

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON AUGUST 17, 2011**

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 August 17, 2011 and was called to order by Mayor Pat Lepore at 7:10 p.m.

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

Absent: Councilman Vargas

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 5, 2011 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.

Don Bender, 34 West 36th Street, spoke regarding getting Woodland Park their own zip code, putting in crosswalks at the Glover Avenue Bridge in Totowa and asked the Mayor and Council to have rumble strips put in at the end of Mary Avenue.

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

The Mayor told Mr. Bender that, once again, there is nothing that this Mayor and Council can do regarding the zip code issue. The Mayor stated that with regard to the rumble strips that Mr. Bender requested he would not be happy having them installed because of the noise factor when a car goes over them. With regard to the Glover Avenue Bridge issue, the Mayor stated that he could not suggest that a crosswalk be placed on a street of a neighboring town. Kevin Galland read a letter to Mr. Bender from Mr. Constantine, Acting Commissioner of the Department of Banking, with regard to Mr. Bender's statement that our homeowner's insurance is higher because of the flooding in Little Falls.

MINUTES:

Upon Motion by Council President Spinelli, seconded by Councilwoman Gatti, and passed on roll call vote, the Minutes of the Regular Meeting of July 20, 2011 and the Minutes from the Executive Session of July 20, 2011 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 asked Councilman DiDomenico to comment on Buildings & Grounds. Councilman DiDomenico asked why the manhole covers on the Morris Canal Bike Path were sealed over. The Councilman stated that with regard to the handicapped curb cuts at the intersection of Overmount and Mt. Pleasant Avenue, they had to be done twice. He asked whether or not the contractor and/or T&M Engineering were paid twice for this job.

- C. Public Safety-Councilman DiDomenico told the Mayor and Council that we would be receiving a piece of steel from the Twin Towers shortly. With regard to the Public Safety meeting, Councilman DiDomenico stated that the Mayor had requested certain information from the West Paterson Fire Department. He believes that the Mayor and Council are now in receipt of Chief Salomone's response to the information requested. Apparently, the Mayor wanted to eliminate one cycle of the department's fire horns. Chief Salomone's recommendation is to keep the fire horns active at the hours which they currently are (8:00 a.m. – 7:30 p.m.). With regard to the fire pager replacement proposal, the Chief stated that forty-five (45) pagers are needed at this time, at a cost of \$486.00 each. With regard to the acquisition of a 1988 L8000 Utility Body truck donated to the Fire Department by Hoffmann LaRoche, Councilman DiDomenico stated that this truck will be used to transport personnel and equipment and has less than 3,000 miles on it. He also spoke about an internet-based dispatch system which will supplement the fire horns, the pagers and the dispatching that we have in place.
- D. Health/Senior Services-Councilman Holloway stated that the 911 Service is scheduled for September 11, 2011 at Dowling Gardens at 8:30 a.m.
- E. Recreation/Community Relations-Council President Spinelli thanked Darlene Monochello for doing a great job as Camp Director for the 2011 Summer Camp Session.
- F. Laws/Ordinances-Councilman Vargas was absent.

MAYOR'S REPORT:

The Mayor stated that he received word from residents that they were receiving letters from an insurance company to insure the water lines from residents' homes to the main line in the street. He stated that if this is something the residents want to do, it's totally up to them. He stated that the Borough had nothing to do with this. He spoke about the Morris Canal Bike Path and that it looks very attractive and work will be completed shortly. He thanked the Administrator for putting together an Employee Handbook which will be distributed to all employees shortly. The Mayor informed everyone that school will be open soon and the residents should be careful of the children walking to and from school. He stated that we will be reinstating the one-way on Memorial Drive beginning September 1, 2011. The Mayor stated that the tax bills went out and the time to pay the bills was extended until August 29, 2011. He also thanked the Municipal Alliance volunteers for their efforts with regard to the National Night Out.

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 R11-204, a resolution approving the application of Michael A. Adis, 101 Maple Avenue, Woodland Park, to become a West Paterson Volunteer 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 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 Volunteer Firefighter.

B. Resolution R11-205, a resolution authorizing the Chief of Police, in conjunction with the Borough Clerk, the Chief Financial Officer and the Director of the Department of Public Works to develop a program consistent with the requirements of Local Finance Notices 2008-9 and 2008-21 and the Local Public Contracts Law, for the online auction of surplus, abandoned, confiscated and forfeited personal property deemed by the Borough as no longer needed for public use which property is listed and attached to this resolution.

WHEREAS, Borough of Woodland Park currently utilizes an in-person public auction process to dispose of surplus, abandoned, confiscated and forfeited personal property maintained and stored by the Borough; and

WHEREAS, via the enactment by the State of New Jersey of the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c.30), the New Jersey Department of Community Affairs, Division of Local Government Services (hereinafter the "Division") was empowered to waive various provisions of the Local Public Contracts Law and Public School Contracts Law to assist local units in selling certain personal property no longer needed for public use through online auctions; and

WHEREAS, pursuant to Local Finance Notices 2008-9 and 2008-21, the Division has waived various provisions of the Local Public Contracts Law and authorized the sale of surplus, abandoned, confiscated and forfeited personal property deemed no longer needed for public use through certain pre-approved online auction services and procedures; and

WHEREAS, it is the Borough Council's ongoing desire to use the Borough's limited resources most effectively and efficiently and to reduce costs whenever possible without jeopardizing public safety, government services and the welfare of its constituents; and

WHEREAS, the use of an online auction services would enable the Borough to dispose of the Borough's personal property deemed no longer needed for public use and could in a more cost effective and timely manner, while reducing the use of Borough facilities for the storage of such property; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodland Park, that the Chief of Police, in conjunction with the Borough Clerk, Chief Financial Officer and the Director of the Department of Public Works, is hereby authorized to develop a program, consistent with the requirements of Local Finance Notices 2008-9 and 2008-21 and the Local Public Contracts Law, for the online auction of surplus, abandoned, confiscated and forfeited personal property deemed by the Borough as no longer needed for public use which property is attached hereto; and

BE IT FURTHER RESOLVED that the Chief of Police shall report back to the Borough Council with his final recommendations and otherwise to commence the implementation of the program; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

C. Resolution R11-206, a resolution transferring title of fire equipment listed in this resolution, to the West Paterson Fire Department for the sum of one (\$1.00) dollar so that this equipment may be disposed of in an appropriate manner at the discretion of the West Paterson Fire Department.

WHEREAS, the Borough of Woodland Park had purchased fire department equipment for the West Paterson Fire Department, which was utilized by the West Paterson Fire Department; and

WHEREAS, this equipment has become obsolete and has been replaced by the West Paterson Fire Department at no cost to the Borough; and

WHEREAS, this obsolete equipment is no longer needed by the West Paterson Fire Department and has minimal value;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park hereby transfer title of the below listed equipment to the West Paterson Fire Department for the sum of one dollar (\$1.00) so that this equipment may be disposed of in an appropriate manner at the discretion of the West Paterson Fire Department.

