

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON NOVEMBER 3, 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 November 3, 2010 and was called to order by Mayor Pat Lepore at 7:05 p.m.

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

Absent: None

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.

PUBLIC HEARINGS:

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

Ruth Patterson, 229 New Street congratulated all the winners of the 2010 General Election. She explained to the Mayor and Council that she had worked at 5th District on Election Day at Memorial School and told them that she feels that there are too many residents in that district. She feels that we should either split the 5th District or add another district to the Borough.

Don Bender, 34 West 36th Street, spoke about the fact that, in his opinion, the zip code situation should not be a dead issue. He also wondered why we have never built a Community Center which was promised many years ago. He spoke with regard to the traffic situation on the Squirrelwood Road exit of Route 80 stating that traffic from Glover Avenue is still backing up on the highway. He suggested that the Mayor make Glover Avenue two lanes heading west.

Desai Sanjay, 186 Mt. Pleasant Avenue complained that the next council meeting is being held on the day before Thanksgiving. He told the Mayor and Council that he feels making Memorial Drive a one-way is a mistake and gave his reasons why. Mr. Desai stated that he, and his culture, were insulted by the way he was addressed by political candidates visiting his home during the campaign.

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

The Mayor addressed Ruth Patterson by stating that he is aware that District 5 is overpopulated. Mr. Galland explained that he had, in fact, already contacted the county to create an additional district to ease the congestion at District 5. Federal Statute states that no redistricting will take place right before a census. With the approval of the Four Seasons Complex and the County, Mr. Galland stated that we would continue our efforts to obtain an additional district at the Four Seasons Complex. The Mayor explained to Mr. Bender that he feels the zip code issue is a dead issue because of the correspondence that he received from the United States Post Office stating that they would not support our quest for a new zip code. The Mayor stated that he had planned on building a Community Center many years ago, but there were other issues that came up and he had to prioritize what needed to be done. He stated that in these economic times, a Community Center was not high on his priority list. The Mayor told Mr. Bender that he

does not have the authority to make Glover Avenue two lanes heading west and that there is no way of alleviating the traffic situation. The Mayor told Mr. Desai, with regard to the council meeting on November 24th, that the schedule of meetings was set in January and that his concerns should have been brought forth at that time. Councilman DiDomenico stated that the meeting has been the day before Thanksgiving for the last ten years. Council President Kazmark clarified to Mr. Desai that the political candidates meant no disrespect to him or his culture.

MINUTES:

Upon Motion by Councilwoman Gatti, seconded by Councilwoman Pascrell, and passed on roll call vote, with abstentions by Councilman Vargas and Mayor Lepore, the Minutes of the Regular Meeting of October 20, 2010 were approved as submitted.

CONFERENCE COMMITTEE REPORTS:

- A. Administration/Finance-Councilwoman Pascrell had no report at this time.
- B. Buildings & Grounds/Public Works-Councilwoman Gatti had no report at this time.
- C. Public Safety-Councilman DiDomenico stated that the committee met with the second of the two vendors who offer the red light camera services. He stated that Mr. Galland will be contacting the two vendors to give us a demonstration of these cameras.
- D. Health/Senior Services-Councilman Spinelli stated that Flu Clinic was a success.
- E. Recreation/Community Relations-Council President Kazmark stated that the Halloween Parade was a success. He thanked Amy Pellegrini and the Ladies Auxiliary for organizing this event.
- F. Laws/Ordinances-Councilman Vargas had no report at this time.

MAYOR'S REPORT:

The Mayor reported on the progress of the West Paterson Boys & Girls Club renovations. He anticipates the renovations being done in approximately three weeks. The Mayor announced that the police department is getting very aggressive in giving out summonses to anyone breaking any traffic laws in the Borough. He also spoke about the amount and the size of the campaign signs that were displayed during the 2010 election season. He stated that some of the signs were too big and there is an ordinance in place and the signs clearly violated that ordinance.

