) and N.J.S.A. 40:67-1, the governing body of the Borough is authorized to accept any street, or any part thereof, dedicated to public use, including streets that have been discontinued as County Roads.

WHEREAS, the Board of Chosen Freeholders of the County of Bergen adopted Ordinance No. 23-9 on May 3, 2023, discontinuing Van Riper Avenue as a county road and relinquishing all rights held by the County of Bergen therein; and

WHEREAS, the County of Bergen Engineer has acknowledged, represented, and guaranteed that the transfer is conditioned upon the County has responsibility to address and correct certain aspects that need to be rectified and repaired to and including repaving and required drainage work same to be completed within a reasonable time from the acceptance of the discontinuance by the Borough of Elmwood Park.

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

Section I: The Borough of Elmwood Park hereby accepts control and jurisdiction over and responsibility for Van Riper Avenue as a municipal road in Elmwood Park for the construction, reconstruction, repair, improvement, and maintenance of all improvements within the discontinued right of way, including but not limited to the road, curbs, sidewalks, drainage system, culvert, traffic signs, as which discontinued County Road is known as Van Riper Avenue as described in Ordinance No. 23-9 approved and adopted by the County of Bergen on May 3, 2023, except for the area roadway area now under the control and jurisdiction of the Garden State Parkway and the New Jersey Turnpike Authority.

Section II: Van Riper Avenue is discontinued as a County Road and is subject to a reservation of all rights and privileges currently possessed by public utilities, as defined in N.J.S.A. 48:2-13(a), and any cable television company, as defined in the Cable Television Acts, N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent, over or under the aforesaid land. All of the aforesaid rights shall be unaffected by this instrument.

Section III: 7:00 PM on July 20, 2023, at the Municipal Building, 182 Market Street, Elmwood Park, NJ 07407, is fixed as the time and place when and where any and all persons interested in this action may appear and be given an opportunity to be heard and at that time the Mayor and Council of the Borough of Elmwood shall meet for final consideration and action upon the ordinance. If, after the public hearing held at the time and place specified, the Mayor and Council shall again adopt such ordinance, the aforesaid Van Riper Avenue shall from thenceforth be deemed accepted as a public municipal road of the Borough of Elmwood Park.

Section IV: At the expiration of the period of 10 days from the final adoption of this municipal ordinance, the Borough Clerk shall forward a certified copy of the adopted ordinance with proof of publication to the Clerk of the Bergen County Board of Chosen Freeholders for filing together with the Freeholder's ordinance in the Office of the County Clerk for recording and indexing in the road records of his office.

Section V: All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section VI: This ordinance shall take effect upon final passage and publication as provided by law.

ATTEST: _____

Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: July 20, 2023

Adopted: August 17, 2023

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine 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-305-23**

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

**INTRODUCE ORDINANCE #23-26
SECOND READING**

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

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF ELMWOOD PARK CHAPTER 7, “TRAFFIC, “SECTION 7-35.1, “HANDICAPPED. PARKING ON STREETS” TO CREATE AND ASSIGN A PARKING SPACE FOR AND AS A HANDICAPPED PARKING

was introduced and passed at a meeting held on Thursday, July 20, 2023 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:

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF ELMWOOD PARK CHAPTER 7, “TRAFFIC, “SECTION 7-35.1, “HANDICAPPED. PARKING ON STREETS” TO CREATE AND ASSIGN A PARKING SPACE FOR AND AS A HANDICAPPED PARKING

pass on final reading.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 23-26**

**ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE
BOROUGH OF ELMWOOD PARK CHAPTER 7, “TRAFFIC, “ SECTION 7-35.1,
“HANDICAPPED. PARKING ON STREETS” TO CREATE AND ASSIGN A
PARKING SPACE FOR AND AS A HANDICAPPED PARKING**

WHEREAS, by way of Ordinance, the Mayor, and Council of the Borough of Elmwood Park has been made aware of the need for a dedicated handicapped parking space in front of the Elks Lodge (Club), 192 Market Street, Elmwood Park, N.J.; and

WHEREAS, the Borough of Elmwood Park desires to amend Chapter 7 Traffic Section 35.1 Handicapped Parking on Streets of the Code of the Borough of Elmwood Park to allow the creation of handicapped parking.

NOW, THEREFORE BE IT ORDAINED, by the Borough Mayor and Council of Elmwood Park, County of Bergen, State of New Jersey, that Chapter 7 Traffic Section 35.1 Handicapped Parking on Streets of the Code of the Borough of Elmwood Park be and hereby is amended to read as follows:

7-35.1 HANDICAPPED PARKING ON STREETS

<u>Street</u>	<u>Location</u>
192 Market Street	1 space be created at the following described location starting 235 feet East of the intersection of Market Street and East of Mulberry Street, to a point 255 feet East of the same intersection on the southern curb line of Market Street.

BE IT FURTHER ORDAINED that appropriate signs shall be erected and maintained furnishing notice to the public of the above designated handicapped parking space.

BE IT FURTHER ORDAINED that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage.

ATTEST: _____

Shanee Morris, CMR
Acting Borough Clerk

APPROVED: _____

Robert Colletti, Mayor

Introduced: July 20, 2023

Adopted: August 17, 2023

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-306-23**

CONSENT AGENDA

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

APPROVAL OF PAYROLL

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

	APPROVAL OF PAYROLL				
	PAYROLL	CHECK	GROSS PAYROLL	SOCIAL SECURITY	DCRP
CURRENT	8/4/2023	87982	489,367.45	\$20,428.46	2661.34
WATER		1521	13,320.23	\$600.00	
RAP		5168	105.17		
REC		21057	31,621.76		
TOTAL PAYROLL	\$558,104.41				
	PAYROLL		GROSS PAYROLL	SOCIAL SECURITY	DCRP
CURRENT	8/18/2023	88018	466,098.40	\$19,733.70	1985.12
WATER		1523	15,678.60	\$706.00	
RAP		5170	105.17		
REC		21062	32,808.35		
TOTAL PAYROLL	\$537,115.34				

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

 Shanee Morris, CMR
 Acting Borough Clerk

 Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-307-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

APPROVAL OF BILLS LIST

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

	BILL LIST	8/17/2023
AS PER ATTACHED COMPUTER LIST 07/21/2023 - 08/16/2023		
CURRENT -	\$6,977,910.31	
RECREATION -	\$123,264.17	
CAPITAL BUDGET -	\$335,287.82	
WATER BUDGET -	\$313,094.47	
RAP	\$360.34	
LIEN REDEMPTION -		
FIRE PREVENTION		
COMPENSATED ABSENCE		
ESCROW	\$14,236.96	
SUBTOTAL WITH PAYROLL -	\$7,764,154.07	
PAYROLL TOTAL -	\$1,095,219.75	
TOTAL WITHOUT PAYROLL -	\$6,668,934.32	
AS PER ATTACHED COMPUTER LIST 08/17/2023		
CURRENT -	\$3,161,904.58	
RECREATION -	\$2,655.70	
DOG LICENSE-	\$27.60	
CAPITAL FUND	\$233,009.20	
WATER OPERATING	\$389.55	
FIRE PREVENTION -		
UNEMPLOYMENT FUND -	\$451.50	
RAP TRUST -	\$470.97	
ESCROW	\$1,417.00	
SUBTOTAL	\$3,400,326.10	
TOTAL WITHOUT PAYROLL	\$10,069,260.42	

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 Riggiano, Chief Financial Officer

August 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

Bill list

7/21/23 - 8/16/23

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: CURRENT FUND			
PAYROLL DEDUCTION	2184.45	PAY DATE: 8/04/23; PAY	CURRENT FUND MAYOR AND COUNCIL S/W
PAYROLL DEDUCTION	2184.45	PAY DATE: 8/18/23; PAY	CURRENT FUND MAYOR AND COUNCIL S/W
Total for: 01- MAYOR AND COUNCIL S/W			4368.90
PAYROLL DEDUCTION	8604.11	PAY DATE: 8/04/23; PAY	CURRENT FUND MUNICIPAL CLERK S/W
PAYROLL DEDUCTION	8604.11	PAY DATE: 8/18/23; PAY	CURRENT FUND MUNICIPAL CLERK S/W
Total for: 01- MUNICIPAL CLERK S/W			17208.22
RAMSEY GRAPHICS &	0.00	INV #123CLERK62;	CURRENT FUND MUNICIPAL CLERK O/E
RAMSEY GRAPHICS &	382.00	INV #123CLERK62;	CURRENT FUND MUNICIPAL CLERK O/E
DE LAGE LANDEN	233.70	INV #79760552; MAY	CURRENT FUND MUNICIPAL CLERK O/E
N.J. DIV OF	78.00	INV FOR 2023-2024 PREP	CURRENT FUND MUNICIPAL CLERK O/E
STAPLES BUSINESS	0.00	INVOICES FROM	CURRENT FUND MUNICIPAL CLERK O/E
STAPLES BUSINESS	135.30	INVOICES FROM	CURRENT FUND MUNICIPAL CLERK O/E
A & J TROPHY	43.50	INV #4401; PLAQUE FOR	CURRENT FUND MUNICIPAL CLERK O/E
Total for: 01- MUNICIPAL CLERK O/E			872.50
MILLENNIUM	3300.00	INV #15305; JULY 2023;	CURRENT FUND GENERAL ADMINI.
Total for: 01- GENERAL ADMINI. GRANTS			3300.00
PAYROLL DEDUCTION	12688.12	PAY DATE: 8/04/23; PAY	CURRENT FUND FINANCIAL
PAYROLL DEDUCTION	12659.78	PAY DATE: 8/18/23; PAY	CURRENT FUND FINANCIAL
Total for: 01- FINANCIAL ADMINISTRATION S/W			25347.90
JERSEY MAIL	0.00	INV #2023-689; JULY	CURRENT FUND FINANCIAL
JERSEY MAIL	33.42	INV #2023-689; JULY	CURRENT FUND FINANCIAL
JERSEY MAIL	0.00	INV #2023-582; JUNE	CURRENT FUND FINANCIAL
JERSEY MAIL	61.78	INV #2023-582; JUNE	CURRENT FUND FINANCIAL
GREATAMERICA	262.50	INV #34483194; AUGUST	CURRENT FUND FINANCIAL
MUNIDEX, INC.	800.00	INV #992129/992221;	CURRENT FUND FINANCIAL
NW FINANCIAL	2193.75	INV #30485; JUNE 2023;	CURRENT FUND FINANCIAL
STAPLES BUSINESS	206.80	INVOICES FROM	CURRENT FUND FINANCIAL
NJLM	160.00	INV #SD19247; AD FOR	CURRENT FUND FINANCIAL
Total for: 01- FINANCIAL ADMINISTRATION O/E			3718.25
ACTION DATA	691.28	INV #83862; PE	CURRENT FUND PAYROLL SERVICE
Total for: 01- PAYROLL SERVICE			691.28
PAYROLL DEDUCTION	4658.28	PAY DATE: 8/04/23; PAY	CURRENT FUND REV ADMIN/TAX
PAYROLL DEDUCTION	4658.28	PAY DATE: 8/18/23; PAY	CURRENT FUND REV ADMIN/TAX
Total for: 01- REV ADMIN/TAX COLLECTION S/W			9316.56
MGL PRINTING	664.00	INV #199043; TAX	CURRENT FUND REVENUE
JERSEY MAIL	33.42	INV #2023-689; JULY	CURRENT REVENUE O/E
JERSEY MAIL	61.77	INV #2023-582; JUNE	CURRENT REVENUE O/E
GREATAMERICA	0.00	INV #34483194; AUGUST	CURRENT FUND REVENUE
GREATAMERICA	262.50	INV #34483194; AUGUST	CURRENT FUND REVENUE
Total for: 01- REVENUE ADMINISTRATION O/E			1021.69
UPS	20.22	INV #3AY196283; 7/12	CURRENT FUND REV/ADMIN O/E POSTAGE
Total for: 01- REV/ADMIN O/E POSTAGE			20.22
PAYROLL DEDUCTION	3761.68	PAY DATE: 8/04/23; PAY	CURRENT FUND TAX ASSESSMENT ADMIN
PAYROLL DEDUCTION	3761.68	PAY DATE: 8/18/23; PAY	CURRENT FUND TAX ASSESSMENT ADMIN
Total for: 01- TAX ASSESSMENT ADMIN S/W			7523.36
STAPLES BUSINESS	57.95	INVOICES FROM	CURRENT FUND TAX ASSESSMENT
Total for: 01- TAX ASSESSMENT			57.95
APRUZZESE,	14313.98	INV #231244/231245;	CURRENT FUND LEGAL SERVICES AND
QBE SPECIALTY	226.28	CLAIM #QM-1958;	CURRENT FUND LEGAL SERVICES AND
ROGUT MCCARTHY LLC	476.45	APRIL - JUNE 2023 BOND	CURRENT FUND LEGAL SERVICES AND
Total for: 01- LEGAL SERVICES AND COSTS O/E			15016.71
ALAIMO GROUP, INC.	6313.16	INV #217135/217134	CURRENT FUND ENGINEERING COSTS
Total for: 01- ENGINEERING COSTS			6313.16
PAYROLL DEDUCTION	217.31	PAY DATE: 8/04/23; PAY	CURRENT FUND PLANNING BOARD S/W
PAYROLL DEDUCTION	217.31	PAY DATE: 8/18/23; PAY	CURRENT FUND PLANNING BOARD S/W
Total for: 01- PLANNING BOARD S/W			434.62
JOHN CONTE, JR.	250.00	INV #115880; GANTNER;	CURRENT FUND PLANNING BOARD O/E