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| 1. 1 Delta Hydro hose tester Tyco/Nieder | 9. 12 bunker pants |
| 2. 36 helmets | 10. 9 bunker coats |
| 3. 32 pairs of boots | 11. 14 Scott AV 2000 masks |
| 4. 10 miscellaneous fittings | 12. 1 Stokes basket |
| 5. 12 Fireguard II pass devices | 13. 50 foot booster hose |
| 6. Ladder belt | 14. Hydraulic reel |
| 7. Miscellaneous porta power parts | 15. 4 hand tools |
| 8. 1 canvas tarp | 16. 2 cord reels |
| | 17. 4 4-way gate valves |

D. Resolution R11-207, a resolution authorizing the Borough's Qualified Purchasing Agent to issue a bid for the resurfacing of the Zaccaria Park parking lot (Bid 11-04) which was advertised in the The Record on August 9, 2011.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to secure the services of a contractor for the resurfacing of the Zaccaria Park parking lot; and

WHEREAS, funding for this project shall be provided by the Passaic County Open Space and Farmland Grant;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorizes the Borough's Qualified Purchasing Agent to issue a bid for the resurfacing of the Zaccaria Park parking lot; and

BE IT FURTHER RESOLVED, that this bid be numbered 11-04 and be advertised in The Record on August 9, 2011 in compliance with New Jersey State Statutes.

E. Resolution R11-208, a resolution authorizing the Oak View Home & School Association, 150 Garrabrant Avenue, Bloomfield, New Jersey, to conduct a Tricky Tray, an On-Premise 50/50 Raffle and an Off-Premise 50/50 Raffle on November 3, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 11:00 p.m.

WHEREAS; Oak View Home & School Association, 150 Garrabrant Avenue, Bloomfield, New Jersey, is seeking approval to conduct a Tricky Tray, an On-Premise 50/50 Raffle and an Off-Premise 50/50 Raffle on November 3, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 11:00 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 the Oak View Home & School Association, 150 Garrabrant Avenue, Bloomfield, Woodland Park, New Jersey, to conduct a Tricky Tray, an On-Premise 50/50 Raffle and an Off-Premise 50/50 Raffle on November 3, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 11:00 p.m.

F. Resolution R11-209, a resolution authorizing Memorial Home & School Association, 15 Memorial Drive, Woodland Park, New Jersey, to conduct an Off-Premise 50/50 Raffle on December 21, 2011 at Memorial School, 15 Memorial Drive, Woodland Park, New Jersey at 7:30 p.m.

WHEREAS; Memorial Home & School Association, 15 Memorial Drive, New Jersey, is seeking approval to conduct an Off-Premise 50/50 Raffle on December 21, 2011 at Memorial School, 15 Memorial Drive, Woodland Park, New Jersey at 7:30 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 the Memorial Home & School Association, 15 Memorial Drive, Woodland Park, New Jersey, to conduct an Off-Premise 50/50 Raffle on December 21, 2011 at Memorial School, 15 Memorial Drive, Woodland Park, New Jersey at 7:30 p.m.

G. Resolution R11-210, a resolution authorizing the Borough's Qualified Purchasing Agent to issue a bid for the resurfacing of Rockland Avenue (Bid 11-03) which was advertised in the Herald News on August 9, 2011.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to secure the services of a contractor for the resurfacing of Rockland Avenue; and

WHEREAS, funding for this project shall be provided by the Passaic County Community Development Block Grant;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorizes the Borough's Qualified Purchasing Agent to issue a bid for the resurfacing of Rockland Avenue; and

BE IT FURTHER RESOLVED, that this bid be numbered 11-03 and be advertised in The Herald News on August 4, 2011 in compliance with New Jersey State Statutes.

H. Resolution R11-211, a resolution authorizing Beatrice Gilmore Home & School Association to hold a carnival and On-Premise 50/50 Raffles at Levco Route 46 Associates (Pathmark parking lot) from Wednesday, September 14, 2011 through Sunday, September 18, 2011 from 6:00 p.m. until 10:00 p.m. on Wednesday, Thursday and Friday and 3:00 p.m. until 10:00 p.m. on Saturday and Sunday and also waiving the municipal portion of the raffle license fees.

WHEREAS, the Mayor and Council are in receipt of a request from Mary Ann Perro, President of the Beatrice Gilmore Home & School Association, requesting permission to hold a carnival at Levco Route 46 Associates (Pathmark parking lot) from Wednesday, September 14, 2011 through Sunday, September 18, 2011 from 6:00 p.m. until 10:00 p.m. on Wednesday, Thursday and Friday and 3:00 p.m. until 10:00 p.m. on Saturday and Sunday; and

WHEREAS, the Beatrice Gilmore Home & School Association is also seeking approval to conduct an On-Premise 50/50 Raffle on said days at said hours and that the municipal portion of the raffle license fees are hereby waived; 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

WHEREAS, a copy of a letter granting the Beatrice Gilmore Home & School Association permission to use the Pathmark parking lot to hold said carnival is attached hereto signed by Perry Frantzman, owner of said property; and

WHEREAS, the applicant agrees to abide by the regulations set forth in Ordinance No. 09-04, Crowd Control, and fees are hereby waived as the applicant is a certified non-profit organization.

WHEREAS, a copy of said letter, as well as Beatrice Gilmore HSA's request, 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 the Beatrice Gilmore Home & School Association to hold a Carnival and On-Premise 50/50 Raffles at Levco Route 46 Associates (Pathmark parking lot) from Wednesday, September 14, 2011 through Sunday, September 18, 2011 from 6:00 p.m. until 10:00 p.m. on Wednesday, Thursday and Friday and 3:00 p.m. until 10:00 p.m. on Saturday and Sunday.

I. Resolution R11-212, a resolution authorizing St. Ann's Melkite Catholic Church, 802 Rifle Camp Road, Woodland Park to hold an On-Premise 50/50 Raffle on September 11, 2011 at St. Ann's Melkite Catholic Church at 2:00 p.m.

WHEREAS; St. Ann's Melkite Catholic Church, 802 Rifle Camp Road, Woodland Park, New Jersey, is seeking approval to conduct an On-Premise 50/50 Raffle on September 11, 2011 at St. Ann's Melkite Catholic Church, 802 Rifle Camp Road, Woodland Park, New Jersey at 2:00 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 St. Ann's Melkite Catholic Church, 802 Rifle Camp Road, Woodland Park, New Jersey, to conduct

an On-Premise 50/50 Raffle on September 11, 2011 at St. Ann’s Melkite Catholic Church, 802 Rifle Camp Road, Woodland Park, New Jersey at 2:00 p.m.

J. Resolution R11-214, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2011 budget, in the sum of \$13,975.05 for the Solid Waste Administration, 2011 Recycling Tonnage Grant.