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 R10-298, a resolution authorizing the Woodland Park Department of Public Works to cut grass, trim bushes and weeds and continue to maintain property known as 8 West 35th Street and to submit an invoice to the Woodland 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.**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey have been notified by Felix Esposito, the Borough's Construction Code Officer, that the property identified as 8 West 35th Street within the Borough is not being maintained in accordance with the Borough's Property Maintenance Ordinances; and

WHEREAS; it has come to the attention of the Construction Code Officer that the owner of the property is County Wide Bank and numerous attempts have been made since July 30, 2010, to contact the owner and have them maintain the property to no avail;

NOW, THEREFORE, 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 the Woodland Park Department of Public Works to:

1. Cut the grass and trim bushes and weeds and continue to maintain property whenever the height of the grass violates the Borough's Property Maintenance Ordinance

and to submit an invoice to the Woodland 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.

B. Resolution R10-299, a resolution approving the application of Ruth Kaps, and authorizing the Department of Public Works to install a handicapped parking sign, for her use only, in front of her premises known as 12 Meriline Avenue, Woodland Park.

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, Ruth Kaps, 12 Meriline 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 Ruth Kaps' application and gives authorization to have a restricted parking zone, with handicapped signs, placed in the front of 12 Meriline Avenue, Woodland Park for the exclusive use of Ruth Kaps.

C. Resolution R10-303, a resolution authorizing the Knights of Columbus Council 240, 623 McBride Avenue, to hold a Can Shake Fundraiser on April 29 through May 1, 2011 at the intersections of McBride and Glover Avenues and Lackawanna and McBride Avenues subject to the conditions set forth in said resolution.

WHEREAS, the Knights of Columbus Council 240 have requested permission to conduct a Can Shake Fundraiser on April 29 through May 1, 2011, in order to collect voluntary contributions for mentally disabled persons in our community; and

WHEREAS, the Knights of Columbus has requested that this activity be held at the intersections of McBride Avenue and Glover Avenue as well as McBride Avenue and Lackawanna Avenue; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park fully support the dedicated efforts of the Knights of Columbus in all of their activities and recognize the need to periodically solicit contributions from the public;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park authorizes the Knights of Columbus Council 240 to conduct a Can Shake fundraiser on April 29 through May 1, 2011, at the intersections of McBride and Glover Avenues and Lackawanna Ave. and McBride Avenues.

BE IT FURTHER RESOLVED, that this acknowledgement is conditioned on the following:

1. That no one under the age of eighteen (18) be permitted to solicit funds on any public street or from any person in/on a vehicle on a public street; and
2. That safety measures (clothing/jackets with reflective material/tape, traffic cones, barriers, etc.) be utilized to warn drivers of pedestrian activity in the road to protect the solicitors.
3. With regard to solicitations at the intersection of McBride and Glover Avenues, solicitations are prohibited on Glover Avenue east of McBride Avenue.

D. Resolution R10-304, a resolution authorizing the Tax Collector of the Borough of Woodland Park to return the total of \$2,098.25 for the redemption payment of a lien and premium to Stonefield Investment Fund, 21 Robert Pitt Drive, Monsey, New York and to adjust the books and records accordingly.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey have been informed by the Tax Collector of the Borough of Woodland Park that a lien redemption for taxes, in the amount of \$1,798.25 was made on November 2, 2010; and

WHEREAS, the redemption certificate has been received in the Tax Office and, therefore, the amount of \$1,798.25 is to be returned to the lien holder, Stonefield Investment Fund, 21 Robert Pitt Drive, Monsey, New York; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested a lien redemption of said payment to be made to Stonefield Investment Fund;

WHEREAS, a premium of \$300.00 had also been made by R. Rothman which is to be returned;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to return the total of \$2,098.25 for the redemption payment of the lien and premium; and

BE IT FURTHER RESOLVED that the books and records of the Tax Collector will be adjusted accordingly.

E. Resolution R10-305, a resolution to approve the actions noted in the Consent Agenda, items A. through D., 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 D. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Councilman DiDomenico clarified a minor discrepancy on the Handicapped Parking Investigation Report. With regard to Resolution R10-298, he asked if there was a set fee from the DPW to perform the work set forth in said resolution. Mr. Galland told him that there was, in fact, a standard list setting these types of fees.