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Total for: 01- PLANNING BOARD		O/E	250.00
PAYROLL DEDUCTION	54.94	PAY DATE: 8/04/23; PAY	CURRENT FUND RENT LEVELING
PAYROLL DEDUCTION	54.94	PAY DATE: 8/18/23; PAY	CURRENT FUND RENT LEVELING
Total for: 01- RENT LEVELING			109.88
PAYROLL DEDUCTION	752.05	PAY DATE: 8/04/23; PAY	CURRENT FUND ZONING BOARD S/W
PAYROLL DEDUCTION	752.05	PAY DATE: 8/18/23; PAY	CURRENT FUND ZONING BOARD S/W
Total for: 01- ZONING BOARD S/W			1504.10
BETH CALDERONE	375.00	INV FOR 7/26/23	CURRENT FUND ZONING BOARD O/E
Total for: 01- ZONING BOARD O/E			375.00
PAYROLL DEDUCTION	18092.17	PAY DATE: 8/04/23; PAY	CURRENT FUND CONSTRUCTION CODE
PAYROLL DEDUCTION	17013.81	PAY DATE: 8/18/23; PAY	CURRENT FUND CONSTRUCTION CODE
Total for: 01- CONSTRUCTION CODE OFFICIAL S/W			35105.98
JERSEY MAIL	121.38	INV #2023-689; JULY	CURRENT FUND CONSTRUCTION CODE
JERSEY MAIL	238.98	INV #2023-582; JUNE	CURRENT FUND CONSTRUCTION CODE
LAWMEN SUPPLY	187.47	INV #1907894; SHIRTS	CURRENT FUND CONSTRUCTION CODE
OLYMPIC GLOVE &	64.00	INV #745513; 4 HARD	CURRENT FUND CONSTRUCTION CODE
Total for: 01- CONSTRUCTION CODE OFFICIAL O/E			611.83
N.J. HEALTH	0.00	AUGUST 2023 ACTIVE	CURRENT FUND GROUP INSURANCE FOR
N.J. HEALTH	25852.41	AUGUST 2023 ACTIVE	CURRENT FUND GROUP INSURANCE FOR
N.J. HEALTH	177326.23	AUGUST 2023 ACTIVE	CURRENT FUND GROUP INSURANCE FOR
NEW JERSEY HEALTH	111019.18	AUGUST 2023 RETIREE	CURRENT FUND GROUP INSURANCE FOR
NATIONAL VISION	1232.55	INV #4420068; AUGUST	CURRENT FUND GROUP INSURANCE FOR
Total for: 01- GROUP INSURANCE FOR EMPLOYEES			315430.37
PAYROLL DEDUCTION	257900.47	PAY DATE: 8/04/23; PAY	CURRENT FUND POLICE S/W
PAYROLL DEDUCTION	257900.47	PAY DATE: 8/18/23; PAY	CURRENT FUND POLICE S/W
PAYROLL DEDUCTION	20538.49	PAY DATE: 8/04/23; PAY	CURRENT FUND POLICE S/W, O/T
PAYROLL DEDUCTION	6757.58	PAY DATE: 8/18/23; PAY	CURRENT FUND POLICE S/W, O/T
PAYROLL DEDUCTION	237.16	PAY DATE: 8/18/23; PAY	CURRENT FUND POLICE S/W
PAYROLL DEDUCTION	27715.00	PAY DATE: 8/04/23; PAY	CURRENT FUND POLICE S/W
PAYROLL DEDUCTION	23307.50	PAY DATE: 8/18/23; PAY	CURRENT FUND POLICE S/W
Total for: 01- POLICE S/W			594356.67
GOOSETOWN	6000.00	INV #156418; AUGUST	CURRENT FUND POLICE
GOOSETOWN	772.58	INV #156614; AUGUST	CURRENT FUND POLICE
SOMES UNIFORM, INC	297.50	INV #V186711; HANDCUFF	CURRENT FUND POLICE O/E
RAMSEY GRAPHICS &	129.00	INV #123PD260; LT.	CURRENT FUND POLICE O/E
RAMSEY GRAPHICS &	129.00	INV #123PD262; BILLY	CURRENT FUND POLICE O/E
G & S HUNTERS, LLC	255.00	RCPT	CURRENT FUND POLICE
TREK RETAIL	566.10	INV FOR CAR RACK KUAT	CURRENT FUND POLICE
JERSEY MAIL	31.80	INV #2023-689; JULY	CURRENT FUND POLICE DEPARTMENT O/E
JERSEY MAIL	43.26	INV #2023-582; JUNE	CURRENT FUND POLICE DEPARTMENT O/E
G.T.B.M. INC	0.00	INV #40825; COMPUTER	CURRENT FUND POLICE O/E
AMERICAN GRAPHIC	2250.00	INV #EP2023; CHEVY	CURRENT FUND POLICE O/E
WAYNE AUTO SALES	658.36	INV #271314; NEW	CURRENT FUND POLICE O/E
AMAZON.COM SALES,	207.09	INVOICES FROM	CURRENT FUND POLICE O/E
STAPLES BUSINESS	934.39	INVOICES FROM	CURRENT FUND POLICE O/E
IACP	500.00	2023 CONFERENCE MEMBER	CURRENT FUND POLICE O/E
MOHAMED EL FILALI	463.80	REIMBURSEMENT FOR	CURRENT FUND POLICE O/E
MICHAEL FOLIGNO	500.00	2023 PETTY CASH FUND	CURRENT FUND POLICE O/E
MICHAEL FOLIGNO	500.00	2023 UNDERCOVER CAS	CURRENT FUND POLICE O/E
AMAZON.COM SALES,	699.00	INVOICES FROM	CURRENT FUND POLICE O/E
EXTEL	1069.40	INV #60531; CABLES FOR	CURRENT FUND POLICE
SOMES UNIFORM, INC	1334.99	INV #V184729;	CURRENT FUND POLICE O/E
SOMES UNIFORM, INC	6182.50	INV #V185964; HONOR	CURRENT FUND POLICE O/E
SOMES UNIFORM, INC	0.00	INV #V186813/V186837;	CURRENT FUND POLICE
SOMES UNIFORM, INC	135.00	INV #V186813/V186837;	CURRENT FUND POLICE
Total for: 01- POLICE			23658.77
PAYROLL DEDUCTION	13091.63	PAY DATE: 8/04/23; PAY	CURRENT FUND OTHER POLICE
PAYROLL DEDUCTION	11144.39	PAY DATE: 8/18/23; PAY	CURRENT FUND OTHER POLICE
Total for: 01- OTHER POLICE PERSONNEL			24236.02
PAYROLL DEDUCTION	9646.39	PAY DATE: 8/04/23; PAY	CURRENT FUND DISPATCHER 911
PAYROLL DEDUCTION	9260.32	PAY DATE: 8/18/23; PAY	CURRENT FUND DISPATCHER 911
Total for: 01- DISPATCHER 911			18906.71
PAYROLL DEDUCTION	15864.25	PAY DATE: 8/04/23; PAY	CURRENT EMERGENCY MEDICAL SERVICES
PAYROLL DEDUCTION	16197.75	PAY DATE: 8/18/23; PAY	CURRENT EMERGENCY MEDICAL SERVICES