WHEREAS, N.J.S. 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 thereof was not determined at the time of the adoption of the budget, and

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

WHEREAS, the Borough of Woodland Park has received notice of an award of \$13,975.05 from the New Jersey Solid Waste Administration 2011 Recycling Tonnage Grant, and wishes to amend its 2011 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum.....\$13,975.05

Which is now available as a revenue from:

- Miscellaneous Revenues:
 - Section F: Special Items of General Revenue Anticipated
 - With Prior Written Consent of Director of Local Government Services – Public and Private Revenues
 - Offset with Appropriations:
 - New Jersey Solid Waste Administration –
 - 2011 Recycling Tonnage Grant

BE IT FURTHER RESOLVED that the like sum of.....\$13,975.05 be and the same is hereby appropriated under the caption of:

- General Appropriations:
 - (a) Operations Excluded from CAPS
 - Public and Private Programs Off-Set by Revenues:
 - New Jersey Solid Waste Administration –
 - 2011 Recycling Tonnage Grant

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

K. Resolution R11-215, a resolution waiving the Temporary Food License fee for vendors selling food at the Carnival sponsored by the Beatrice Gilmore School from September 14, 2011 through September 18, 2011.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey are aware of a Carnival being sponsored by the Beatrice Gilmore School in the Pathmark parking lot from September 14, 2011 through September 18, 2011; and

WHEREAS, the Mayor and Council are in receipt of a request from the Beatrice Gilmore School asking for approval to waive the fees for the Temporary Food Licenses needed by the vendors selling food at the carnival; and

WHEREAS, the fee for each vendor is \$100.00 and there will be approximately seven (7) vendors at the Carnival;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey that the Temporary Food License fee for food vendors at the Carnival sponsored by Beatrice Gilmore School be and is hereby waived.

L. Resolution R11-216, a resolution authorizing the use of Zaccaria Park by Valley Chapel, 300 Valley Road, Clifton, New Jersey for a church picnic on September 10, 2011 from 12:00 to 6:00 p.m. with approximately seventy-five (75) people in attendance.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application Valley Chapel, 300 Valley Road, Clifton, New Jersey, requesting the use of Zaccaria Park; and

WHEREAS, the application has been reviewed and found to be in compliance with the application requirements established in Resolution R06-78 by this Mayor and Council; and

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, hereby authorize use of Zaccaria Park by Valley Chapel, 300 Valley Road, Clifton, New Jersey for a church picnic on September 10, 2011 from 12:00 to 6:00 p.m. with approximately seventy-five (75) people in attendance.

M. Resolution R11-217, a resolution authorizing the Borough Assessor and the Borough Tax Attorney to settle the tax appeal filed by 24 Andrews Drive Associates, LLC who is the owner of 24 Andrews Drive, Block 122, Lot 3.01 assessed for tax years, 2009, 2010 and 2011 in accordance with the Stipulation of Settlement attached thereto.

WHEREAS, 24 Andrews Drive Associates, LLC, is the owner of 24 Andrews Drive, Lot 3.01, Block 122 in the Borough of Woodland Park; and

WHEREAS, 24 Andrews Drive Associates, LLC has filed a tax appeals for the year 2009, 2010 and 2011 with the Tax Court of New Jersey and

WHEREAS, said lands and premises are assessed by the Borough of Woodland Park as follows:

<u>Block 122, Lot 3.01</u>		<u>2009</u>
Land		\$1,271,000.00
Improvement		<u>\$ 204,560.00</u>
TOTAL ASSESSMENT		\$1,475,560.00
<u>Block 122, Lot 3.01</u>		<u>2010</u>
Land		\$1,271,000.00
Improvement		<u>\$ 204,560.00</u>
TOTAL ASSESSMENT		\$1,475,560.00
<u>Block 122, Lot 3.01</u>		<u>2011</u>
Land		\$2,208,800.00
Improvement		<u>\$ 614,100.00</u>
TOTAL ASSESSMENT		\$2,822,900.00

WHEREAS, the plaintiff has agreed to the following settlement of the 2009, 2010 and 2011 tax appeal. The Plaintiff has agreed to the following assessments for 2009, 2010 and 2011:

<u>Block 122, Lot 3.01</u>	<u>2009</u>
Land	\$1,271,000.00
Improvement	\$ 79,000.00
TOTAL ASSESSMENT	\$1,350,000.00

<u>Block 122, Lot 3.01</u>	<u>2010</u>
Land	\$1,271,000.00
Improvement	\$ 79,000.00
TOTAL ASSESSMENT	\$1,350,000.00

<u>Block 122, Lot 3.01</u>	<u>2011</u>
Land	\$2,208,800.00
Improvement	\$ 541,200.00
TOTAL ASSESSMENT	\$2,750,000.00

WHEREAS, the Borough Assessor has agreed that this settlement is a reasonable settlement for the Borough; and

WHEREAS, the settlement figure proposed has been reviewed by the Tax Assessor, Borough’s Tax Appraiser and the Tax Counsel for the Borough of Woodland Park; and

WHEREAS, the Borough Appraiser, the Borough Tax Assessor and the Borough Tax Counsel have recommended to the Mayor and Council of the Borough of Woodland Park to accept the terms and conditions of said settlement; and

WHEREAS, by the Mayor and Council’s acceptance of this settlement, substantial sums of money will be saved for trial expenses, litigation expenses, attorneys’ fees;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park, that the Borough Assessor and the Borough Tax Attorney are hereby authorized to settle the tax appeals in the above matter in accordance with the attached Stipulation of Settlement.

N. Resolution R11-218, a resolution approving the application of Joseph R. Anderson, 1098 McBride Avenue, Woodland Park, to become a West Paterson Volunteer 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 Joseph R. Anderson, 1098 McBride Avenue, 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 Joseph R. Anderson to become a West Paterson Volunteer Firefighter.

O. Resolution R11-220, a resolution adopting the contents of the Employee Handbook dated August 1, 2011 and directing the Administrator to distribute this handbook to all current and future employees of the Borough.

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WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to have an Employee Handbook for the Borough's current and future employees; and

WHEREAS, this Employee Handbook will provide the Borough's employees with an understanding of the working rules and regulations of the Borough as well as provide a general overview of the benefits to which the employees are entitled;

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 the Administrator, hereby adopts the contents of the Employee Handbook dated August 1, 2011; and

BE IT FURTHER RESOLVED, that this Employee Handbook be distributed to all current employees and future employees of the Borough.

P. Resolution R11-222, a resolution approval to Daniel Dugan, Football Commissioner, to hold a Pep-Rally/Bon Fire on Friday, September 9, 2011 at 6:00 p.m. at Memorial Field.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, is in receipt of an Application for Permit submitted by Daniel Dugan, Football Commissioner and Trustee to the Boys and Girls Club who is requesting permission to hold a Pep-Rally/Bon Fire on Friday, September 10, 2010 at 6:00 p.m. at Memorial Field and;

WHEREAS, the Mayor and Council are in receipt of approval from the West Paterson Fire Department and the Board of Education subject to three conditions being met which are attached hereto;

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, hereby grants approval to Daniel Dugan, Football Commissioner, to hold a Pep-Rally/Bon Fire on Friday, September 10, 2010 at 6:00 p.m. at Memorial Field.

Q. Resolution R11-223, a resolution to approve the actions noted in the Consent Agenda, items A. through P., 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 P. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

A discussion was held with regard to barbequing at Zaccaria Park.

Upon Motion made by Council President Spinelli, and seconded by Councilman Holloway, 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 Gatti, seconded by Councilman Pascrell and unanimously passed on roll call vote, the Council confirmed the payment of the 08/15/11 and 08/30/11 regular and miscellaneous payrolls estimated at \$190,000.00 each.

Upon Motion made by Councilwoman Pascrell, seconded by Councilman Holloway and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 08/12/11 totaling \$5,279,259.85.

A discussion was held between the Mayor and Council regarding a major break in our sewer main which we share with Little Falls and Totowa.