Upon Motion made by Councilman Spinelli, and seconded by Councilwoman Gatti, the foregoing resolution was unanimously adopted on roll call vote.

COLLECTOR/TREASURER REPORT:

CFO, Frederick J. Tompkins recommends authorization for payment:

Upon Motion made by Councilwoman Pascrell, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Council confirmed the payment of the 11/15/10 and 11/30/10 regular and miscellaneous payrolls estimated at \$190,000.00 each.

Upon Motion made by Councilwoman Pascrell, seconded by Councilman Spinelli and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 10/29/10 totaling \$4,146,228.58.

DEPARTMENT REPORTS:

1. Board of Adjustment Minutes for September 27, 2010.
2. Resolutions of Memorialization for Bd. of Adj. (3)
3. Finance Department - Summary Budget Status Report for 10/29/10.

NEW BUSINESS:

- A. Resolution R10-301 - Introduction of Ordinance 10-09 an ordinance to restrict parking in front of premises known as 1030 McBride Avenue to create a no-parking zone.**

BE IT RESOLVED; that the ordinance entitled: **AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE," TO PROHIBIT PARKING ALONG THE FRONTAGE OF 1030 MCBRIDE AVENUE LISTED IN THE TAX MAP AS BLOCK 99.90 AND LOTS 1030, 1034 AND 1040** heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 24th day of November, 2010, at 6:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ORDINANCE 10-09

AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE," TO PROHIBIT PARKING ALONG THE FRONTAGE OF 1030 MCBRIDE AVENUE LISTED IN THE TAX MAP AS BLOCK 99.90 AND LOTS 1030, 1034 AND 1040.

WHEREAS, the Borough of Woodland Park hereby adopts this ordinance, to amend Chapter XI of the Ordinances as to the Borough of Woodland Park, which are also known as the Traffic Ordinances.

Specifically through this Ordinance, vehicles will no longer be permitted to park on the street in front of the properties located at 1030 McBride Avenue, which are listed in the Borough Tax Map as Block 99.901, Lots 1030, 1034 and 1040.

WHEREAS, all other provisions of the Woodland Park Traffic Ordinances, and New Jersey State Statutes regarding parking, will still be in full effect, and are not hereby amended.

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

- I.** Chapter XI of the Ordinances of the Borough of Woodland Park, which are known as the Traffic Ordinances, which allow parking on the street in the area of 1030 McBride Avenue in front of Block 99.901, Lots 1030, 1034 and 1040 are hereby amended, as follows:

“Parking will no longer be permitted or allowed on the street in the area of 1030 McBride Avenue in front of Block 99.901, Lots 1030, 1034 and 1040, which shall include 5 feet west of the said location.”

VIOLATION:

Any motor vehicle operator who violates the provisions of this Ordinance will be fined Sixty (\$60.00) Dollars.

If any motor vehicle operator is found to have violated this Ordinance and refuses to pay the same, his or her driving privileges may be suspended by a Court of competent jurisdiction.

- II.** All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
- III.** If any section, paragraph, subdivision or provision of the subsection shall be adjudged invalid, such adjudication shall apply only to the paragraph, subdivision clause or provision so adjudged and the remainder of the subsection shall be deemed valid and effective.

Councilwoman Gatti asked if the two houses that were on this property would be demolished. The Mayor advised her that that is the plan.

Upon Motion made by Councilman DiDomenico, and seconded by Councilman Vargas, the foregoing resolution was unanimously adopted on roll call vote.