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Total for: 01- EMERGENCY MEDICAL SERVICES			32062.00
I.D.M.MEDICAL GAS	209.02	INV #10646; APRIL 2023	CURRENT FUND EMERGENCY MEDICAL
VE RALPH	594.40	INV #456101 GLOVESTAGS	CURRENT FUND EMERGENCY MEDICAL
VE RALPH	382.78	INV #456567; NASAL	CURRENT FUND EMERGENCY MEDICAL
NJ EMERGENCY	420.00	INV #82263; REPAIR	CURRENT FUND EMERGENCY MEDICAL
AMAZON.COM SALES,	115.90	INVOICES FROM	CURRENT FUND EMERGENCY MEDICAL
Total for: 01- EMERGENCY MEDICAL SERVICES O/E			1722.10
PAYROLL DEDUCTION	6375.55	PAY DATE: 8/04/23; PAY	CURRENT FUND FIRE PREVENTION S/W
PAYROLL DEDUCTION	6483.31	PAY DATE: 8/18/23; PAY	CURRENT FUND FIRE PREVENTION S/W
Total for: 01- FIRE PREVENTION S/W			12858.86
PAYROLL DEDUCTION	3666.68	PAY DATE: 8/04/23; PAY	CURRENT FUND FIRE STIPEND PROGRAM
Total for: 01- FIRE STIPEND PROGRAM			3666.68
PAYROLL DEDUCTION	852.06	PAY DATE: 8/04/23; PAY	CURRENT FUND PROSECUTOR S/W
PAYROLL DEDUCTION	852.06	PAY DATE: 8/18/23; PAY	CURRENT FUND PROSECUTOR S/W
Total for: 01- PROSECUTOR S/W			1704.12
PAYROLL DEDUCTION	51895.81	PAY DATE: 8/04/23; PAY	CURRENT FUND STREETS AND ROADS S/W
PAYROLL DEDUCTION	2901.55	PAY DATE: 8/18/23; PAY	CURRENT FUND STREETS AND ROADS S/W
PAYROLL DEDUCTION	51837.31	PAY DATE: 8/18/23; PAY	CURRENT FUND STREETS AND ROADS S/W
PAYROLL DEDUCTION	1638.67	PAY DATE: 8/04/23; PAY	CURRENT FUND STREETS AND ROADS S/W
Total for: 01- STREETS AND ROADS S/W			108273.34
DE LAGE LANDEN	0.00	INV #80469123;	CURRENT FUND STREETS & ROADS O/E
DE LAGE LANDEN	223.38	INV #80469123;	CURRENT FUND STREETS & ROADS O/E
HOME DEPOT	1277.03	INVOICES FOR 6/26 -	CURRENT FUND STREETS AND ROADS O/E
LEVITT'S LLC	8.00	INV #9402684; 5 GAL	CURRENT FUND STREETS AND ROADS O/E
PIONEER REVERE	884.77	NV #891140; PAINT 7/24	CURRENT FUND STREETS AND ROADS O/E
JERSEY POWER	335.30	INV #142852; SPINDLE	CURRENT FUND STREETS AND ROADS O/E
JOHN A EARL INC.	1029.01	INB #111919;	CURRENT FUND STREETS AND ROADS
PIONEER REVERE	705.14	INV #889018; PAINT	CURRENT FUND STREETS AND ROADS
PETRO-MECHANICS,	19.74	INV #96980; FREIGHT	CURRENT FUND STREETS AND ROADS O/E
STAPLES BUSINESS	129.51	INVOICES FROM	CURRENT FUND STREETS AND ROADS O/E
Total for: 01- STREETS AND ROADS O/E			4611.88
PAYROLL DEDUCTION	1727.68	PAY DATE: 8/04/23; PAY	CURRENT FUND SOLID WASTE/RECYCLING
PAYROLL DEDUCTION	1727.68	PAY DATE: 8/18/23; PAY	CURRENT FUND SOLID WASTE/RECYCLING
Total for: 01- SOLID WASTE/RECYCLING S/W			3455.36
CALI CARTING INC	0.00	closed 2023; JAN -	CURRENT FUND SOLID WASTE
CALI CARTING INC	134083.95	INV #309370; JUNE	CURRENT FUND SOLID WASTE
Total for: 01- SOLID WASTE			134083.95
P & A AUTO PARTS,	1851.91	#810332/2078/80/3596/6	CURRENT FUND VEHICLE MAINTENANCE
TETERBORO CHRYSLER	0.00	2023 APRIL - JUNE;	CURRENT FUND VEHICLE MAINTENANCE
Total for: 01- VEHICLE MAINTENANCE			1851.91
PAYROLL DEDUCTION	367.61	PAY DATE: 8/04/23; PAY	CURRENT FUND BOARD OF HEALTH S/W
PAYROLL DEDUCTION	498.19	PAY DATE: 8/18/23; PAY	CURRENT FUND BOARD OF HEALTH S/W
Total for: 01- BOARD OF HEALTH S/W			865.80
RR DONNELLEY	152.75	INV #567434233; 500	CURRENT FUND BOARD OF HEALTH O/E
Total for: 01- BOARD OF HEALTH O/E			152.75
PAYROLL DEDUCTION	16322.69	PAY DATE: 8/04/23; PAY	CURRENT FUND RECREATION S/W
PAYROLL DEDUCTION	13268.05	PAY DATE: 8/18/23; PAY	CURRENT FUND RECREATION S/W
Total for: 01- RECREATION S/W			29590.74
TRITEC OFFICE	429.35	INV #80476352	CURRENT RECREATION O/E
D & J PLUMBING &	850.00	INV #3288; VALVE	CURRENT FUND RECREATION O/E
JASON MAZZER	50.00	INV #11772; HANDICAP	CURRENT FUND RECREATION O/E
AMAZON.COM SALES,	7.65	INVOICES FROM	CURRENT FUND RECREATION O/E
W. B. MASON CO.	404.60	INV #239681490; FILE	CURRENT FUND RECREATION O/E
HOME DEPOT	0.00	INVOICES FOR 6/26 -	CURRENT FUND RECREATION O/E
HOME DEPOT	222.88	INVOICES FOR 6/26 -	CURRENT FUND RECREATION O/E
HOME DEPOT	2559.62	INVOICES FOR 6/26 -	CURRENT FUND RECREATION O/E
CLEAN DRINKING	30.00	INV #221488; 7/24 REC	CURRENT FUND RECREATION O/E
GOOSETOWN	0.00	INV #156614; AUGUST	CURRENT FUND RECREATION O/E
GOOSETOWN	592.64	INV #156614; AUGUST	CURRENT FUND RECREATION O/E
TESHAWN WARREN	500.00	PETTY CASH	CURRENT RECREATION O/E
Total for: 01- RECREATION O/E			5646.74
AMAZON.COM SALES,	979.62	INVOICES FROM	CURRENT FUND CELEBRATION OF PUBLIC

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
BAGEL BASE INC	85.00	RECEIPT #448698;	CURRENT FUND CELEBRATION OF PUBLIC
NJ OUTDOOR	760.50	INV #1028; 7/22 MOVIE	CURRENT FUND CELEBRATION OF PUBLIC
NJ OUTDOOR	1725.00	INV #1029; 8/1	CURRENT FUND CELEBRATION OF PUBLIC
NJ OUTDOOR	1220.25	INV #1030; 8/26	CURRENT FUND CELEBRATION OF PUBLIC
NJ OUTDOOR	0.00	INV #1031; 9/9	CURRENT FUND CELEBRATION OF PUBLIC
NJ OUTDOOR	1356.25	INV #1031; 9/9	CURRENT FUND CELEBRATION OF PUBLIC
RAMSEY GRAPHICS & RESTAURANT DEPOT	1284.93	INV #123PD261; JR PD	CURRENT FUND CELEBRATION OF PUBLIC
TKO ATHLETIC	606.70	FOOD FOR NATIONAL	CURRENT FUND CELEBRATION OF PUBLIC
UNIQUE R US	3191.40	INV #5191; T-SHIRTS &	CURRENT FUND CELEBRATION OF PUBLIC
	1565.74	INV #8042; NATIONAL	CURRENT FUND CELEBRATION OF PUBLIC
Total for: 01- CELEBRATION OF PUBLIC EVENTS			12775.39
PUBLIC SERVICE	5321.71	ACCT#1301308218; INV	CURRENT FUND ELECTRICITY, GAS &
Total for: 01- ELECTRICITY, GAS & OIL			5321.71
PUBLIC SERVICE	-65.54	INV #4100621871;	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	65.54	INV #4100621871;	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	-87.19	ACCT #7426590704;	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	0.00	ACCT #7426590704;	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	87.19	ACCT #7426590704;	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	-2989.56	ACCT	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	2989.56	ACCT	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	-372.67	ACCT	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	372.67	ACCT	CURRENT FUND STREET AREA LIGHTING
Total for: 01- STREET AREA LIGHTING			0.00
AT&T MOBILITY II	491.23	INV #07042023;	CURRENT FUND TELEPHONE
VERIZON	289.00	7/27-8/26/23; ACCT	CURRENT FUND TELEPHONE
VERIZON WIRELESS	2342.99	7/19/23-8/18/23;	CURRENT FUND TELEPHONE
Total for: 01- TELEPHONE			3123.22
PAYROLL DEDUCTION	20428.46	PAY DATE: 8/04/23; PAY	CURRENT FUND SOCIAL SECURITY
PAYROLL DEDUCTION	19733.70	PAY DATE: 8/18/23; PAY	CURRENT FUND SOCIAL SECURITY
PAYROLL DEDUCTION	0.00	PAY DATE: 8/04/23; PAY	CURRENT FUND SOCIAL SECURITY -
PAYROLL DEDUCTION	2661.34	PAY DATE: 8/04/23; PAY	CURRENT FUND SOCIAL SECURITY -
PAYROLL DEDUCTION	0.00	PAY DATE: 8/18/23; PAY	CURRENT FUND SOCIAL SECURITY -
PAYROLL DEDUCTION	1985.12	PAY DATE: 8/18/23; PAY	CURRENT FUND SOCIAL SECURITY -
Total for: 01- SOCIAL SECURITY - DCRP			44808.62
PAYROLL DEDUCTION	8660.36	PAY DATE: 8/04/23; PAY	CURRENT FUND MUNICIPAL COURT S/W
PAYROLL DEDUCTION	8660.36	PAY DATE: 8/18/23; PAY	CURRENT FUND MUNICIPAL COURT S/W
PAYROLL DEDUCTION	559.26	PAY DATE: 8/04/23; PAY	CURRENT FUND MUNICIPAL COURT S/W
PAYROLL DEDUCTION	696.57	PAY DATE: 8/18/23; PAY	CURRENT FUND MUNICIPAL COURT S/W
Total for: 01- MUNICIPAL COURT S/W			18576.55
MARIA RIVERA SOL	250.00	INV FOR 7/11 SPANISH	CURRENT FUND MUNICIPAL COURT O/E
LAWYERS' DIARY AND	140.25	2024 LAWYERS DIARY	CURRENT FUND MUNICIPAL COURT O/E
AMAZON.COM SALES,	0.00	INVOICES FROM	CURRENT FUND MUNICIPAL COURT O/E
AMAZON.COM SALES,	20.95	INVOICES FROM	CURRENT FUND MUNICIPAL COURT O/E
STAPLES BUSINESS	47.00	INVOICES FROM	CURRENT FUND MUNICIPAL COURT O/E
BCMCAA	150.00	FALL 2023 CONFERENCE	CURRENT FUND MUNICIPAL COURT O/E
CLEAN DRINKING	0.00	INV #221494; 7/24	CURRENT FUND MUNICIPAL COURT O/E
CLEAN DRINKING	30.00	INV #221494; 7/24	CURRENT FUND MUNICIPAL COURT O/E
ROSEMARIE C	200.00	7/25 COURT COVERAGE	CURRENT FUND MUNICIPAL COURT O/E
Total for: 01- MUNICIPAL COURT O/E			838.20
PAYROLL DEDUCTION	481.74	PAY DATE: 8/04/23; PAY	CURRENT FUND PUBLIC DEFENDER
PAYROLL DEDUCTION	481.74	PAY DATE: 8/18/23; PAY	CURRENT FUND PUBLIC DEFENDER
Total for: 01- PUBLIC DEFENDER			963.48
CHASE MANHATTAN	715000.00	DEBT SERVICE 8/1;	CURRENT FUND PAYMENT OF BOND
CHASE MANHATTAN	435000.00	DEBT SERVICE 8/15/23;	CURRENT FUND PAYMENT OF BOND
Total for: 01- PAYMENT OF BOND PRINCIPAL			1150000.00
CHASE MANHATTAN	31431.25	DEBT SERVICE 8/1;	CURRENT FUND DEBT SERVICE NTEREST
CHASE MANHATTAN	57700.00	DEBT SERVICE 8/15/23;	CURRENT FUND DEBT SERVICE NTEREST
Total for: 01- DEBT SERVICE NTEREST ON BONDS			89131.25
NJIB	226907.02	INV #20230801-S340	CURRENT FUND EIT LOAN REPLACEMENT
Total for: 01- EIT LOAN REPLACEMENT			226907.02
MUNIDEX, INC.	0.00	INV #992129/992221;	CURRENT FUND FINANCIAL
MUNIDEX, INC.	2450.00	INV #992129/992221;	CURRENT FUND FINANCIAL
Total for: 01- FINANCIAL ADMINISTRATION O/E			2450.00