DEPARTMENT REPORTS:

1. Police Report for July, 2011.
2. Fire Department Report for July, 2011.
3. Library Report for July 25, 2011.
4. Library Minutes of Meeting held August 15, 2011.
5. Senior Bus Usage Report for July, 2011.
6. Planning Board Minutes for July 11, 2011.
7. Planning Board Resolution.
8. Board of Adjustment Minutes for June 27, 2011.
9. Board of Adjustment Resolution of Memorialization.
10. Animal Control Report for July.
11. Finance Department - Summary Budget Status Report for August 12, 2011.

OLD BUSINESS:

A. Public Hearing on Ordinance 11-13 an ordinance to amend Ordinance 11-09, 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 and to prohibit parking on the south side of Memorial Drive Monday through Friday, September 1st through June 30th, 7:00 a.m. through 4:00 p.m.

Upon a Motion made by Council President Spinelli, seconded by Councilwoman Gatti and passed on roll call vote, a public hearing was opened on Ordinance No. 11-13.

With no one wishing to be heard, upon a Motion made by Councilman Holloway, seconded by Councilman Pascrell and passed on roll call vote, the public hearing was closed.

B. Resolution R11-202, Adoption of Ordinance 11-13 by the Mayor and Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance to amend Ordinance 11-09, 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 and to prohibit parking on the south side of Memorial Drive Monday through Friday, September 1st through June 30th, 7:00 a.m. through 4:00 p.m.; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated July 25, 2011, setting the date of August 17, 2011 for the public hearing and consideration for final passage; and

WHEREAS, copies of the ordinance were posted on the Borough’s official bulletin board and copies 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 August 17, 2011 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an ordinance to amend Ordinance 11-09, 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 and to prohibit parking on the south side of Memorial Drive Monday through Friday, September

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1st through June 30th, 7:00 a.m. through 4:00 p.m. 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 Ordinance according to law.

Councilman Spinelli spoke about the parking issue on Wednesdays when the Senior Citizen Club has their meetings. He stated that because of parents parking on the south side of Memorial Drive and because of teachers parking in the Boys & Girls Club parking lot, this creates a problem for the senior citizens.

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

Said Ordinance 11-13 has been written out in the Minutes of the July 20, 2011 meeting.

C. Public Hearing on Ordinance 11-14 an ordinance to amend Ordinance 06-05, Illegal Dwelling.

Upon a Motion made by Councilman Holloway, seconded by Councilwoman Gatti and passed on roll call vote, a public hearing was opened on Ordinance No. 11-14.

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

D. Resolution R11-203, Adoption of Ordinance 11-14 by the Mayor and Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance to amend Ordinance 06-05, Illegal Dwelling; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated July 25, 2011, setting the date of August 17, 2011 for the public hearing and consideration for final passage; and

WHEREAS, copies of the ordinance were posted on the Borough's official bulletin board and copies 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 August 17, 2011 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an ordinance to amend Ordinance 06-05, Illegal Dwelling, 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 Ordinance according to law.

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

Said Ordinance 11-14 has been written out in the Minutes of the July 20, 2011 meeting.

NEW BUSINESS:

A. Resolution R11-219, a resolution to introduce Ordinance 11-15.

BE IT RESOLVED; that the ordinance entitled: **TATTOO ORDINANCE** 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 7th day of September, 2011, at 7:00 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 11-15

WHEREAS, the Borough of Woodland Park Division of Health, having general jurisdiction under N.J.S.A. 26:32-8, to adopt health ordinances for the control of disease and the improvement of the health of its citizens; and

WHEREAS, N.J.S.A. 26:3-64 and 26:1A-9 authorizes the Health Division to regulate tattoo parlors, tattooists and body piercers within the geographical boundaries of the Borough of Woodland Park; and

WHEREAS, there is a need for the regulation of tattoo parlors, tattooists and body piercers in order to establish standards of operation which serve to promote the public's health and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WOODLAND PARK AS FOLLOWS:

The Code of the Borough of Woodland Park, entitled "Health" is hereby amended and supplemented by the addition of the following section: Regulations and Inspection Fees for Tattooing and Body Piercing Parlors.

Section I. Definitions

A. The term "health officer" shall mean the Borough of Woodland Park Health Officer or his/her authorized representative.

B. The term "certificate of inspection" shall mean written approval from the health officer or his/her authorized representative that said tattooing or body piercing establishment has been inspected and meets all of the terms of this ordinance.

C. The term "operator" shall mean any individual, firm, company, corporation, or association that owns or operates an establishment where tattooing or body piercing is performed. This provision will also apply to all LLCs, LLPs, and like corporate entities. All operators will also be required to name an individual, who will be identified as the operator's representative, who will be signing all legal documents between the operator and the Borough of Woodland Park, and this individual will be the contact person for all licensing and inspection procedures. As such, this individual must post his or her contact information with the Borough's Health Department.

D. The terms "tattoo", "tattooed", or "tattooing", refers to any method of placing designs, letters, scrolls, figures, symbols or any marks under the skin with ink or any other substance resulting in the coloration of the skin, by the aid of needles or any other instruments designed to puncture the skin.

E. The terms "body piercing" refers to the piercing of any portion of the human body for placement of any type of jewelry or any other ornamentation, other than ear lobe piercing.

F. The term "establishment" means the premises wherein tattooing or body piercing is performed.

G. A "tattoo artist" is one who engages in tattooing.

H. A "body piercer" is one who engages in body piercing.

I. "Sanitize" means a bacterial treatment of cleaned surfaces by a process which is effective in reducing the number of microorganisms to a safe level.

J. "Sterilization" means a bacterial treatment of cleaned surfaces by a process which is effective in reducing the number of microorganisms to a safe level.

K. "Single use" means products or items that are disposed of after use on each client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary covering, razors, needles scalpel blades, stencils and ink cups.

L. The term "personal identification" shall mean a document or other written or memorialized instrument setting forth the presenter's true name, address, correct age, or other identifying data, examples of which include but are not limited to driver's license, credit card issued by a national company, birth certificate passport, employment identification card, or any instrument issued by a governmental agency setting forth the pertinent and required information.

Section II. Licensing Regulations:

A. It shall be unlawful for any operator to engage in the business of operating an establishment where tattooing or body piercing is performed without first obtaining a license from the Borough of Woodland Park Health Division to engage in such business in accordance with the provisions hereof.

B. A Division application for an initial license shall be made to the Health Division of the Borough of Woodland Park accompanied by a fee in the amount of three hundred fifty (\$350.00) Dollars.

1. Application for licenses under this Article shall be made to the Borough of Woodland Park Division of Health, in writing, upon such printed forms as the Borough of Woodland Park Division of Health shall prescribe and prepare which may be obtained from the Borough of Woodland Park Health Division and shall be signed by the applicant under oath and shall contain the following information:

- a. If an individual, the full name, age, sex, residence address at the time of application.
- b. If a corporation, the full corporate name, the date and the state of incorporation, address of the place or places of business, the name and address of the registered agent, and the name, address and age of any principal owning more than 10 percent (10%) of the stock.
- c. If a partnership, the information required by Subsection 1(a) above for each partner and the name under which the business is being conducted.
- d. The apprenticeship, training and/or business experience of the applicant in the business or occupation for which the license is sought.
- e. The length of time that the applicant has engaged in such business or occupation.
- f. Whether the applicant carries public liability insurance, and, if so, the amount of said coverage and the company providing such liability insurance.
- g. Name, address and age of every tattoo artist and/or body piercer to be initially employed to conduct the service. This shall be a continuing obligation for licensees' to update once a year the list of tattoo artists and/or body piercers employed by the establishment.

h. The date upon which Construction Official has approved the location for business.

i. Evidence that the applicant has satisfied the requirements of, and is in compliance with, N.J.A.C. 7:26-A.B

C. No ownership rights in any license or renewal thereof granted under the provisions of this Article shall be assignable or transferable without the permission of the Health Division whose permission shall not be unreasonably withheld. Any change of ownership shall require a new application and license with payment of fees.

