

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON JANUARY 20, 2010**

A Regular Meeting of the Municipal Council of the Borough of Woodland Park was held in the Council Chambers in the Municipal Building, 5 Brophy Lane, on January 20, 2010 and was called to order by Mayor Pat Lepore at 7:05 p.m.

Present: Council President Kazmark, Councilman DiDomenico,
Councilman Spinelli, Councilwoman Gatti, Councilman Vargas
and Mayor Lepore

Absent: Councilwoman Pascrell

Albert Buglione, Municipal Attorney, was present.

The Mayor stated in accordance with the Open Public Meetings Law P.L. 1975 c.231, notice requirements for this meeting were set forth in the resolution adopted by the Municipal Council at the Reorganization Meeting of January 6, 2010 detailing the time and place, with notice given to the public by posting a copy thereof on the bulletin board in the Municipal Building and transmitting copies to the Mayor, members of the Council, Officers and to The Herald News.

PRESENTATIONS:

The Mayor and Council President Kazmark presented certificates to the West Paterson Boys Club Panthers Football Teams A, C and D, for winning the annual Mayor's Trophy Football Games.

PUBLIC HEARINGS:

Mayor Lepore opened the meeting to the public and asked if anyone wished to be heard.

Bob Dicker, 10 Zircon Way, spoke to the Mayor and Council regarding his efforts to get Woodland Park their own zip code.

Don Bender, 34 West 36th Street, also spoke with regard to the zip code situation.

There being no one wishing to be heard, the Public Hearing was closed.

The Mayor thanked Mr. Dicker for his participation in the effort to get Woodland Park their own zip code. Council President Kazmark told everyone that we would be adding the zip code situation to the Administration & Finance Committee agenda. The Mayor told everyone that he would do whatever is necessary to help Mr. Dicker in his efforts. He asked everyone to document any problems which they are having with their mail due to the fact that we share a zip code with Little Falls.

CONFERENCE COMMITTEE REPORTS:

- A. Administration/Finance-Councilwoman Pascrell was absent.
- B. Buildings & Grounds/Public Works-Councilwoman Gatti had no report at this time.
- C. Public Safety-Councilman DiDomenico had no report at this time.
- D. Health/Senior Services-Councilman Spinelli announced that the Senior Citizen Annual Valentine's Day Dance will be held on February 13, 2010 at the Boys & Girls Club. He also announced that the income tax preparers will

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be in Totowa to help any seniors with their income tax returns. Councilman Spinelli told the Mayor that the senior citizens are very pleased with how clean the Boys & Girls Club is now kept.

Recreation/Community Relations-Council President Kazmark stated that the Recreation Committee is working on the geese issue at Zaccaria Park. He stated that he would be acknowledging various businesses in town, that have been very generous to the recreation program over the last few years, at a future council meeting. Councilman DiDomenico told the Mayor and Council that Tom and Debbie Summa, of Overmount Avenue, have decided to pay for new shoulder patches for the Woodland Park Police Department in an effort to “heal any riff within the Borough after the name change issue”. He stated that after the patches come in, he would like to have the Summas come to a future council meeting to be recognized.

E. Laws/Ordinances-Councilman Vargas stated that the committee met today and would be introducing an ordinance for new Board of Health fees at the February 3, 2010 meeting.

The Mayor acknowledged Bruno Nicosia who is our new part-time custodian at the Boys & Girls Club and told everyone that he has been receiving compliments on how clean the Boys & Girls Club has been.

MAYOR’S REPORT:

The Mayor reported that the Borough is still working on the Budget as well as the State of the Borough report which he would like to deliver simultaneously in the near future. He stated that Zaccaria Park is coming along with regard to the installation of the pavilion. He anticipates the pavilion being ready for this year’s summer camp. The Mayor reported that we are close to completing the creation of Dowling Gardens. He stated that the final project is the installation of a fountain in the front of the park. The Mayor spoke about the flyer that the Borough sent out with regard to trash and recycle pick up. He stated that everyone in the Borough had one sent to them, but was told that there were residents who did not receive one. He assured the public that they were sent to all residents, but apparently, they were not delivered by the post office.

MUNICIPAL ATTORNEY’S REPORT:

Mr. Buglione had no report at this time.