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
LAWMEN SUPPLY	0.00	SED A DIFFERENT PO	CURRENT FUND POLICE O/E
Total for: 01- POLICE O/E			0.00
CLEAN AIR COMPANY,	0.00	INV #220752 ;PER GRANT	CURRENT FUND FIRE O/E
CLEAN AIR COMPANY,	734.73	INV #220752 ;PER GRANT	CURRENT FUND FIRE O/E
CLEAN AIR COMPANY,	7373.36	INV #220752 ;PER GRANT	CURRENT FUND FIRE O/E
Total for: 01- FIRE O/E			8108.09
E.P. BOARD OF	3955041.00	AUGUST 2023 TAX LEVY	CURRENT FUND SCHOOL TAXES
Total for: 01- SCHOOL TAXES			3955041.00
PAYROLL DEDUCTION	1050.00	PAY DATE: 8/04/23; PAY	CURRENT FUND ALCOHOL & REHAB FND
PAYROLL DEDUCTION	900.00	PAY DATE: 8/18/23; PAY	CURRENT FUND ALCOHOL & REHAB FND
Total for: 01- ALCOHOL & REHAB FND			1950.00
PAYROLL DEDUCTION	3080.00	PAY DATE: 8/18/23; PAY	CURRENT FUND SAFE AND SECURE
Total for: 01- SAFE AND SECURE			3080.00
ULINE, INC	4532.90	INV #165682951; TRASH	CURRENT FUND CLEAN COMMUNITY
Total for: 01- CLEAN COMMUNITY			4532.90
Total for: 01 CURRENT FUND			6977910.31

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: RECREATION TRUST FUND			
BORO OF ELMWOOD	39950.00	CORRECTION; PG 230899	RECREATION TRUST FUND RECREATION
AMAZON.COM SALES,	1544.82	INVOICES FROM	RECREATION TRUST FUND RECREATION -
MAGIC TOUCH	1850.00	CONTRACT FOR 7/26/23	RECREATION TRUST FUND RECREATION -
PAYROLL DEDUCTION	31621.76	PAY DATE: 8/04/23; PAY	RECREATION TRUST FUND RECREATION -
PAYROLL DEDUCTION	32808.35	PAY DATE: 8/18/23; PAY	RECREATION TRUST FUND RECREATION -
PREMIERE	500.00	INV #EP072223; 7/22	RECREATION TRUST FUND RECREATION -
TESHAWN WARREN	922.03	REIMBURSEMENT FOR CAMP	RECREATION TRUST FUND RECREATION -
CARJON PROPERTIES	1406.95	8/3/23 TRIP; 92 KIDS	RECREATION TRUST FUND RECREATION
DAVE & BUSTER'S OF	2155.23	7/25/23 TRIP	RECREATION TRUST FUND RECREATION
DAVE & BUSTER'S OF	1119.60	7/27/23 TRIP;	RECREATION TRUST FUND RECREATION
DAVE & BUSTER'S OF	2511.42	8/9/23 PARTY 35 KIDS;	RECREATION TRUST FUND RECREATION
HAWTHORNE THEATER	1352.00	8/8/23 CAMP TRIP; 104	RECREATION TRUST FUND RECREATION
HAWTHORNE THEATER	1300.00	8/10/23 CAMP TRIP; 100	RECREATION TRUST FUND RECREATION
NJ OUTDOOR	2689.00	INV #1032; 8/4 SUMMER	RECREATION TRUST FUND RECREATION
BSN SPORTS LLC	915.42	INV#921513223/92180132	RECREATION TRUST FUND RECREATION
W. B. MASON CO.	617.59	INV #239020017; WATER	RECREATION TRUST FUND RECREATION
Total for: 03- RECREATION			123264.17
Total for: 03 RECREATION TRUST FUND			123264.17

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: CAPITAL FUND			
ALAIMO GROUP, INC.	1830.40	INV #217139 PART PAY	CAPITAL FUND SANITARY
ALAIMO GROUP, INC.	345.00	INV #217139 PART PAY;	CAPITAL FUND SANITARY
Total for: 04- SANITARY SEWER/ORCHARD DRAINAG			2175.40
W.E. TIMMERMAN CO	270169.18	INV #229866-IN; ORD	CAPITAL ACCOUNT 2022 MULTI DPW
STRYKER SALES, LLC	0.00	SHOULD HAVE COME FROM	CAPITAL ACCOUNT 2022 MULTIPURP.
Total for: 04- 2022 MULTIPURP. EMS PURCHASES			270169.18
ALAIMO GROUP, INC.	6060.45	INV #217136; JUNE	CAPITAL ACCOUNT LINDEN TO PHILLIP
COVINO & SONS	34925.24	ESTIMATE #2;ORD 22-27;	CAPITAL ACCOUNT LINDEN TO PHILLIP
Total for: 04- LINDEN TO PHILLIP NJDOT 21			40985.69
ALAIMO GROUP, INC.	1567.50	INV #217138; JUNE 2023	CAPITAL ACCOUNT GROVE LIGHTING
Total for: 04- GROVE LIGHTING NJDOT 22			1567.50
ALAIMO GROUP, INC.	0.00	INV #217140; JUNE	CAPITAL ACCOUNT TURF FIELD
ALAIMO GROUP, INC.	2000.00	INV #217140; JUNE	CAPITAL ACCOUNT TURF FIELD
Total for: 04- TURF FIELD			2000.00
G.T.B.M. INC	18013.80	INV #40825; COMPUTER	CAPITAL ACCOUNT POLICE CAMERA, SUV
Total for: 04- POLICE CAMERA, SUV TRAILER			18013.80
ALAIMO GROUP, INC.	376.25	INV #217137; JUNE	CAPITAL ACCOUNT MOLA STREETSCAPE
Total for: 04- MOLA STREETSCAPE SUPPLEMENTAL			376.25
Total for: 04 CAPITAL ACCOUNT			335287.82

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: WATER BUDGET			
PAYROLL DEDUCTION	13010.66	PAY DATE: 8/04/23; PAY	WATER BUDGET S/W WATER
PAYROLL DEDUCTION	14417.82	PAY DATE: 8/18/23; PAY	WATER BUDGET S/W WATER
PAYROLL DEDUCTION	309.57	PAY DATE: 8/04/23; PAY	WATER BUDGET S/W WATER
PAYROLL DEDUCTION	1260.78	PAY DATE: 8/18/23; PAY	WATER BUDGET S/W WATER
Total for: 05- S/W WATER			28998.83
NATIONAL VISION	40.65	INV #4420068; AUGUST	WATER BUDGET O/E WATER
CLEAN DRINKING	30.00	INV #222269; 7/31 BH	WATER BUDGET O/E WATER
DE BLOCK	3600.00	INV #9693/9694; JULY	WATER BUDGET O/E WATER
Total for: 05- O/E WATER			3670.65
PAYROLL DEDUCTION	0.00	PAY DATE: 8/04/23; PAY	WATER BUDGET WATER OPER/SOC SEC
PAYROLL DEDUCTION	600.00	PAY DATE: 8/04/23; PAY	WATER BUDGET WATER OPER/SOC SEC
PAYROLL DEDUCTION	0.00	PAY DATE: 8/18/23; PAY	WATER BUDGET WATER OPER/SOC SEC
PAYROLL DEDUCTION	706.00	PAY DATE: 8/18/23; PAY	WATER BUDGET WATER OPER/SOC SEC
Total for: 05- WATER OPER/SOC SEC			1306.00
NJIB	279118.99	INV	WATER FUND EIT LOAN
Total for: 05- EIT LOAN			279118.99
Total for: 05 WATER FUND			313094.47

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: RAP TRUST			
ANGELA FAVA	150.00	PANTRY NECESSITIES	RAP TRUST RAP TRUST
PAYROLL DEDUCTION	105.17	PAY DATE: 8/04/23; PAY	RAP TRUST RAP TRUST
PAYROLL DEDUCTION	105.17	PAY DATE: 8/18/23; PAY	RAP TRUST RAP TRUST
Total for: 07- RAP TRUST			360.34
<hr/>			
Total for: 07 RAP TRUST			360.34

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: ESCROW			
ALAIMO GROUP, INC.	6395.40	INV #217147; JUNE	ESCROW B302 L1 180 BROADWAY SHOP
Total for: 15- B302 L1 180 BROADWAY SHOP RITE			6395.40
ALAIMO GROUP, INC.	-181.00	INV #177974; BL 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
ALAIMO GROUP, INC.	0.00	INV #177974; BL 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
ALAIMO GROUP, INC.	181.00	INV #177974; BL 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
BOSWELL	181.00	INV #177712; BL 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
BOSWELL	181.00	INV #177974; BL 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
Total for: 15- B 1210, L 2 68 RT 46 EAST			362.00
PUBLIC SERVICE	2100.00	RELEASE OF BOND;	ESCROW ROAD PERRMITS
Total for: 15- ROAD PERRMITS 021-900;-901;-90			2100.00
ALAIMO GROUP, INC.	0.00	B504,L11 #12 MULTIPLE	ESCROW B504 L12 26 DAPP CT
ALAIMO GROUP, INC.	0.00	B504,L11 #12 MULTIPLE	ESCROW B504 L12 26 DAPP CT
Total for: 15- B504 L12 26 DAPP CT			0.00
ALAIMO GROUP, INC.	2487.71	INV #217146; 6/2023 B	ESCROW B610 L1 MARCAL SUB; GEN ENG
Total for: 15- B610 L1 MARCAL SUB; GEN ENG			2487.71
ALAIMO GROUP, INC.	-533.10	INV #217142; B 704 L	ESCROW B704 L11 198 PHILIP
ALAIMO GROUP, INC.	0.00	INV #217142; B 704 L	ESCROW B704 L11 198 PHILIP
ALAIMO GROUP, INC.	533.10	INV #217142; B 704 L	ESCROW B704 L11 198 PHILIP
ALAIMO GROUP, INC.	533.10	INV #217142; B 704 L	ESCROW B704 L11 198 PHILIP
Total for: 15- B704 L11 198 PHILIP			533.10
DMR ARCHITECTS, PC	958.75	INV #20230950; BL 1602	ESCROW B1602 L2,3,4&26 WARSAW
Total for: 15- B1602 L2,3,4&26 WARSAW			958.75
MATRIX NEW WORLD	1400.00	RELEASE OF BOND PERMIT	ESCROW ACCOUNT PERMIT 10-022; 205
Total for: 15- PERMIT 10-022; 205 MARTH			1400.00
Total for: 15 ESCROW ACCOUNT			14236.96
Total Bill List:	7764154.07		