D. The renewal license fee for engaging in the business of operating an establishment subject to this Ordinance with the Borough of Woodland Park shall be Three Hundred Fifty and No/100 (\$350.00) Dollars per year. All licenses shall expire on the last day of each calendar year. The first license expiration date for renewal shall be December 31. All applications for renewal must be presented to the Health Division in writing on a form prescribed by the Health Division not less than sixty (60) days prior to the end of the calendar year.

E. All establishments existing at the time of the enactment of this Ordinance will be considered renewal applications provided that they apply for renewal of said license within one (1) month after the effective date of this Ordinance. Establishments failing to apply within the specified time period will be considered new applicants and will be subject to the provision of Subsection B of this section.

F. If renovations of the tattoo or body piercing establishment occur, plans must be submitted to the Borough of Woodland Park's Health Division and the applicant will be required to comply with Section IV herein, as well as all other applicable codes, regulations or laws.

G. In the event that an applicant fails to qualify for a license under this Article, the fee herein shall not be refunded.

H. The license issued pursuant to this section shall be posted conspicuously in the place of business or location named therein.

I. All establishments shall manage contaminated contact waste materials (body fluids) as medical waste pursuant to N.J.A.C. 7:26-A.8. All establishments shall be licensed with the State of New Jersey as a medical waste generator, pursuant to N.J.A.C. 7:26-A.8, prior to approval from the Borough of Woodland Park's Health Division.

Section III General Provisions

A. It shall be a violation of this Ordinance for anyone or any tattoo or body piercing business to tattoo or pierce any part of the body of any individual under 18 years of age without authorization signed by the parent or legal guardian, witnessed and attested to by a notary public. The operator shall be responsible for maintaining the original consent form and copies of all consent information for a period of two (2) years beyond the recipient's eighteenth (18th) birthday. The operator shall obtain a copy of (2) two forms of personal identification of such individual being tattooed and/or pierced.

B. Each person wishing to receive a tattoo or body piercing must first sign a consent form presented by the operator, the content of which has been approved by the Borough of Woodland Park Health Division. This form shall commence with the following statement. "I swear, certify or affirm under the penalties of false swearing or perjury the following information." The consent form shall contain language above the applicant's signature which shall read, "I have read and understand the contents of this form, and acknowledge that an operator of the above-named tattoo and/or body piercing establishment has reviewed the same with me. I have presented to the operator the following forms of identification which I represent, warrant and guarantee are truthful

and correct and are identification that relates to me. I further represent that I am an adult over the age of 18, and am not currently intoxicated or under the influence of any narcotic substance, and make this statement entirely of my own free will and sound mind." The form shall also include a signature line for the operator above which the following language shall appear: "I have reviewed the language of this form with the applicant who has represented to me that he/she fully understands the contents of same, and that the information provided is truthful, in addition, I have reviewed the documentation presented by the applicant with respect to his/her age." If the applicant appears to be intoxicated or disoriented, the operator must refuse the applicant.

C. All records regarding tattoos or body piercing are to be maintained for a minimum of two (2) years. Information required for each applicant referred to in Section III, B. is to include the name, age, date of birth, health history including allergies and medical conditions, home address and telephone numbers of the applicant as well as the name of the person who did the tattoo or body piercing, the design, location and the date of the tattoo or type of body piercing done.

Section IV. Sanitary Requirements, Design and Layout Specification

A. Each tattoo or body piercing facility shall have a bathroom accessible to the public and staff, and a stainless steel sink in a separately designated sterilization room which is to be used by staff only as required by this ordinance. The sink in the sterilization room shall be connected to hot and cold running water. Each bathroom shall be equipped with commode and sink, with the sink being connected to hot and cold running water. Soap and sanitary towels, or other approved hand drying devices, shall be available at the sink in the bathroom(s) and sterilization room at all times. Common towels are prohibited. Employee Hand washing Signs shall be posted in each bathroom and sterilization room. There shall be no door requiring the use of a tattoo artist/body piercer's hand in going from a hand-washing area to a work area.

B. The chair or seat reserved for the person receiving the tattoo or body piercing shall be a material that is smooth and easily cleanable and constructed of material that is nonabsorbent. Any surface on the chair that becomes exposed to blood or body fluids must be cleaned and sanitized prior to use by the next customer.

C. The work table or counter used by the tattoo artist or body piercer shall be smooth and easily cleanable and constructed of material that is non-absorbent. There shall be a non-permeable juncture between a table/counter and a wall if the table/counter is to be placed against a wall. This table/counter must be cleaned and sanitized utilizing a method approved by the Borough of Woodland Park's Health Division between each customer.

D. The walls in the tattooing or body piercing area shall be of durable material that is non-absorbent and is smooth and easily cleanable. Walls shall be kept clean.

E. The floor in the tattooing or body piercing area shall be of durable material that is non-absorbent and is smooth and easily cleanable. Floors shall be kept clean.

F. Lighting within the tattoo or body piercing area shall be adequate so as to provide a minimum of 100 foot candles in all areas. Such illumination shall be free from glare and distributed to avoid shadows.

G. Each establishment must contain at least one enclosed "privacy room" so as to protect the confidentiality of the applicant, and revelation of the service provided. The privacy room must be used when tattooing or body piercing is to be performed on either female breasts, or the buttocks or groin areas of males or females. The privacy room shall have a swinging type door for ingress and egress, and be separated from other areas of the establishment by either walls or durable partitions, or other materials able to be sanitized, extending at least six (6) feet in height and so designed as to prevent visual

observation of the customer and the tattoo artist or body piercer from any other area by any persons other than the customer and the tattoo artist or body piercer.

H. Any surfaces in the establishment that become exposed to blood or bodily fluids must be cleaned and sanitized, utilizing a method approved by the Borough of Woodland Park Health Division.

I. Cleaning, disinfection and sterilization activities must be conducted in a physically separate work area. This area should have a clearly defined work pattern from soiled to clean in order to prevent cross-contamination. All sterile equipment must be stored in enclosed cabinets outside of the processing room. All containers, regardless of size, must be clearly marked with the name of the product.

J. Proper waste receptacles shall be provided and waste shall be disposed of at appropriate intervals.

K. The use of tobacco in any form in the establishment is prohibited.

L. The consumption of food or drink shall be prohibited in the tattoo/body piercing work areas of the parlor.

M. Only articles considered necessary for the routine and customary operation and maintenance of the tattoo/body piercing business shall be permitted in the tattoo or body piercing establishment.