CONSENT AGENDA:

All matters listed under the Consent Agenda are considered to be routine by the Council and will be enacted by one resolution. The items listed herein will be acted upon after having been read. Any item may be removed from the Consent Agenda by the request of any member of the Mayor and Council, and if so removed, will be acted upon as a separate matter.

- A. Resolution R10-27, a resolution approving the application of Michael A. Adis, 101 Maple Avenue, Woodland Park to become a West Paterson Junior Firefighter based on the recommendation of Chief Paul Salomone.**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Michael A. Adis, 101 Maple Avenue, Woodland Park, New Jersey and is seeking approval to become a West Paterson Junior Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Michael A. Adis to become a West Paterson Junior Volunteer Firefighter.

B. Resolution R10-28, a resolution authorizing the return of \$60.00 to Lombardo Environmental, Inc., 380 N. Midland Avenue, Saddle Brook, New Jersey representing a refund for a Construction Permit issued on April 28, 2009 by Felix Esposito, Woodland Park Code Official.

WHEREAS, the Mayor and Council are in receipt of a copy of a Construction Permit given to Lombardo Environmental, Inc. on April 28, 2009 by Felix Esposito, Woodland Park Code Enforcement Officer; and

WHEREAS, Lombardo Environmental, Inc. indicated by correspondence dated January 7, 2010, that his customer cancelled a job with their company and, therefore, would not be needing said permit; and

WHEREAS, Lombardo Environmental, Inc. is requesting that the fee for the Construction Permit, in the amount of \$60.00, be returned to them;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, that the Construction Permit fee in the amount of \$60.00 be returned to Lombardo Environmental, Inc., 380 N. Midland Avenue, Saddle Brook, New Jersey.

C. Resolution R10-29, a resolution approving the application of Samuel S. and Jessie V. Reda, 95 Newby Avenue, Woodland Park, New Jersey and authorizing the Department of Public Works to install a handicapped parking sign, for their use only, in front of their premises known as 95 Newby Avenue.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey adopted Ordinance 08-11, on September 3, 2008, permitting disabled residents of the Borough of Woodland Park to apply for a handicapped parking space in the front of their residences; and

WHEREAS, Samuel S. Reda, on behalf of Jessie V. Reda, 95 Newby Avenue, has applied to the Borough Clerk's Office for such handicapped parking and has complied with all terms of Ordinance 08-11; and

WHEREAS, an investigation was done by the Woodland Park Police Department and has been approved by Sgt. J. O'Brien;

NOW BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby approve Samuel S. Reda's application and gives authorization to have a restricted parking zone, with handicapped signs, placed in the front of 95 Newby Avenue for the exclusive use of Samuel and Jessie Reda.

D. Resolution R10-30, a resolution endorsing a Shared Services Agreement with the Township of Little Falls and the Borough of Totowa with regard to an emergency notification system with Verizon Business Network for the services listed in the attached Agreement.

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WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, in conjunction with the Township of Little Falls and the Borough of Totowa (participating communities) desires to secure a database from Verizon Business Network Services, Inc., (Verizon) for the purposes of implementing an emergency notification system for each participating community; and

WHEREAS, the participating communities have a common interest in securing the safety, health and welfare of their residents and are desirous of seeking a cost-effective manner of securing the database necessary for the implementation of the emergency notification system; and

WHEREAS, N.J.S.A. 40A:65-1, et seq., the Shared Services and Consolidations Act, provides a mechanism for making such contracts between public agencies; and

WHEREAS, the initial cost of this database shall be \$1,435.82, split three ways (\$478.54 each) amongst the three participating communities; and

WHEREAS, thereafter and on an annual basis, the Township of Little Falls shall make direct payment to Verizon for the annual update of the database which shall be available to the participating communities; and

WHEREAS, commencing with year one (1), the respective participating communities shall rotate responsibility for the cost of the annual update with Woodland Park taking responsibility for the cost in year two (2), Totowa in year three (3), Little Falls in year four (4), etc.; and

WHEREAS, each participating community shall be individually responsible for securing the emergency notification services for its community from a third party vendor who will utilize this database;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby agree to enter into a Shared Services Agreement with the Township of Little Falls and the Borough of Totowa for the purchase of a database from Verizon Business Network Services, Inc., to be used for the implementation of an emergency notification system for each participating community, at an initial cost to the Borough of \$478.54 and an estimated cost of \$393.00, once every three years; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Lepore to execute the Shared Service Agreement on behalf of the Borough of Woodland Park.