Bill list

8/17/23

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: CURRENT			
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT CLERK/OE
DE LAGE LANDEN	233.70	INV #80560830; AUGUST	CURRENT FUND MUNICIPAL CLERK O/E
AIRGOV LLC	549.00	INV FOR AUGUST 2023;	CURRENT FUND MUNICIPAL CLERK O/E
AC OCEAN WALK LLC	332.00	REF ID #12570; TANISHA	CURRENT FUND MUNICIPAL CLERK O/E
ACCESS INFORMATION	321.95	INV #10383011; AUGUST	CURRENT FUND MUNICIPAL CLERK O/E
Total for: 01- MUNICIPAL CLERK O/E			1642.90
ACCESS INFORMATION	341.60	INV #10383011; AUGUST	CURRENT FUND FINANCIAL
RUTGERS CENTER FOR	2043.00	INV #74622; MUN	CURRENT FUND FINANCIAL
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND FINANCIAL
Total for: 01- FINANCIAL ADMINISTRATION O/E			2590.85
ACTION DATA	2147.05	INV #83646; QUARTER 2	CURRENT FUND PAYROLL SERVICE
ACTION DATA	531.70	NV #84018; P/E 8/4/23;	CURRENT FUND PAYROLL SERVICE
KRONOS	1904.23	INV	CURRENT FUND PAYROLL SERVICE
Total for: 01- PAYROLL SERVICE			4582.98
SCHWAAB, INC	38.45	INV #8459717; NOTARY	CURRENT FUND REVENUE
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND REVENUE
Total for: 01- REVENUE ADMINISTRATION O/E			244.70
AMERICAN PRINTING	1428.35	INV #5259; CH91	CURRENT FUND TAX ASSESSMENT ADMIN
ACCESS INFORMATION	37.81	INV #10383011; AUGUST	CURRENT FUND TAX ASSESSMENT ADMIN
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND TAX ASSESSMENT ADMIN
Total for: 01- TAX ASSESSMENT ADMIN O/E			1672.41
BERN & ASSOCIATES	3843.33	INV #10343/10344/10354	CURRENT FUND LEGAL SERVICES & COST
LAW OFFICES OF	4780.37	SEPT 2023; BOROUGH	CURRENT FUND LEGAL SERVICES & COST
Total for: 01- LEGAL SERVICES & COST S/W			8623.70
MICHAEL A.	997.50	INV #15784; JULY 2023;	CURRENT FUND LEGAL SERVICES AND
Total for: 01- LEGAL SERVICES AND COSTS O/E			997.50
JOHN CONTE, JR.	340.00	INV #116158/116159	CURRENT FUND PLANNING BOARD S/W
Total for: 01- PLANNING BOARD S/W			340.00
JOHN CONTE, JR.	333.33	INV #116158/116159	CURRENT FUND ZONING BOARD S/W
Total for: 01- ZONING BOARD S/W			333.33
MUNICIPAL	5917.00	BILL FOR 7/31/23	CURRENT BUDGET CONSTRUCTION CODE
ACCESS INFORMATION	242.10	INV #10383011; AUGUST	CURRENT FUND CONSTRUCTION CODE
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND CONSTRUCTION CODE
LAWMEN SUPPLY	222.00	INV #1913840; SHIRTS T	CURRENT FUND CONSTRUCTION CODE
LAWMEN SUPPLY	360.88	INV #1913838; CLOTHING	CURRENT FUND CONSTRUCTION CODE
SOARING CAR WASH	8.66	INV #119A/119B/119C;	CURRENT FUND CONSTRUCTION CODE
Total for: 01- CONSTRUCTION CODE OFFICIAL O/E			6956.89
DELTA DENTAL PLAN	9717.11	INV	CURRENT FUND GROUP INSURANCE FOR
ROBERT KREJCI	0.00	FEB - DEC 2021	CURRENT FUND GROUP INSURANCE FOR
ROBERT KREJCI	1633.50	FEB - DEC 2021	CURRENT FUND GROUP INSURANCE FOR
JOHN BUONANNO	71.85	MAY - AUG 2023 SCRIPT	CURRENT FUND GROUP INSURANCE FOR
CARRIE PARETTI	135.00	2023 PARTIAL EYE CARE	CURRENT FUND GROUP INSURANCE FOR
Total for: 01- GROUP INSURANCE FOR EMPLOYEES			11557.46
HYDR8, LLC	109.00	INV #1507316;	CURRENT FUND POLICE
LIFESAVERS, INC	447.50	INV #246704;	CURRENT FUND POLICE O/E
INTREP SOLUTIONS,	1650.00	INV #9836 AUGUST 2023;	CURRENT POLICE
INTREP SOLUTIONS,	1002.00	INV #9837; AUGUST 2023	CURRENT POLICE
I.D.M.MEDICAL GAS	127.52	INV #11665/11666; JULY	CURRENT FUND POLICE O/E
LEXIS NEXIS RISK	120.00	INV #1328834-20230731	CURRENT FUND POLICE O/E
AMERICAN GRAPHIC	530.00	INV #EP423; NEW	CURRENT FUND POLICE O/E
B&B AUTOMOTIVE	571.00	INV FOR CAR #407 AC	CURRENT FUND POLICE O/E
B&B AUTOMOTIVE	571.00	INV FOR CAR #433;	CURRENT FUND POLICE O/E
DOLAN CONSULTING	500.00	INV	CURRENT FUND POLICE O/E
GRYPHON TRAINING	1080.00	INV FOR 9/21-22 CLASS;	CURRENT FUND POLICE O/E
INTERNATIONAL	300.00	INV #R52023-9; ISAAC	CURRENT FUND POLICE O/E
ISAAC R. WILLIAMS	323.73	REIMBURSEMENT FOR	CURRENT FUND POLICE O/E
MORRIS COUNTY	25.00	INV #32771; 8/3/23	CURRENT FUND POLICE O/E
INSTITUTE FOR	525.00	INV #18963; 7/24 PSYCH	CURRENT FUND POLICE O/E
VINDAN, INC	250.00	INV #33807; UNIFORM	CURRENT FUND POLICE O/E
VINDAN, INC	75.00	INV #33808; CHIEF OF	CURRENT FUND POLICE O/E

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ACCESS INFORMATION	147.79	INV #10383011; AUGUST	CURRENT FUND POLICE
ELMWOOD PARK DINER	115.54	RECEIPTS FOR PRISONER	CURRENT FUND POLICE
NET TRANSCRIPTS,	117.60	INV #NT16390;	CURRENT FUND POLICE
SOARING CAR WASH	458.98	INV #119A/119B/119C;	CURRENT FUND POLICE O/E
Total for: 01- POLICE O/E			9046.66
LEAF CAPITAL	75.00	INV #15146603; AUGUST	CURRENT FUND EMERGENCY MEDICAL
I.D.M.MEDICAL GAS	120.82	INV #I1665/11666; JULY	CURRENT FUND EMERGENCY MEDICAL
CLEAN DRINKING	57.00	INV #220665/223855;	CURRENT FUND EMERGENCY MEDICAL
Total for: 01- EMERGENCY MEDICAL SERVICES O/E			252.82
ENFORSYS INC.	2800.00	INV #11418; FIRE	CURRENT FUND FIRE PREVENTION O/E
NFPA	1725.00	FIRE CODE SUBSCRIPTION	CURRENT FUND FIRE PREVENTION O/E
BC FIRE PREVENTION	200.00	6/1/23-6/1/24	CURRENT FUND FIRE PREVENTION O/E
ACCESS INFORMATION	10.59	INV #10383011; AUGUST	CURRENT FUND FIRE PREVENTION O/E
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND FIRE PREVENTION O/E
SOARING CAR WASH	43.30	INV #119A/119B/119C;	CURRENT FUND FIRE PREVENTION O/E
TURN-OUT UNIFORM	1497.87	INV	CURRENT FUND FIRE PREVENTION O/E
Total for: 01- FIRE PREVENTION O/E			6483.01
AAA EMERGENCY	200.00	INV #56237-IN;	CURRENT FUND FIRE O/E
OLYMPIC GLOVE &	600.00	INV #745617; MSA 58L	CURRENT FUND FIRE O/E
SUPERIOR	1072.36	INV	CURRENT FUND FIRE O/E
CITY FIRE	0.00	NEVER RCVD CONTRACT	CURRENT FUND FIRE O/E
AAA EMERGENCY	1130.00	INV #56237-IN;	CURRENT FUND FIRE O/E
Total for: 01- FIRE O/E			3002.36
AGL WELDING CO INC	178.68	INV #10114430 JULY	CURRENT FUND STREETS AND ROADS O/E
GARFIELD LUMBER &	396.11	INV#S922014/S922303/S9	CURRENT FUND STREETS AND ROADS O/E
GARFIELD LUMBER &	28.86	INV #S924186/S924504;	CURRENT FUND STREETS AND ROADS O/E
PROGRESSIVE BRICK	690.00	INV #446290 JULY 2023;	CURRENT FUND STREETS AND ROADS O/E
TRAFFIC SAFETY &	2409.64	INV #234540; STOP	CURRENT FUND STREETS AND ROADS O/E
DOOR WORKS, INC	7580.00	INV #17553; SUPPLE &	CURRENT FUND STREETS AND ROADS O/E
CINTAS FIRST AID &	171.77	INV #5165522474; 7/28	CURRENT FUND STREETS AND ROADS
G & R HEATING AND	190.00	INV #6053; 8/9 SERVICE	CURRENT FUND STREETS AND ROADS
JOHN A EARL INC.	220.21	INV #111934; PAPER	CURRENT FUND STREETS AND ROADS
JOHN A EARL INC.	790.14	INV #111943; REC	CURRENT FUND STREETS AND ROADS
JOHN A EARL INC.	916.26	INV #111958; APER	CURRENT FUND STREETS AND ROADS
JOHNNY ON THE	58.25	INV #6786989; JULY	CURRENT FUND STREETS AND ROADS
M D PEST CONTROL	110.00	INV #5111/5112 AUG	CURRENT FUND STREETS AND ROADS
NUNZIATA BERNAL	4989.52	JULY & AUG 2023; BH,	CURRENT FUND STREETS AND ROADS
SUPERIOR	63.66	INV	CURRENT FUND STREETS AND ROADS
SUPERIOR	105.10	INV	CURRENT FUND STREETS AND ROADS
COMPLETE SAW &	65.00	INV #83537; JULY 2023;	CURRENT FUND STREETS AND ROADS
NJ SHADE TREE	95.00	INV #M2023-76; 2023	CURRENT FUND STREETS AND ROADS O/E
EXTEL	200.00	INV #60610; 7/27 DPW	CURRENT FUND STREETS AND ROADS O/E
CLEAN DRINKING	144.00	INV #221487; 7/24 DPW	CURRENT FUND STREETS AND ROADS O/E
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND STREETS AND ROADS O/E
ONE CALL CONCEPTS,	85.80	INV #3075267 JULY 2023	CURRENT FUND STREETS AND ROADS O/E
STONE INDUSTRIES	62.87	INV #172139; JULY	CURRENT FUND STREETS AND ROADS O/E
Total for: 01- STREETS AND ROADS O/E			19757.12
PUBLIC SERVICE	411.54	ACCT #1301308218; JULY	CURRENT FUND TRAFFIC LIGHTS
Total for: 01- TRAFFIC LIGHTS			411.54
GAETA RECYCLING CO	19361.11	INV #3338507 JULY 2023	CURRENT FUND RECYCLING
RER SUPPLY LLC	5848.25	SEPT 2023; R-113-23;	CURRENT FUND YARD RECYCLING OTHER
Total for: 01- YARD RECYCLING OTHER			25209.36
AMERICAN HOSE &	207.00	INV #262928/26470;	CURRENT FUND VEHICLE MAINTENANCE
CLIFTON TIRE &	750.00	INV	CURRENT FUND VEHICLE MAINTENANCE
CLIFTON TIRE &	985.00	INV #1-102873;	CURRENT FUND VEHICLE MAINTENANCE
P & A AUTO PARTS,	583.68	INV	CURRENT FUND VEHICLE MAINTENANCE
ROBERT'S & SON,	98.87	INV #5747944; JULY	CURRENT FUND VEHICLE MAINTENANCE
ROBERT'S & SON,	24.27	INV #5749069; HEAVY	CURRENT FUND VEHICLE MAINTENANCE
Total for: 01- VEHICLE MAINTENANCE			2648.82
RR DONNELLEY	106.50	INV #99115717; 500	CURRENT FUND BOARD OF HEALTH O/E
Total for: 01- BOARD OF HEALTH O/E			106.50
BIG BUCKS	1025.00	BILL FROM 7/11/23	CURRENT FUND RECREATION O/E
GARDEN STATE LAB,	150.00	INV #103195; JUNE 203	CURRENT FUND RECREATION O/E
GARDEN STATE LAB,	300.00	INV #103643; JULY	CURRENT FUND RECREATION O/E
HORIZON LOCK &	950.00	INV #N27035; PANIC	CURRENT FUND RECREATION O/E