- B. Resolution R10-302, Introduction of Ordinance 10-10 an ordinance to restrict traffic on Memorial Drive and to convert Memorial Drive into a one-way street with parking restrictions.**

BE IT RESOLVED; that the ordinance entitled: **AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE “TRAFFIC ORDINANCE,” TO CREATE A ONE WAY STREET (WEST TO EAST) ON MEMORIAL DRIVE BETWEEN MCBRIDE AVENUE AND LACKAWANNA AVENUE WHILE SCHOOL IS IN SESSION AND TO PROHIBIT PARKING ON THE SOUTH SIDE OF MEMORIAL DRIVE WHILE SCHOOL IS IN SESSION** heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 24th day of November, 2010, at 6:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ORDINANCE No. 10-10

AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE," TO CREATE A ONE WAY STREET (WEST TO EAST) ON MEMORIAL DRIVE BETWEEN MCBRIDE AVENUE AND LACKAWANNA AVENUE WHILE SCHOOL IS IN SESSION AND TO PROHIBIT PARKING ON THE SOUTH SIDE OF MEMORIAL DRIVE WHILE SCHOOL IS IN SESSION

WHEREAS, the Borough of Woodland Park hereby adopts this ordinance, to amend Chapter XI of the Ordinances as to the Borough of Woodland Park, which are also known as the Traffic Ordinances.

Specifically through this Ordinance, the Borough seeks to accomplish the following:

1. Create a one way flow of traffic heading West to East on Memorial Drive from McBride Avenue to Lackawanna Avenue during the hours of 7:00 a.m. to 4:00 p.m. while school is in session; and
2. Prohibit parking on Memorial Drive along the South curb line West to East for a distance of 485 feet starting at the intersection of McBride Avenue and Memorial Drive. In addition, along this same curb line there will be an additional drop off and pick up zone for a distance of 300 feet. This prohibition shall be in effect during the hours of 7:00 a.m. to 4:00 p.m. while school is in session.

WHEREAS, it is hereby acknowledged that the creation of the One Way Flow of Traffic will increase efficiency, provide maximum parking and direct emergency responders.

WHEREAS, all other provisions of the Woodland Park Traffic Ordinances, and New Jersey State Statutes regarding parking, will still be in full effect, and are not hereby amended.

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

- I. Chapter XI of the Ordinances of the Borough of Woodland Park, which are known as the Traffic Ordinances, are hereby amended, as follows:

Prohibit parking on Memorial Drive along the South curb line West to East for a distance of 485 feet starting at the intersection of McBride Avenue and Memorial Drive. In addition, along this same curb line, there will be an additional drop off and pick up zone for a distance of 300 feet. This prohibition shall be during the hours of 7 a.m. to 4 p.m. while school is in session.

A one way flow of traffic will be created heading West to East on Memorial Drive from McBride Avenue to Lackawanna Avenue during the hours of 7 a.m. to 4 p.m. while school is in session.

"The drop off and pick up zone shall be in effect during all arrival and dismissal times while Beatrice Gilmore School is in session."

TOW AWAY ZONE:

The areas specified under this Ordinance will be designated a tow away zone by the Woodland Park Police Department. Any vehicles parked within these areas during the specified times while school is in session will be subject to towing by the Police Department. In the event a vehicle is towed, any fees incurred in connection with the towing process will be the responsibility of the registered owner of the offending vehicle.

VIOLATION:

Any motor vehicle operator who violates the provisions of this Ordinance will be fined Sixty (\$60.00) Dollars.

If any motor vehicle operator is found to have violated this Ordinance and refuses to pay the same, his or her driving privileges may be suspended by a Court of competent jurisdiction.

IV. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

V. If any section, paragraph, subdivision or provision of the subsection shall be adjudged invalid, such adjudication shall apply only to the paragraph, subdivision clause or provision so adjudged and the remainder of the subsection shall be deemed valid and effective.

Councilman Spinelli stated that he has a few concerns regarding this ordinance and would like to set up a Special Meeting of the Mayor and Council to discuss the same so that this ordinance could be adopted at the next Regular Meeting. A special Meeting was set up for November 8, 2010 at 6:00 p.m. to discuss all three ordinances; two of which were introduced tonight and another that Mr. Buglione drew up but was not introduced at this meeting.

Upon Motion made by Councilman Vargas, and seconded by Councilman DiDomenico, the foregoing resolution was unanimously adopted on roll call vote.

There being no further business to come before the Council, upon Motion by Councilman Vargas, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Pat Lepore
Mayor