E. Resolution R10-31, a resolution approving the application for a license to operate a used motor vehicle dealership by Mercury Auto Sales, LLC, 575 McBride Avenue, Woodland Park.

WHEREAS, the Mayor and Council are in receipt of an application for a license to operate a used motor vehicle dealership by Mercury Auto Sales LLC, 575 McBride Ave., Woodland Park, New Jersey, owned by Cosmo D'Ovidio; and

WHEREAS, Mercury Auto Sales, LLC has submitted an application in accordance with Chapter VII of the Revised General Ordinances of the Borough of Woodland Park dated 1972 and Amendments thereto; and

WHEREAS, Detective John Uzzalino and Felix Esposito, Construction Code Official, have completed their investigations and have approved said application;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the information provided, hereby approves the application of Mercury Auto Sales, LLC to

operate a used motor vehicle dealership with the stipulation that all rules and regulations, as stated in Section 7-8.7, specifically 7-8.7c; 7-8.7e and 7-8.7i of the Ordinances of the Borough of Woodland Park, are complied with.

F. Resolution R10-32, a resolution approving the application of Javier A. Lopez, 314 Berkshire Avenue, Paterson to become a West Paterson Firefighter based on the recommendation of Chief Paul Salomone.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Javier A. Lopez, 314 Berkshire Avenue, Paterson, New Jersey and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Javier A. Lopez to become a West Paterson Volunteer Firefighter.

G. Resolution R10-33, a resolution approving the application of Katherine Goyeneche, 3 Sunset Drive, Woodland Park to become a West Paterson Firefighter based on the recommendation of Chief Paul Salomone.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Katherine Goyeneche, 3 Sunset Drive, Woodland Park, New Jersey and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Katherine Goyeneche to become a West Paterson Volunteer Firefighter.

H. Resolution R10-34, a resolution authorizing Immaculate Heart of Mary Parish, 580 Ratzer Road, Wayne, New Jersey to conduct a Tricky Tray and an On-Premise 50/50 Raffle on March 4, 2010 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey at 6:00 p.m.

WHEREAS; Immaculate Heart of Mary Parish, 580 Ratzer Road, Wayne, New Jersey, is seeking approval to conduct a Tricky Tray and an On-Premise 50/50 Raffle on March 4, 2010 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey at 6:00 p.m.; and

WHEREAS; the applicant has filed application with Legalized Games of Chance under the state of New Jersey; Regulations (N.J.A.C.13:47-6.4) as well as the Municipal Clerk's office of the Borough of Woodland Park; and

NOW BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby give authorization to Immaculate Heart of Mary Parish, 580 Ratzer Road, Wayne, New Jersey, to conduct a

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Tricky Tray and an On-Premise 50/50 Raffle on March 4, 2010 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey at 6:00 p.m.

I. Resolution R10-35, a resolution authorizing Passaic County Vision 20/20, Inc. to hold the Passaic County Fair at the Garret Mountain Reservation, Woodland Park, New Jersey from July 14, 2010 through July 18, 2010 with the hours of operation from 10:00 a.m. to midnight.

WHEREAS, the Mayor and Council are in receipt of a letter from Pat DiIanni, Esq., attorney for Vision 20/20, Inc., requesting permission to hold the Passaic County Fair on the Garret Mountain Reservation from July 14, 2010 through July 18, 2010 from 10:00 a.m. until midnight; and

WHEREAS, a copy of said letter has been forwarded to the Chief of Police, the Fire Department and the Department of Public Works;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey authorizes Passaic County Vision 20/20 Inc. to hold the Passaic County Fair at the Garret Mountain Reservation, Woodland Park, New Jersey from July 14, 2010 through July 18, 2010 with the hours of operation from 10:00 am to midnight.

J. Resolution R10-36, a resolution directing the appropriate administration staff to refund the amount of \$1,546.50 to Nazareno Salvaterra, 1209 Brittany Drive, Wayne, New Jersey representing the balance of his escrow account associated with the sub-division of his property.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are in receipt of a request from Nazareno Salvaterra, 1209 Brittany Drive, Wayne, New Jersey for a refund of the balance of his escrow account associated with the sub-division of his property; and

WHEREAS, the Mayor and Council are in receipt of a recommendation from Felix Esposito, Code Enforcement Officer, acknowledging that the work associated with the sub-division has been satisfactorily completed;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby direct the appropriate administration staff to refund the amount of \$1,546.50 to Nazareno Salvaterra, 1209 Brittany Drive, Wayne, New Jersey.