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
JASON MAZZER	1500.00	INVOICES FOR AUGUST	CURRENT FUND RECREATION O/E
JASON MAZZER	1300.00	INVCES FOR JULY 2023	CURRENT FUND RECREATION O/E
PECK BROTHERS LLC	1571.39	INV #1855890; 3/30/23	CURRENT FUND RECREATION O/E
PIONEER REVERE	797.28	INV #892904;	CURRENT FUND RECREATION O/E
SOUND SURGE	399.95	INV #2131267; BUSINESS	CURRENT FUND RECREATION O/E
BORGATA CASINO	585.00	REF ID#12496; D.	CURRENT FUND RECREATION O/E
INTREP SOLUTIONS,	206.25	INV #9836 AUGUST 2023;	CURRENT FUND RECREATION O/E
DAVID EASTLAKE	2431.00	09/09/23 PARTY RENTAL	CURRENT FUND RECREATION O/E
Total for: 01- RECREATION O/E			11215.87
CLEAN DRINKING	12.00	INV #217451; 6/26	CURRENT FUND SENIOR CITIZENS
MELINA LUKE MENDEZ	1000.00	inv Sr. Citizens-AARP	CURRENT FUND SENIOR CITIZENS
Total for: 01- SENIOR CITIZENS OTHER EXPENSE			1012.00
SHOP RITE	333.86	INV	CURRENT FUND CELEBRATION OF PUBLIC
SUN CONCERTS LLC	8000.00	INV FOR 2 HRS 70'S &	CURRENT FUND CELEBRATION OF PUBLIC
TURN-OUT UNIFORM	374.85	INV #253800/253771;	CURRENT FUND CELEBRATION OF PUBLIC
Total for: 01- CELEBRATION OF PUBLIC EVENTS			8708.71
PUBLIC SERVICE	3472.01	ACCT	CURRENT FUND ELECTRICITY, GAS &
PUBLIC SERVICE	21537.16	ACCT #1301308218; JULY	CURRENT FUND ELECTRICITY, GAS &
UGI CORPORATION	25.98	INV #G5792033;	CURRENT FUND ELECTRICITY, GAS &
Total for: 01- ELECTRICITY, GAS & OIL			25035.15
PUBLIC SERVICE	144.35	ACCT	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	309.30	ACCT	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	527.08	#7434651105/52608/5300	CURRENT FUND STREET AREA LIGHTING
PUBLIC SERVICE	24426.00	ACCT #1301308218; JULY	CURRENT FUND STREET AREA LIGHTING
Total for: 01- STREET AREA LIGHTING			25406.73
AT&T MOBILITY II	982.41	INV #8042023;	CURRENT FUND TELEPHONE
SPECTROTEL HOLDING	3287.66	INV #11721730 AUG 2023	CURRENT FUND TELEPHONE
VERIZON CONNECT	261.20	INV #OSV000003111341;	CURRENT FUND TELEPHONE
VERIZON LONG	196.56	8/7-9/6/23;	CURRENT FUND TELEPHONE
Total for: 01- TELEPHONE			4727.83
RACHLES/MICHELE'S	4436.12	INV #390113; JULY 2023	CURRENT FUND GASOLINE
Total for: 01- GASOLINE			4436.12
I.W.S. TRANSFER	3153.15	INV #9115363; JULY	CURRENT FUND RECYCLING TAX
Total for: 01- RECYCLING TAX			3153.15
CHASAN LEYNER &	4570.35	INV #225388/223853;	CURRENT FUND COALITION ON
Total for: 01- COALITION ON AFFORDABLE HOUSIN			4570.35
LANGUAGE LINK	17.10	INV #246647; JULY 2023	CURRENT FUND MUNICIPAL COURT O/E
BORGATA CASINO	585.00	REF ID#12496; D.	CURRENT FUND MUNICIPAL COURT O/E
Total for: 01- MUNICIPAL COURT O/E			602.10
ANGELA & BILJANA	3669.15	REFUND FOR OVERPAYMENT	CURRENT FUND TAX REFUNDS
IMPERIUM TITLE	3102.36	REFUND FOR 3RD QUARTER	CURRENT FUND TAX REFUNDS
LINDA D'ANTON &	1864.51	REFUND FOR OVERPAYMENT	CURRENT FUND TAX REFUNDS
MR CHRISTIAN A	2642.14	TAX REFUND; BL 405 LOT	CURRENT FUND TAX REFUNDS
Total for: 01- TAX REFUNDS			11278.16
E.P. BOARD OF	2955041.00	SEPTEMBER 2023 TAX	CURRENT FUND SCHOOL TAXES
Total for: 01- SCHOOL TAXES			2955041.00
MARIA RIVERA SOL	225.00	INV FOR 8/1/23 SPANISH	CURRENT FUND ALCOHOL & REHAB FND
Total for: 01- ALCOHOL & REHAB FND			225.00
TYREX RESOURCES,	31.50	INV #64511; 7/25	CURRENT FUND CLEAN COMMUNITY
Total for: 01- CLEAN COMMUNITY			31.50
Total for: 01 CURRENT FUND			3161904.58

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: RECREATION TRUST FUND			
SHOP RITE	93.10	INV	RECREATION TRUST FUND RECREATION
BAUER SPORT SHOP,	1188.00	INV #4384; SHORTS	RECREATION TRUST FUND RECREATION
W. B. MASON CO.	239.60	INV #240166038; CASES	RECREATION TRUST FUND RECREATION
NEW JERSEY YOUTH	135.00	INV #2-6668090- MAY	RECREATION TRUST FUND RECREATION
SYEIRA AALIYAH	1000.00	R-217-23; 2023	GENERAL TRUST FUND RECREATION
Total for: 03- RECREATION -SPECIAL PROGRAMS			2655.70
Total for: 03 GENERAL TRUST FUND			2655.70

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: CAPITAL FUND			
JOHN GARCIA	212209.20	ESTIMATE #1; ORD	CAPITAL FUND SANITARY
Total for: 04- SANITARY SEWER/ORCHARD DRAINAG			212209.20
ALAIMO GROUP, INC.	20800.00	INV #216725; ORD	CAPITAL ACCOUNT 2023 ROAD PROGRAM
Total for: 04- 2023 ROAD PROGRAM			20800.00
Total for: 04 CAPITAL ACCOUNT			233009.20

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: WATER BUDGET			
DELTA DENTAL PLAN	272.35	INV	WATER BUDGET O/E WATER
CLEAN DRINKING	30.00	INV #223303; 8/14 BH	WATER BUDGET O/E WATER
POLLARD WATER DOT	87.20	INV #243680; WIRE FLAG	WATER BUDGET O/E WATER
Total for: 05- O/E WATER			389.55
Total for: 05 WATER BUDGET			389.55

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: RAP TRUST			
SHOP RITE	470.97	INV #1160443056; 7/13	RAP TRUST RAP TRUST
Total for: 07- RAP TRUST			470.97
<hr/>			
Total for: 07 RAP TRUST			470.97

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: DOG LICENSE			
N. J. STATE DEPT	27.60	JULY 2023 DOG LICENSE	DOG LICENSE DOG LICENSE
Total for: 08- DOG LICENSE			27.60
<hr/>			
Total for: 08 DOG LICENSE			27.60

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: UNEMPLOYMENT TRUST FUND			
STATE OF NEW	451.50	2022 CATASTROPHIC	UNEMPLOYMENT TRUST FUND
Total for: 14- UNEMPLOYMENT TRUST FUND			451.50
Total for: 14 UNEMPLOYMENT TRUST FUND			451.50

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
Fund: ESCROW			
BOSWELL	346.00	INV #169798; BL 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
BOSWELL	371.00	INV #178421; B 1210 L	ESCROW B 1210, L 2 68 RT 46 EAST
Total for: 15- B 1210, L 2 68 RT 46 EAST			717.00
FERREIRA	-700.00	RELEASE BOND PERMIT	ESCROW PERMIT 022-1001; FERREIRA
FERREIRA	0.00	RELEASE BOND PERMIT	ESCROW PERMIT 022-1001; FERREIRA
FERREIRA	700.00	RELEASE BOND PERMIT	ESCROW PERMIT 022-1001; FERREIRA
FERREIRA	700.00	RELEASE BOND PERMIT	ESCROW PERMIT 022-1001; FERREIRA
Total for: 15- PERMIT 022-1001; FERREIRA			700.00
Total for: 15 ESCROW			1417.00
Total Bill List:	3400326.10		

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-308-23**

CONSENT AGENDA

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

CANCELLATION OF BOND BALANCES

WHEREAS, The Borough of Elmwood Park General Capital Fund has balances from 2017 through 2019 that has balances remaining in its respective bond ordinance and;

WHEREAS, the Chief Financial Officer has identified specifically below, the bond ordinance and balance remaining to be canceled and;

WHEREAS, the balances cancelled will be to general capital fund balance and;

Boulevard Sec 10 Phase 2 (17-13)	\$34,098.15
Underground Tank Removal (17-20)	\$133,530.02
Birchwood Park (17-32)	\$2,743.00
Fire Pumper (17-33)	\$20,080.59
Resurface Franklin (18-5)	\$42,260.25
Sewer/Pump Station (18-16)	\$1,850.00
Multi-Purpose (18-17)	\$4,500.76
2018 Road Resurface (18-20}	\$34,278.41
Fire Dept Equipment (18-21)	\$19,406.83
Tennis Courts (18-27)	\$10,708.41
Acq. Aerial/Pumper (19-11)	15,183.18
	\$318,639.60 Fund Balance General Capital

NOW THEREFORE BE IT RESOLVED, that the remaining balances in the identified bond ordinance be cancelled to fund balance.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

 Shanee Morris, CMR
 Acting Borough Clerk

 Dated

6 YEAR CAPITAL PROGRAM 2023-2028
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 Project	2 Estimated Total Cost	Current Year 2023	Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds			BONDS AND NOTES					
						General	Liquidating	Assessment	General	Liquidating	Assessment	School		
2023-5	130,000			6,200										
2023-6	850,000					350,000								
2023-7	600,000													
Total All Projects	8,912,700			350,900		350,000								8,211,800

Be It Further Resolved that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 17th day of August, 2023.

Certified by me

August 17, 2023

TRENTON, NEW JERSEY

APPROVED _____, 2023

DIRECTOR OF LOCAL GOVERNMENT SERVICES

MUNICIPAL CLERK

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-310-23**

CONSENT AGENDA

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

AUTHORIZE VACATION BUYBACK

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

WHEREAS, said employee has requested to receive payment for such time;

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 Time</u>	<u>Amount of Compensation</u>
Scott Karcz	20 Days	\$11,636.84
Roy Riggitano	25 Days	\$18,163.67

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-311-23**

CONSENT AGENDA

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

**AUTHORIZE INCREASE IN HOURLY WAGE
FIRE PREVENTION DEPARTMENT**

WHEREAS, the following individual was hired by the Borough of Elmwood Park’s Fire Prevention Department at an hourly rate of \$18.50 per hour via Resolutions R-148-23; and

WHEREAS, as listed on said resolution, after a 90-day probationary period their hourly rate would increase to \$20.00 per hour; and

WHEREAS, as of July 4, 2023, the 90-day probationary period has been successfully completed;

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 increase in hourly wage as follows:

<u>Employee</u>	<u>Adjusted Hourly Wage</u>
John Kristof	\$20.00 per hour (effective July 4, 2023)

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-312-23**

CONSENT AGENDA

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

**RESOLUTION TO REFUND OVERPAYMENT
TAX EXEMPT VETERAN**

WHEREAS, Lori Sproviero, Tax Collector has advised Tax-Exempt Veteran Mr. Christian A. Campoverde, owner of Block 405 Lot 12 located at 134 Lincoln Avenue within the Borough of Elmwood Park is due to be refunded taxes for 2nd quarter (\$758.16) and 3rd quarter (\$1,883.98) 2023; and

WHEREAS, taxes for the second and third Quarters of 2023 were abated as Mr. Christian A. Campoverde was granted Exempt Veteran Status as of May 24, 2023 by R-287-23; and