N. No live bird, turtle, snake, dog, cat or other animal or reptile shall be permitted in any area used for the conduct of tattooing and/or body piercing operations or in the immediate open, adjacent areas including the main waiting area and the public access to the toilet room, with the exception of animals utilized for the assistance of the blind and/or deaf.

O. Effective measures shall be taken to protect the establishment from the breeding or presence of insects and rodents.

1. Anyone using pesticides in the licensed premises must be certified by the State of New Jersey for application of same.

2. The use of pesticides shall not result in the contamination of dyes, inks, ink reservoirs, needles, jewelry or gloves or any equipment used in connection with the operation.

P. Proper ventilation and exhaust is to be provided.

Section V Regulation of Tattoo or Body Piercing Services:

A. Tattoo Artists and Body Piercers must be registered with the Board of Health to provide services.

1. No tattoo artist or body piercer shall practice the art of tattooing or body piercing within the Borough of Woodland Park without first registering with the Board of Health, and receiving a certificate to allow the said individual to engage in tattooing or body piercing. The cost for the initial certification is \$50.00 per artist and piercer. Please note that a tattoo artist may also conduct piercing activities, or visa versa, under the guise of one certificate, if that individual is registered to perform both activities on his or her certificate. In addition, the renewal fees/costs for renewal of the tattooing and piercer's certificate is \$50.00 per annum. Please also note that the licensed operator for each establishment will be required to obtain a tattoo artist and/or body piercer's certificate, in addition to the operator's certificate, in order to be allowed to perform such services.

2. All certificates shall automatically expire on December 31 annually.

3. No certificate to practice the art of tattooing or body piercing shall be issued unless:

(a) The applicant furnishes proof of having previously held such a certificate, or

(b) The applicant furnishes proof of having practiced the art of tattooing or body piercing as a full-time occupation, which may take the form of a letter from a tattoo and/or body piercing establishment representing that the applicant is/was employed by said establishment as a tattoo artist or body piercer, or that the applicant presently operates or had in the past operated a tattoo or body piercing establishment, or had in the past or presently maintains an ownership interest in a business, partnership or corporation which operates or operated a tattoo or body piercing establishment, and

(c) The applicant furnishes proof of having attended Blood borne pathogen training which includes principles of disinfection and sterilization. Compliance with this paragraph will be waived for guest tattoo artists retained by the establishment so long as the customer upon whom the guest tattoo artist is to provide the service is provided with prior written notice that the guest tattoo artist has not attended blood borne pathogen training including principles of disinfection and sterilization, and

(d) Proof of Hepatitis B pre-exposure vaccination or proof of immunity is required for all tattoo artists or body piercers. Notwithstanding the foregoing, all tattoo artists or body piercers shall provide the Woodland Park Board of Health Division with one of the following: (1) proof of Hepatitis B pre-exposure vaccination or proof of immunity, or (2) a letter or statement from a physician certifying that the individual does not have Hepatitis B and the vaccination is contraindicated, or (3) a written statement or letter signed by the tattoo artist or body piercer declining to provide the information sought in the immediately preceding subsections (1) and (2).

(e) The operator shall develop operating guidelines, in accordance with the CDC and OSHA, that will reduce the likelihood of accidental needle sticks and establish a monitoring system for those person (s) accidentally stuck by a needle. The guidelines shall be submitted to the Woodland Park Health Division for approval prior to the issuance of a license and subsequent renewals of license. The artists and piercers will be required to follow the guidelines that are established by the operator and approved by the Board of Health. Failure to do so could result in the revocation of the operator's certificate of operation and relocation of the artist's and/or piercer's certificate to perform tattooing or piercing.

(f) The operator will be required to pay the initial and annual certificate fee of \$350.00 (three hundred fifty dollars) for each location that is desired within the Borough of Woodland Park, as well as to provide:

(1) the name and address of the applicant;

(2) a physical description of the premises where tattooing/body piercing is to be done;

(3) the operator must also identify an individual who will be the contact person for the establishment, as well as the responsible party for complying with any and all requests that are advanced by the Borough of Woodland Park's Board of Health;

4) such other information as the Division may require.

4. Operator's Certificates shall be issued unless the Woodland Park Health Board demonstrates that the tattoo/body piercing operator has failed to comply with the provisions of this Section after being afforded reasonable opportunity to cure any deficiencies found in its application.

5. All certificates shall be conditioned upon continued compliance with the provisions of this Section as well as other applicable provisions.

6. The certificate shall be posted in a prominent and conspicuous area where it may be readily observed by patrons.

7. The operator of a tattoo/body piercing establishment shall submit a written aftercare plan to the Woodland Park Division of Health. Body piercing establishments will submit an aftercare plan specific to each body site intended to pierce. This after care plan must be followed by all tattoo artists and body piercers.

B. Before working on each patron, each tattoo artist or body piercer shall scrub and wash his/her hands thoroughly with hot water and antiseptic soap. Fingernails shall be kept clean and short.

C. Disposable vinyl or latex gloves shall be worn by the tattoo artist or body piercer during tattoo preparation and application to prevent contact with blood or body fluids. Universal precautions described by the Centers for Disease Control and Prevention (CDC) shall be followed. All materials shall be disposed of in accordance with Section V.5 of this Ordinance after contact with each patron. Hands shall be washed immediately after removal of gloves. Any skin surface that has contact with blood shall be washed immediately.

D. Immediately after tattooing or body piercing a patron, the tattooist or body piercer shall advise the patron on the care of the tattoo or body piercing in a written form and shall instruct the patron to consult a physician at the first sign of infection of the tattoo or body piercing. Printed instructions regarding these points shall be given to each patron.

E. All medically diagnosed infections resulting from the practice of tattooing or body piercing which become known to the operator shall be promptly reported to the Health Officer by the person owning or operating the tattoo or body piercing establishment or by the tattoo artist or body piercer within 24 hours.

F. Employee Health

(1) The establishment shall comply with all current OSHA requirements applicable to its operation.

(2) No person affected with infected wounds, open and infected sores, and acute respiratory infection shall work in any area of a tattoo or body piercing establishment in any capacity in which there is a likelihood of contaminating tattoo or body piercing equipment, supplies or work surfaces.

G. Skin Preparation

1. Tattooing or body piercing shall be done only on normal, healthy skin surface that is free of moles or infection.

2. Only safety razors with disposable blades shall be used for the skin preparation. Blades shall be disposed of according to Section v.5 of this ordinance after each use and new blades shall be used for each patron.

2. Following shaving, the area shall be thoroughly cleansed and scrubbed with tincture of green soap or its equivalent and warm water. Before placing the design or

body piercing on the patron's skin, the area shall be treated with 70% alcohol and allowed to air dry.

Piercing of mucous membranes (i.e., oral, nasal, vaginal, etc.) shall be treated with an industry-appropriate and medically indicated antiseptic solution prior to the procedure.

4. Only petroleum jelly (U.S.A. or National Formulary) or antiseptic ointment shall be applied to the tattoo area prior to tattooing or body piercing. The ointment shall be applied in a sanitary manner, disposing of the utensil after spreading. Collapsible tubes of ointment or jelly may also be used.

H. Tattooing or Body Piercing

1. The use of single service hectograph stencils shall be required for applying a tattoo outline to the skin. Multi-use stencils shall be prohibited.