K. Resolution R10-37, a resolution approving the application of Savino A. Balducci, 880 Rifle Camp Road, Woodland Park to become a West Paterson Firefighter based on the recommendation of Chief Paul Salomone.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Savino A. Balducci, 880 Rifle Camp Road, Woodland Park, New Jersey and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Savino A. Balducci to become a West Paterson Volunteer Firefighter.

L. Resolution R10-38, a resolution to approve the actions noted in the Consent Agenda, items A. through K., be and are hereby approved and the proper officers are directed to take necessary action on same.

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodland Park, that the actions noted in the Consent Agenda, items A. through K. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Upon Motion made by Council President Kazmark, seconded by Councilman DiDomenico and unanimously passed on roll call vote, Resolution R10-30 was tabled for further discussion.

Upon Motion made by Councilman Spinelli and seconded by Councilman DiDomenico, excluding Item D. and with an abstention on Item E. by Councilman DiDomenico, the foregoing resolution was unanimously passed on roll call vote.

COLLECTOR/TREASURER REPORT:

CFO, Frederick J. Tompkins recommends authorization for payment:

Upon Motion made by Councilwoman Gatti, seconded by Council President Kazmark and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 01/15/10 totaling \$2,275,748.41.

DEPARTMENT REPORTS:

1. Police Reports for December, 2009.
2. Fire Department Report for 2009 Activity & Resource Usage.
3. Fire Prevention Report for December, 2009 & year ending report for 2009.
4. Senior Bus Usage Report for December, 2009.
5. Planning Board Minutes for December 7, 2009.
6. Animal Control Reports for July through December, 2009.
7. Finance Department - Summary Budget Status Report for 01/15/10.

OLD BUSINESS:

Public Hearing on Ordinance No. 10-01, an Ordinance amending Chapter II, Article V, Section 2.6 (Boards and Commissions) of the Revised General Ordinances of the Borough of Woodland Park (formerly West Paterson), adopted December 29, 1972, as amended, and abolishing the positions of DPW Commissioner, Senior Citizen Commissioner and Board of Recreation Commissioner established under Ordinance 99-14, adopted June 16, 1999.

Upon a Motion made by Councilwoman Gatti, seconded by Councilman Vargas and passed on roll call vote, a public hearing was opened on Ordinance No. 10-01.

With no one wishing to be heard, upon a Motion made by Council President Kazmark, seconded by Councilwoman Gatti and passed on roll call vote, the public hearing was closed.

Resolution R10-26 Adoption of Ordinance 10-01 by the Mayor and Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey desires to adopt an ordinance amending Chapter II, Article V, Section 2.6 (Boards and Commissions) of the Revised General Ordinances of the Borough of Woodland Park (formerly West Paterson), adopted December 29, 1972, as amended, and abolishing the positions of DPW Commissioner, Senior Citizen Commissioner and Board of Recreation Commissioner established under Ordinance 99-14, adopted June 16, 1999; and

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WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated January 12, 2010, setting the date of January 20, 2010 for the public hearing and consideration for final passage; and

WHEREAS, a copy of the ordinance was posted on the Borough's official bulletin board and copies were made available to all those desiring same; and

WHEREAS, in compliance with State Statute, a public hearing on the above referenced ordinance was conducted on January 6, 2010 at the reorganization meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled Ordinance 10-01 an ordinance amending Chapter II, Article V, Section 2.6 (Boards and Commissions) of the Revised General Ordinances of the Borough of Woodland Park (formerly West Paterson), adopted December 29, 1972, as amended, and abolishing the positions of DPW Commissioner, Senior Citizen Commissioner and Board of Recreation Commissioner established under Ordinance 99-14, adopted June 16, 1999 be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk be and he is hereby authorized and directed to publish said Ordinances according to law.

By a Motion made by Councilman Spinelli, seconded by Councilman DiDomenico and passed unanimously by roll call vote, Ordinance 10-01 was adopted.

Said Ordinance 10-01 has been written out in the Minutes of the January 6, 2010 meeting.

There being no further business to come before the Council, upon Motion by Councilman DiDomenico, seconded by Council President Kazmark and unanimously passed on roll call vote, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Nancy Ferrigno
Deputy Municipal Clerk

Pat Lepore
Mayor