WHEREAS, the application of payments made on May 3, 2023 and July 7, 2023 resulted in an overpayment in the amount of \$2,642.14; and

NOW, THEREFORE BE IT RESOLVED by the Governing Authority of the Borough of Elmwood Park County of Bergen State of New Jersey that approval be granted to issue a check in the amount of \$ 2,642.14 payable to Mr. Christian A. Campoverde.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-313-23**

CONSENT AGENDA

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

RESOLUTION TO REFUND OVERPAYMENT

WHEREAS, Lori Sproviero, Tax Collector has advised a Refund was requested for Block 413 Lt 13 Located at 85 Falmouth Avenue owned by Gjoroska, Angela & Biljana within the Borough of Elmwood Park and

WHEREAS, the application of payment made on 7/21/2023 resulted in an overpayment in an amount of \$ 3,669.15 for the 3rd Quarter of 2023 and

WHEREAS, the account is otherwise up to date and therefore due a refund in that amount,

NOW, THEREFORE BE IT RESOLVED by the Governing Authority of the Borough of Elmwood Park County of Bergen State of New Jersey that approval be granted to issue a check in the amount of \$ 3,669.15 payable to the homeowner.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-314-23**

CONSENT AGENDA

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

RESOLUTION TO REFUND OVERPAYMENT

WHEREAS, Lori Sproviero, Tax Collector has advised a Refund was requested for Block 1104 Lt 3 Located at 60 Main Avenue owned by Nikolaides, Andreas & Elizabeth within the Borough of Elmwood Park and

WHEREAS, the application of payment made by Imperium Title Agency resulted in an overpayment in an amount of \$ 3,102.36 for the 3rd Quarter of 2023 and

WHEREAS, the account is otherwise up to date and therefore due a refund in that amount,

NOW, THEREFORE BE IT RESOLVED by the Governing Authority of the Borough of Elmwood Park County of Bergen State of New Jersey that approval be granted to issue a check in the amount of \$ 3,102.36 payable to Imperium Title.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-315-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

RESOLUTION TO REFUND OVERPAYMENT

WHEREAS, Lori Sproviero, Tax Collector has advised a Refund was requested for Block 1304 Lt 45 Located at 127 Hillman Drive owned by D’Anton, Linda & Ackerman, Diane within the Borough of Elmwood Park and

WHEREAS, the application of payment made on 7/21/2023 resulted in an overpayment in an amount of \$ 1,864.51 for the 3rd Quarter of 2023 and

WHEREAS, the account is otherwise up to date and therefore due a refund in that amount,

NOW, THEREFORE BE IT RESOLVED by the Governing Authority of the Borough of Elmwood Park County of Bergen State of New Jersey that approval be granted to issue a check in the amount of \$ 1,864.51 payable to the homeowner.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-316-23**

CONSENT AGENDA

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

**AUTHORIZE CURRENT ESTIMATE #1 – ORCHARD STREET DRAINAGE
IMPROVEMENTS**

WHEREAS, Alaimo Engineering has requested that Current Estimate #1 be approved by the Governing Body as stated below:

Contractor: John Garcia Construction Co.

PROJECT: Orchard Street Drainage Improvements

Original Contract Amount	\$243,501.65
Total Amount of Work Completed to Date	\$216,540.00
Less 2% Retained	<u>(\$ 4,330.80)</u>
Subtotal	\$212,209.20
Less Previous Payments	<u>(\$ 0.00)</u>
Total Amount Due Estimate #1	\$ 212,209.20

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that Current Estimate #1 be approved and payment of \$212,209.20 to John Garcia Construction Co. for their services is hereby authorized from future Capital Bond.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-317-23**

CONSENT AGENDA

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

**AUTHORIZE CURRENT ESTIMATE #1 – FY 2021 NJDOT – MOLA BOULEVARD
IMPROVEMENTS**

WHEREAS, Alaimo Engineering has requested that Current Estimate #1 be approved by the Governing Body as stated below:

Contractor: Covino & Sons Construction

PROJECT: FY 2021 NJDOT – Mola Boulevard Improvements

Original Contract Amount	\$352,135.00
Total Amount of Work Completed to Date	\$ 41,200.00
Less 2% Retained	<u>(\$ 824.00)</u>
Subtotal	\$ 40,376.00
Less Previous Payments	<u>(\$ 0.00)</u>
Total Amount Due Estimate #1	\$ 40,376.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that Current Estimate #1 be approved and payment of \$40,376.00 to Covino & Sons Construction for their services is hereby authorized from Bond Ordinance 22-27/23-11.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-318-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

**AWARD PROPOSAL FOR PROFESSIONAL SERVICES – ALAIMO GROUP
BOROUGH SALT SHED**

WHEREAS, the Borough is in receipt of a proposal for professional services related to the Borough Salt Shed from Alaimo Engineering; and

WHEREAS, the proposal notes the following costs: Design Phase: \$30,000.00, Construction Administration Budget \$20,000.00, amount totaling \$50,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby awards the proposal for professional services for the Borough Salt Shed to Alaimo Engineering in an amount not to exceed \$50,000.00 to come out of future capital bond.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-319-23**

CONSENT AGENDA

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

**AWARD PROPOSAL FOR PROFESSIONAL SERVICES – ALAIMO GROUP
STORMWATER OUTFALL MAPPING**

WHEREAS, the Borough is in receipt of a proposal for professional services related to the Stormwater Outfall Mapping from Alaimo Engineering; and

WHEREAS, the proposal notes the following costs: Field Location of Stormwater Outfalls, \$11,000.00, amount totaling \$11,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby awards the proposal for professional services for the Stormwater Outfall Mapping to Alaimo Engineering in an amount not to exceed \$11,000.00 to come out of future capital bond.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-320-23**

CONSENT AGENDA

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

AUTHORIZE CONTRACT WITH GARDEN STATE FIREWORKS, INC.

WHEREAS, the Borough of Elmwood Park would like to enter into an agreement with Garden State Fireworks, Inc. to display fireworks during Community Day; and

WHEREAS, there has been a request from the Recreation Director and Business Administrator to enter into a contract; and

WHEREAS, Garden State Fireworks, Inc has submitted a quote in the amount of \$11,000.00 for the event to be paid out of the Celebration of Public Events line item;

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 quote submitted by Garden State Fireworks in the amount of \$11,000.00 be and is hereby approved;

BE IT FURTHER RESOLVED, that Mayor 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

August 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-321-23**

CONSENT AGENDA

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

AWARD BID FOR CURBSIDE RECYCLING

WHEREAS, the Borough of Elmwood Park solicited bids for Curbside Recycling on July 31, 2023 at 11:00AM.; and

WHEREAS, the Bid Opening Committee received 1 bid to the advertisement for the above and the results are as follows:

<u>Contractor</u>	<u>One Year Bid</u>	<u>Two Year Bid</u>	<u>Three Year Bid</u>
Gaeta Recycling Co. 278 West Railway Avenue Paterson, NJ 07506	\$515,200	\$540,000	\$561,800

WHEREAS, the bid submitted has been reviewed by the Borough Attorney and is in compliance with the New Jersey Local Public Contract Law; and

WHEREAS, it is the recommendation of the Mayor and Council that the above-mentioned service be awarded to Gaeta Recycling Co., for a three-year contract in the amount of \$1,617,000;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that a three-year contract with Gaeta Recycling Co. in the amount of \$1,617,000 be and is hereby awarded; and

BE IT FURTHER RESOLVED, that Mayor Robert Colletti and Acting Borough Clerk Shanee Morris are hereby authorized to sign 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

August 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-322-23**

CONSENT AGENDA

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

**AUTHORIZE PURCHASE OF EQUIPMENT
POLICE DEPARTMENT**

WHEREAS, the Police Department has requested to purchase a surveillance trailer utilizing funds from Capital Bond #23-12C; and

WHEREAS, the equipment requested is to be purchased as follows:

<u>Company Name</u>	<u>Amount</u>	<u>Contract/Co-Op # (if applicable):</u>
Gold Type Business Machines, Inc	\$60,786.35	NJ State Contract #89980

and;

WHEREAS, the Police Department has supplied all necessary supporting documents for said purchases; and

WHEREAS, the Mayor and Council believe it is in the best interest, welfare, and public safety of the residents to purchase the requested equipment;

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 the above-mentioned equipment totaling \$60,786.35 from the company listed.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-323-23**

CONSENT AGENDA

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

AWARD LIFEPAK CR2 DEFIBRILLATORS

WHEREAS, the Borough of Elmwood Park has issued Bond Ordinance 23-12G specifically for Emergency Management Services for the use of Lifepak Defibrillators and;

WHEREAS, Stryker Sales, LLC has the defibrillators in which the aggregate amount is less than 44,000 and;

WHEREAS, it is desires to purchase (2) Lifepak CR2 Defibrillators for the life and safety of the residents of Elmwood Park and;

NOW THEREFORE BE IT RESOLVED, that the Finance Department is hereby authorized to enter in contract with Stryker Sales, LLC 3800 E. Centre Ave, Portage, MI 49002 for the acquisition of (2) Lifepak CR2 Defibrillators with accessors not to exceed \$20,944.44 from Bond Ordinance # 2023-12G.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-324-23**

CONSENT AGENDA

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

AUTHORIZE RELEASE OF ROAD OPENING PERFORMANCE BOND

WHEREAS, the following applicant completed the following site has requested the release of their road opening performance bond posted for the project; and

WHEREAS, the request has been reviewed by DPW Superintendent Scott Karcz and a recommendation has been made for the Borough to authorize said release as follows:

<u>Name</u>	<u>Location</u>	<u>Amount</u>
PSE&G	Stefanic Place, N. Midland Ave & Meyer St.	\$2,400.00
Matrix New World Engineering	Martha Avenue	\$1,400.00
Ferreira Construction	Stefanic Ave through Midland Ave	\$ 700.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the above-listed road opening performance bonds be and are hereby released as noted for the completion of site work be 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

August 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-325-23**

CONSENT AGENDA

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

AMENDMENT TO RECREATION DEPARTMENT STAFF

WHEREAS, the Recreation Department will be conducting the Summer Program for the year 2023 as well as other miscellaneous programs; and

WHEREAS, it was requested that the following individuals be hired for said programs:

EMPLOYEE	TITLE	SALARY
Brianna Quatrone	Teacher	\$3,860.96

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 approve the above-named individual, retroactive to June 26, 2023, at the salary and titles listed above.

BE IT FURTHER RESOLVED that an amendment to Resolution R-249-23 be made to reflect the above salary.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-326-23**

CONSENT AGENDA

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

APPOINTMENT OF RECREATION DEPARTMENT STAFF

WHEREAS, the Recreation Department will be conducting the Summer Program for the year 2023 as well as other miscellaneous programs; and

WHEREAS, it was requested that the following individuals be hired for said programs:

EMPLOYEE	TITLE	SALARY
Dalwin Rivera	Camp Counselor	\$2,048.14

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 approve the above-named individual, retroactive to July 17, 2023, at the hourly rates and titles listed above.