2. Only non-toxic dyes or pigments may be used. Pre-mixed sterile materials are preferred. Pre-mixed dyes shall be used without adulteration of the manufacturer's original formula. The operator shall represent to the Woodland Park Health Division, at the time of license application and renewal, that to the best of his/her knowledge the dyes and pigments used in tattoo applications are of non-toxic origins and shall submit supporting documentation on same. The operator shall also present to the Woodland Park Health Division labels or manufacturer's data sheets relating to dyes and pigments or such other written documentation as is applicable to the dyes and pigments that they are non-toxic or non-hazardous to human health.

3. Single service or individual containers of dye or ink shall be used for each patron and the container disposed of immediately after completing work on each patron.

4. The completed tattoo shall be washed with sterile gauze or single use paper tissue and a solution of tincture of green soap or its equivalent, then disinfected with 70% alcohol. The area shall be allowed to air dry and antiseptic ointment shall be applied and spread with sterile gauze and sterile dressing attached.

5. Open completion of piercing or the mucous membranes, the area shall be disinfected with the industry-appropriate and medically indicated solutions.

I. Needles, instruments and Dyes

1. Only single service sterilized needles and needle bars shall be used for each patron.

2. If solder is used in manufacturing needles, needle bars or needle tubes, it must be free of lead.

3. Any needle that penetrates the skin of the tattoo artist or body piercer shall be immediately disposed of in accordance with Section V5 of this ordinance.

4. Needle tubes shall be ultrasonically cleaned in a solution which isalconox or its equivalent, then scrubbed with a clean brush, then rinsed clean. Needle tubes shall be sterilized in accordance with Section V.4E, stored in sterile bags and maintained in a dry, closed area.

5. Each item to be sterilized shall be individually wrapped using chemical indicator bags or chemical indicator strips. Sterilization shall be by steam sterilization/autoclave. The autoclave shall be well maintained with a tight fitting gasket and clean interior. The manufacturer's operating instructions and sterilization specifications shall be at hand. The sterilizer shall conform to the manufacturer's specifications with regard to temperature, pressure and time of sterilization cycle. Proper functioning of sterilization cycles shall be verified by the monthly use of biologic indicators (i.e., spore tests). A record of these monthly test results shall be available, and a test may be required to be done during any inspections. Establishments are required to

maintain an autoclave on site, with a minimum interior chamber that is no less than 7" in diameter and 15" in depth.

6. If the primary source of sterilization malfunctions, the Woodland Park Health Division shall be notified no later than 4 hours after the deficiency. In an emergent situation, the Woodland Park Health Division may approve alternate sterilization techniques.

7. Needles and bars shall not be bent or broken prior to disposal. Tattoo artists or body piercers shall take precautions to prevent injuries from contaminated needles or tubes.

8. All dyes and inks shall be from a source of supply which complies with applicable U.S. Food and Drug Administration regulations when available. Dyes and inks are to be used in accordance with the manufacturer's directions and are not to be adulterated with any substance not recommended by the manufacturer.

Immediately before applying a tattoo, the quantity of dye to be used for the tattoo shall be transferred from the dye bottles and placed into sterile, single-use paper cups or plastic caps. Upon completion of the tattoo, these single use cups or caps and their contents shall be discarded.

Excess dye or ink shall be removed from the skin with a single service wiping tissue or sterile gauze which shall be discarded after each use.

J. Disposal of Waste

All used needles, needle bars or other disposable tools used in the tattooing process, as well as gloves, gauze and other materials saturated with blood or body fluids, shall be removed through the use of a licensed medical waste hauler.

Section VI. Approved locations for establishments

Tattoo Parlors and body piercing establishments will only be allowed to operate within the following zoning districts in the Borough of Woodland Park:

1. Highway commercial zone;
2. Commercial center zone.

The specifics regarding the location of these zones is located on the Borough's Master Plan and may be reviewed and analyzed at the Borough's Construction Code Official's Office.

Section VII. Penalty Provision

A. Any person or entity who or which violates any section of this ordinance shall be subject to the following penalty: A fine not to exceed \$1,000; imprisonment not to exceed 90 days in the county jail; community service not to exceed 90 days or any combination thereof in the discretion of the Municipal Court Judge. Each day that the violation exists is considered to be a separate offense.

B. After due notice and hearing the Woodland Park Health Division may suspend or revoke any license issued under this Ordinance for violation of the provisions of this Ordinance.

Section VII. Inconsistency.

Any Ordinance or parts of an Ordinance inconsistent with the provisions of this ordinance are hereby repealed.

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Section VIII. Invalidation.

Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part hereof.

Section IX. Codification.

The Borough Clerk may change any chapter numbers, article numbers and section numbers if codification of this Ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

Section X. Effective Date.

The Ordinance shall take effect immediately upon final passage publication according to law.

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

B. Resolution R11-221, a resolution to introduce Ordinance 11-16.

BE IT RESOLVED; that the ordinance entitled: **AN ORDINANCE MAKING THE PROVISIONS OF N.J.S.A. TITLE 39 AND ALL OF THE BOROUGH OF WOODLAND PARK'S TRAFFIC ORDINANCES APPLICABLE TO 1710 ROUTE 46 WEST, WOODLAND PARK, NEW JERSEY AND ITS ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES** 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 7th day of September, 2011, at 7:00 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 11-16

BE IT ORDAINED, by the Borough Council of the Borough of Woodland Park, in the County of Passaic and state of New Jersey as follows:

SECTION I.

Levco Route 46 Associates, L.P. and MLF Associates, L.P., owners of the property known as: 1710 Route 46 West, Woodland Park, have filed a written consent with the Borough of Woodland Park to allow the provisions of N.J.S.A. Title 39 of the Revised Statutes of New Jersey and all Municipal Ordinances to be made applicable to the semi-public roads, streets, driveways and parking lots at the property known as: 1710 Route 46 West, Woodland Park, located in the County of Passaic and State of New Jersey. As such, all motor vehicles violations as authorized by the State of New Jersey in N.J.S.A. 39:1-1, et. seq. and all of the Borough's Ordinances regarding the use of the said roadway, street, driveways and parking lots by motor vehicle, will be enforceable by all duly designated police agencies which shall include but not be limited to New Jersey State Police, Passaic County Sheriff's Department and Woodland Park Police Department.

In addition, the following will be specifically:

1. Parking:

- A. All vehicles must be parked in designated parking areas only and between the lines provided.
- B. No person shall stop or stand a vehicle upon any of the areas where stopping and standing is prohibited.
- C. Handicapped Parking – All stalls shall be in accordance with New Jersey State Regulations regarding handicapped parking, and are to only be used by persons who have been issued the Handicapped Parking Permits by the New Jersey Division of Motor Vehicles.

2. Through Streets, Stop and Yield Intersections:

- A. Through Streets – Motor vehicle operators will be obligated to follow all of the New Jersey State Statutes and Woodland Borough Ordinances on through street regulations, when passing through this property, which shall include: stopping at stop signs and yield signs. All signage must be installed by the owner of the said premises.

3. Speed Limits:

The speed limits on this property will be governed by the speeds that are posted on the said property, as well as N.J.S.A. Title 39:1-1, et. seq. and the Borough's Ordinances.

- A. Regulatory and warning sign shall be erected and maintained to effect the above designated speed limits, at the cost and expense of the owner.
- B. No Motor Vehicle Operator can exceed 15 Miles Per Hour, at this location.