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 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-327-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

**APPOINTMENT OF COUNSELORS FOR THE 2023/2024 SCHOOL YEAR
MORNING CARE & AFTER-SCHOOL PROGRAM
RECREATION DEPARTMENT**

WHEREAS, the Recreation Department will be conducting the Morning Care and After-School Program for the 2023/2024 School Year; and

WHEREAS, it was requested that the following individuals be hired for said program:

Alers, Ashlee	ASP COUNSELOR
Alers, Toni	ASP COUNSELOR
Amico, Nicolette	ASP COUNSELOR
Arias, Camilla	ASP COUNSELOR
Atkinson, Barbara	ASP COUNSELOR
Caminero, Kyle	ASP COUNSELOR
Cruz, Roman	ASP COUNSELOR
Chojnowki, Kevin	ASP COUNSELOR
Davis, Taylor	ASP/MC COUNSELOR
Dreher, Tristen	ASP COUNSELOR
Gerald, Matthew	ASP COUNSELOR
Geter, Tyler	ASP COUNSELOR
Graham, Nakie	ASP COUNSELOR
Gonzalez, Nikole	ASP COUNSELOR
Figuroa, Joann	ASP COUNSELOR
Kalinowski, Veronica	MC COUNSELOR
Lechuga, Anneliese	ASP COUNSELOR
Marino, Mary	MC COUNSELOR
Matera, Gabriella	ASP COUNSELOR
Mazon, Ashley	ASP COUNSELOR
McOwen, Michelle	ASP DIRECTOR
Mills, Marlon	ASP/MC COUNSELOR
Rahill, Ashley	MC COUNSELOR
Ramos, David	ASP COUNSELOR
Rivera, Dalwin	ASP/MC COUNSELOR
Schwartz, Erik	ASP TEACHER
Surgent, Dorothy	ASP/MC COUNSELOR
Surgent, Joanne	ASP TEACHER
Szewczyk, Katherine	ASP/ MC COUNSELOR

Tagliabue, Richard	BUS DRIVER
Tesoriero, Beverly	ASP TEACHER
Wechtler, Harry	BUS DRIVER
Zak, Linda	ASP COUNSELOR

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 approve the above-named individuals for the 2023/2024 School Year Morning Care and After-School Program, effective September 6, 2023, at the hourly rates set forth in the 2023 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

August 16, 2023
Dated

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-328-22**

CONSENT AGENDA

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

**AUTHORIZATION TO EXECUTE SHARED SERVICE AGREEMENT
WITH THE ELMWOOD PARK BOARD OF EDUCATION
SCHOOL SECURITY OFFICERS**

WHEREAS, the Borough of Elmwood Park and the Elmwood Park Board of Education wishes to enter into a Shared Service agreement for School Security Officers; and

WHEREAS, the agreement is for the 2023/2024 school year;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the Borough hereby enter into a shared services agreement with the Elmwood Park Board of Education for the purpose of providing School Security Officers; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk of the Borough of Elmwood Park, be and they are hereby authorized to execute said agreement with the Elmwood Park Board of Education.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-329-23**

CONSENT AGENDA

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

APPROVAL TO SUBMIT AND EXECUTE GRANT APPLICATION

WHEREAS, the Borough of Elmwood Park desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000.00 to carry out a project designed to integrate disabled and non-disabled individuals in recreational and leisure activities through the Borough’s afterschool program.

BE IT THEREFORE RESOLVED,

1) that the **Mayor and Borough Council** understands the 20% match requirement of the program and does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between

Borough of Elmwood Park and the New Jersey Department of Community Affairs;

BE IT FURTHER RESOLVED, that the Mayor and Borough Administrator are hereby authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-331-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

RENEW LIQUOR LICENSES FOR THE 2023/2024 LICENSE TERM

BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following Liquor Licenses, having met all requirements for renewal for the 2023/2024 license year, be and are hereby renewed:

PLENARY RETAIL CONSUMPTION LICENSE - \$1,200

0211-33-002-004 **MARGARET VICTORIAN INC./THE VICTORIAN**
(INACTIVE) 407 ROUTE 46 WEST
ELMWOOD PARK, NJ 07407

0211-33-011-012 **WALTER VENTURA**
(INACTIVE) 144 CLAY STREET
HACKENSACK, NJ 07601

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-332-23**

CONSENT AGENDA

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

MAINTENANCE OF 253 MARTHA AVENUE

WHEREAS, the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey have been notified by Mr. Tony Ambrogio, the Borough's Construction Code Official, that the property identified as 253 Martha Avenue within the Borough is not being maintained in accordance with the Borough's property maintenance ordinances;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Elmwood Park, County of Bergen, State of New Jersey does hereby give authorization to the Elmwood Park Department of Public Works to:

1. Cut the grass and continue to cut the grass whenever the height of the grass violates the Borough's Property Maintenance Ordinance; and
2. To submit an invoice to the Elmwood Park Tax Office in order to place a lien on the property, in an amount equal to the invoice, so that the Borough can be reimbursed for the expenditure.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-333-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

APPOINTMENT OF FIREFIGHTERS

BE IT RESOLVED, by the Mayor and Council of the Borough of Elmwood Park that the following named be and are hereby appointed Volunteer Firefighters for the Elmwood Park Fire Department as listed below:

<u>Name</u>	<u>Company</u>
Samuel Van Houten	Company 2
Ryan Tomesco	Company 2

BE IT FURTHER RESOLVED, that said appointments are subject to the usual probationary period.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-334-23**

CONSENT AGENDA

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

APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmwood Park of the County of Bergen, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$56,000, which is now available from The New Jersey Department of Community Affairs In the amount of \$56,000.00 entitled Local Recreation Improvement 2023

BE IT FURTHER RESOLVED, that the like sum of \$56,000 is hereby appropriated under the caption Local Recreational Improvement 2023;

BE IT FURTHER RESOLVED that the above is the result of funds from The Division of Local Government Services, Local Recreational Improvement 2023, in the amount of \$56,000

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-335-23**

CONSENT AGENDA

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

APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmwood Park of the County of Bergen, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$ 15,000, which is now available from Department of Agriculture, Spotted Lanternfly Program in the amount of \$ 15,000.

BE IT FURTHER RESOLVED, that the like sum of \$15,000 is hereby appropriated under the caption Department of Agriculture, Spotted Lanternfly Program

BE IT FURTHER RESOLVED that the above is the result of funds from Department of Agriculture, Spotted Lanternfly Program in the amount of \$ 15,000.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-336-23**

CONSENT AGENDA

RESOLUTION BY: COUNCILWOMAN PELLEGRINE

SECONDED BY: COUNCILMAN FASOLO

APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmwood Park of the County of Bergen, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$39,861.74, which is now available from State of New Jersey, Solid Waste Administration. Clean Community Grant in the amount of\$ 39,861.74

BE IT FURTHER RESOLVED, that the like sum of\$ 39,861.74 is hereby appropriated under the caption Clean Community Grant and;

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey, Solid Waste Administration, Clean Community Grant in the amount of\$ 39,861.74.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-337-23**

CONSENT AGENDA

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

APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmwood Park of the County of Bergen, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$41,800, which is now available from The State of New Jersey, Lead Base Paint Grant in the amount of \$41,800.

BE IT FURTHER RESOLVED, that the like sum of \$41,800 is hereby appropriated under the caption The State of New Jersey, Lead Base Paint Grant;

BE IT FURTHER RESOLVED that the above is the result of funds from The State of New Jersey, Lead Base Paint Grant \$41,800.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-338-23**

CONSENT AGENDA

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

APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmwood Park of the County of Bergen, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$14,000, which is now available from Division of Highway Traffic Safety, DDEF in the amount of \$14,000.

BE IT FURTHER RESOLVED, that the like sum of \$14,000 is hereby appropriated under the caption Division of Highway Safety, DDEF

BE IT FURTHER RESOLVED that the above is the result of funds from Division of Highway Traffic Safety in the amount of \$14,000.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-339-23**

CONSENT AGENDA

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

APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the Insertion of any special Item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Elmwood Park of the County of Bergen, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$ 41,800, which is now available from The State of New Jersey, Lead Base Paint Grant in the amount of \$41,800.

BE IT FURTHER RESOLVED, that the like sum of \$41,800 is hereby appropriated under the caption The State of New Jersey, Lead Base Paint Grant;

BE IT FURTHER RESOLVED that the above is the result of funds from The State of New Jersey, Lead Base Paint Grant \$41,800.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-340-23**

CONSENT AGENDA

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

AUTHORIZE VOIDING OF STALE CHECKS

WHEREAS, the Chief Financial Officer has reviewed all stale checks issued within the past 12 months, and has determined that these checks issued are no longer cashable and;

WHEREAS, the following Checks shall be deemed stale and recorded as miscellaneous revenue not anticipated and;

WHEREAS, said list, shall be removed from the Chief Financial Officer's Official Bank Reconciliations as follows:

Current Fund Amount	Check#	Date
640.87	85130	4/1/2022
5,918.00	86012	9/15/2022
6558.87 Total		
Trust Fund		
24.50	20706	4/21/2022
24.50	20719	5/19/2022
24.50	20733	5/19/2022
73.50 Total Trust Fund		
Escrow		
316.00	2608	1/20/2023
Payroll Net		
106.79	19189	3/18/2022
96.39	19354	6/10/2022
159.36	19904	12/23/2022
\$362.54 Total Net		

NOW THEREFORE BE IT RESOLVED that the Mayor and Council authorize and confirm that the enclosed checks are hereby considered voided.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

 Shanee Morris, CMR
 Acting Borough Clerk

 Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-341-23**

CONSENT AGENDA

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

APPROVE BLOCK PARTY REQUEST

WHEREAS, the residents of Parkview Avenue have requested to conduct a block party as follows:

Date: September 9th, 2023
Time: 3PM – 9PM
Road Closure: Parkview Avenue between Columbia & Willow

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works will be notified to deliver barricades the Friday before said scheduled date to be used to close the portions of the streets listed above; and

BE IT FURTHER RESOLVED, that the Police Department, Fire Department and Ambulance Corps. also be notified of the roadway closings.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-342-23**

CONSENT AGENDA

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

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-306-23 through R-342-23 be and are hereby approved and the **proper** officers are directed to take necessary action on same.

APPROVED: August 17, 2023

Robert Colletti, Mayor

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				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 17th day of August 2023. Signed and sealed before me.

Shanee Morris, CMR
Acting Borough Clerk

Dated

COMMITTEE REPORTS

Councilwoman Dennis congratulated all the volunteers from stranger helping strangers and Syeira. She then stated National Night Out and biking on the Boulevard were both great events. Lastly, she shared a great job to the Chief and Staff for the Junior Police Academy.

Councilman Fasolo commended National Night Out and the Junior Police Academy. Lastly he announced the upcoming Village Block Party event.

Councilman Golabek reported progress.

Councilwoman Pellegrine gave her Board of Health update by announcing the upcoming events and the next meeting. For her Chambers of Commerce update she thanked all who attended the meeting.

Councilwoman Sheridan announced the upcoming casino trip that is being given by the Home Owners Association.

Council President Balistrieri stated National Night Out was beautiful and very positive. She is proud of the Police Department as it continues to grow. She then thanked the Chief and Police department for all of the events they are hosting. Lastly, she announced the date for Community Day and made a suggestion to Councilwoman Sheridan to have a table set up at the concerts to raise money.

Mayor Colletti stated the concert series have been very successful.

PUBLIC COMMENT

A motion was made by Councilwoman Pellegrine and seconded by Councilman Golabek to open the floor for public comment. Motion carried unanimously.

Kenney asked why the cops did not help direct traffic with flag raising. He then shared the fighter from town was injured. Lastly, he asked the Chief of Police if he knew the Army was in town.

Jeffery Freitag asked for clarification on the number of Cannabis licenses in town. He then asked about the zones being changed from 500ft to 250ft. He asked about the advertising for the Cannabis meetings. He also asked about the engineer fee for the salt shed. Lastly he asked about the payment to one of the Police Chaplains.

A motion was made by Councilman Fasolo and seconded by Councilwoman Pellegrine to enter into executive session. Motion carried by the members present.

EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Litigation/Legal Reports

Personnel

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

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

Respectfully submitted,

Shanee Morris, CMR
Acting Borough Clerk