4. Tow-Away Zones:

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, any grassy area, pedestrian walk-way, or present in any way a safety or traffic hazard - may be removed by the towing of the said vehicle at the owner or operator's expense.

SECTION II.

All signs, posts, or other necessary materials that are required to be installed to comply with all traffic ordinances and statutes, must be paid for by the property owners. All signage, et. seq., shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-1-198 and N.J.S.A. 39:4-183.27.

SECTION III.

All penalties for violations that occur at this property will be pursuant to the penalty schedule established by the particular statute or ordinance that the violator is charged with.

SECTION IV.

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion(s) of the Ordinance.

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

Councilman DiDomenico made a Motion to accept the 1988 Ford L8000 truck that was donated to the West Paterson Fire Department as part of the Borough's inventory. The Motion was seconded by Councilwoman Gatti. The following is a transcript of the discussion which took place:

Councilman DiDomenico: Mayor, I have something under New Business. I'd like to make a Motion that the Mayor and Council accept the 1988 Ford L8000 truck that was donated to the Fire Department – that the Borough accept that as part of the inventory or part of the fleet of our Fire Department. I'd like to make that Motion.

Mayor Lepore: We have a Motion.

Councilwoman Gatti: I'll second it.

Mayor Lepore: We have a second. Discussion. I thought that I said that I would like to meet with the Ordinance Committee, with the Public Safety Committee, to discuss some unanswered questions that I had.

Councilman DiDomenico: About the truck?

Mayor Lepore: Yea

Councilman DiDomenico: OK. So you want to defer accepting this to another...ok. So we have a Motion and a second...I don't know how the rest of the Council feels.

Mayor Lepore: Well you can withdraw it or if you wanted to vote on it.

Councilwoman Gatti: It would be good for you Mayor to find out with the other Council people... what their feeling is.

Mayor Lepore: Well let's have that discussion. What does the Council know about this truck that I don't?

Councilwoman Gatti: (can't make out what she said)

Mayor Lepore: OK. Do you want to have the discussion here?

Councilwoman Gatti: It's up to the Council. Do they have any questions?

Councilwoman Pascrell: I'm not prepared to ask any questions yet.

Council President Spinelli: I don't have any questions.

Councilwoman Pascrell: I want to know what your questions are first before I...

Mayor Lepore: Well, that's what I'm asking. Do you want me to have it here or do you want it in the meeting?

Councilman Holloway: If we have any questions, the Chief is here

Councilman DiDomenico: The Chief is here, we might as well...The Chief would answer any questions that pertain to the truck, I would imagine, unless would you prefer to do this on Monday night (looking at Chief Salomone)

Mayor Lepore: I had requested that we discuss it at the next Public Safety meeting, but I'm prepared to do it here if this is what the Council wants.

Councilman DiDomenico: Well, I'm ok.

Mayor Lepore: Just so you know, I'll be voting no if that's the case.

Councilwoman Gatti: Until you talk to the...

Mayor Lepore: Correct

TG: OK. So let's withdraw our...

Councilman DiDomenico: Well then I'll withdraw it. We'll do it...

Councilman Holloway: We'll do it at Public Safety and then we'll come back.

Councilman DiDomenico: We'll do it on the 7th.

Mayor Lepore: Thank you

Councilwoman Gatti: The 27th

Councilman DiDomenico: The 7th of September. We'll have a resolution on the 7th.

Councilwoman Gatti: OK

Mayor Lepore: I think the Councilman said he withdrew.

Councilman DiDomenico: I said to withdraw.

Councilwoman Gatti: Me too.

Councilwoman Gatti asked the Mayor if he had contacted the DeStefano family regarding renaming a street after William Destefano. A short discussion was held between the Mayor and Council.

Councilman DiDomenico: Mayor, just so that, for everyone's edification, if we're going to have this issue with the Fire Department truck at the September meeting, I would like to extend to the other members of the Council an invitation to attend, but you cannot participate because we would be violating the Open Public Meetings Law unless, Kevin, you want to advertise it, the Public Safety Committee Meeting, so that you can hear what the Mayor's questions are and concerns since you are going to be asked to vote on it, you should hear what possible issues there are. So I would invite the rest of the Mayor and Council to attend that meeting on Monday night.

Mayor Lepore: You have to advertise it as a public meeting.

Councilman DiDomenico: We have 48 hours tomorrow is Thursday and we need 48 hours. There's Friday and Saturday so...yea we are under the gun.

Councilman Holloway: I'll be away on vacation.

Mayor Lepore: Alright. Well there's a request for a public meeting...

Councilman DiDomenico: Well let's find out. Before we go through the effort and expense of advertising it, would any of the other members of the Council attend? Because if it's only going to be the Committee...

Councilman Holloway: I can't be here.

Council President Spinelli: I would attend.

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Councilman DiDomenico: I mean...then you probably should advertise.

Mayor Lepore: We'll advertise it and whoever shows up could participate. OK? What time are we doing it for? What time is the meeting?

Councilman DiDomenico: The meeting normally is at 6:30 in the OEM Room. It's a good size, but if we see that there is more people, then we may want to come back here.

Mayor Lepore: Yes, because we have to make it accessible to the public.

Councilman DiDomenico: Yes, so then we may want to have that meeting here.

Mayor Lepore: That's fine.

Councilwoman Gatti and Councilman DiDomenico (simultaneously): Are there any other meetings Monday night?

Councilwoman Gatti: School Board?

Mayor Lepore: Nope. Board of Adjustment?

Councilman DiDomenico: They're usually the beginning of the month. Board of Adjustment and Planning Board are in the beginning of the month.

Councilman Holloway: No, second and fourth I think. I don't have a calendar.

Councilman DiDomenico: Well you know what? If we come here and this room is occupied, we can go to the Aldo Napoli room upstairs.

Mayor Lepore: That's fine. We need to know.

Councilman Holloway: The Chief is shaking his head, why?

(can't hear what Paul Salomone said)

Mayor Lepore: So it's going to be the Community Room? Is that where we'll be because we have to advertise it.

Councilman DiDomenico: Kevin, do you know if this room is being used by anybody?

Mr. Galland: I don't know, but I can check tomorrow morning.

Councilman DiDomenico: So my response would be that if this room is available, this is preference one. If Kevin finds out tomorrow morning that something's going on in here, then he advertises for the Aldo Napoli Room. If something's going on the Aldo Napoli room, then I think we have to go back downstairs, I think that has more room than the Conference Room upstairs, but preference one would be the Council Chambers.

EXECUTIVE SESSION

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., it is necessary to convene an executive session to discuss items authorized by N.J.S.A. 10:4-12 (b), specifically:

- Personnel Matters
- Pending Litigation

BE IT FURTHER RESOLVED, that it is anticipated that the deliberation conducted in closed session may be disclosed to the public upon the determination by the Mayor and

Council that the public interest will no longer be served by such confidentially and if not then legally privileged.

Upon Motion made by Council President Spinelli, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 8:45 p.m.

Upon the conclusion of the executive session, a Motion was made by Council President Spinelli and seconded by Councilman Holloway to continue the regular meeting at 9:50 p.m.

There being no further business to come before the Council, upon Motion by Councilman Holloway, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Pat Lepore
Mayor