

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON FEBRUARY 15, 2012**

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 February 15, 2012 and was called to order by Mayor Keith Kazmark at 7:00 p.m.

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

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 4, 2012 detailing the time and place, with notice given to the public by posting a copy thereof on the bulletin board in the Municipal Building and transmitting copies to the Mayor, members of the Council, Officers and to The Herald News.

PRESENTATIONS:

Certificates were presented to the four West Paterson Boys & Girls Club Panthers Football Teams who won the Mayor's Trophy games.

MAYOR'S REPORT:

The Mayor reported that the home on 531 McBride Avenue has been razed. The Mayor stated that the Borough is reviewing and considering the Hazard Mitigation Plan that the County has adopted. With regard to the Spruce Street sewer issues, our contractor was able to make a pipe connection and the County is working on a plan to resurface that part of the roadway. The Mayor stated that two tax appeal seminars have been set up for those residents who wish to appeal their taxes. The first one will be held on March 3rd, at the Municipal Building, and March 10th at Four Seasons at Great Notch. The Mayor stated that the Borough has been very aggressive with regard to litter clean-up throughout the municipality. The Mayor stated that the DPW has been overburdened since the hurricane and flooding. The Mayor felt that the Department of Public Works needed a chain of command. As of right now, there is a Superintendent and laborers. He felt that the Department of Public Works needed a "middleman". He stated that, for the time being, he has appointed former Mayor, Pat Lepore, to assist George Galbraith with some of the endeavors that need to be taken care of in that department. The Mayor will be meeting with representatives from some of the condo associations on Monday, February 20th, to discuss the Municipal Services Act. The Mayor met with County Administrator, Anthony DeNova, to discuss the infrastructure issues in Passaic County. He stated that we have a tremendous amount of broken guard rails within the community. Mr. DeNova took all of our information with regard to our infrastructure needs. The Mayor would like to develop a "special improvement district" along McBride Avenue and Browertown Road. With regard to the 2012 Budget, the Mayor stated that he met with Mr. Wielkotz and Mr. Galland for a preliminary Budget meeting. Assuming everything goes well, he plans to introduce the Budget at the March 7th meeting.

PUBLIC HEARINGS:

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

Marge Hasko, 44 Dowling Parkway, asked the Mayor and Council to take a look at a home on McBride Avenue, across from the cemetery, to see the overflowing dumpster as well as extensive debris that is piled up in front of the home. She also stated that the area under Route 80 "is a disgrace" and should be cleaned up.

Sanjay Desai, 186 Mt. Pleasant Avenue, complained about the auto body shop next to the medical building on McBride Avenue. He stated that vehicles are parked on the front grass that shouldn't be there. Mr. Desai brought up the issue of children in the school system that do not live in Woodland Park. He asked the Mayor and Council to have inspections, with regard to the Illegal Dwelling Ordinance, to make sure that the apartments and two family homes in Woodland Park do not have more families living in them than what the Ordinance permits. He stated that we should have every landlord register in the Borough to let them know how many people are living in their two-family homes. He then spoke with regard to the fact that the medical building has filed bankruptcy which will cost the Borough \$425,000 in revenues; the lawsuit that was filed with regard to the late former Police Chief in the amount of, what he believes to be, \$425,000 and the law suit which is being filed by Four Seasons at Great Notch. He asked how the Borough was going to pay for these expenses. Mr. Desai stated that with regard to the Police Department promotions, he feels those officers should defer a raise in pay for more than one year. Mr. Desai complained that he continues to see police officers driving their cars on cell phones and asked that that issue be addressed.

Tom Gomez, 48 Wallace Lane, commended the DPW for doing a great job during the recent flooding. He also thanked the Governing Body for the dumpsters which were placed in the area to discard any wet household furnishings that needed to be disposed. He was concerned with regard to the changing of elevation on Memorial School field and whether or not the work being done on that field would affect the homes on Wallace Lane should another flooding issue occur.

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

The Mayor stated that he e-mailed the Code Enforcement Official to have him investigate the property that Mrs. Hasko was speaking of as well as part of the wall surrounding the cemetery on McBride Avenue. He stated that as soon as the weather permits, the property under Route 80 will be painted and cleaned up.

The Mayor agreed with Mr. Desai and stated that he will have Code Enforcement look at the body shop that he is referring to in order to determine if there is any improper parking. The Mayor stated that Councilman Holloway is currently working with Mr. Esposito to "tighten up" the Illegal Dwelling ordinance. Councilman Holloway told the Mayor and Council that there is a Law & Ordinance Committee meeting on Monday and that they would be addressing the Illegal Dwelling ordinance at that time. The Mayor stated that there is no statute that forces a landlord to register in the Borough. With regard to the bankruptcy and law suit against the Borough, the Mayor stated that, unfortunately, we cannot control who files for bankruptcy or who files a lawsuit against the municipality. The Mayor told Mr. Desai, with regard to the Police Department promotions, that because we now have more "brass" they can cover each other when someone is out of the office instead of paying overtime. The Mayor stated that he will speak to Chief Galietti with regard to police officers allegedly using their cell phones while driving.

The Mayor agreed with Mr. Gomez that the DPW did a great job during the flooding last year. He also told Mr. Gomez that Paul Salomone was responsible for having the dumpsters placed around the municipality and he thanked him for doing so. With regard to Mr. Gomez's concern about the grading of Memorial Field, the Mayor explained that to the best of his knowledge, there was a diversion pipe put in to divert the water collected on the field away from the homes at Dowling Estates. Mr. Galland explained the process which is being done on Memorial Field to divert water away from the homes.

MINUTES:

Upon Motion by Councilman Spinelli, seconded by Council President Gatti, and passed on roll call vote, the Minutes of the Special Meeting, the Regular Meeting and the Executive Session of February 1, 2012 were approved as submitted with an abstention made by Councilman Vargas on the Special Meeting.

CONFERENCE COMMITTEE REPORTS:

- A. Administration & Finance – Council President Gatti stated that she had a committee meeting on Monday, but there is nothing that can be discussed at this time at an open meeting.
- B. Buildings & Grounds/Public Works – Councilman DiDomenico stated that they would be meeting on Monday night and reiterated his position to the Mayor that he believes this should be a Special Meeting of the full Mayor and Council.
- C. Public Safety – Councilman Vargas had no report at this time.
- D. Health & Senior Services – Councilman Spinelli stated that the Senior Valentine’s Day Dance has been postponed until February 18, 2012.
- E. Recreation & Community Relations – Councilwoman Pascrell had no report at this time.
- F. Laws & Ordinances – Councilman Holloway stated that this committee will be discussing the Illegal Dwelling Ordinance and updating an old ordinance at their upcoming meeting. He also discussed the fact that the Planning Board approved the opening of a Fairway Market in the old Pathmark building. Councilman Holloway also discussed the Rich History/Bright Future which is Passaic County’s 175th year celebration

MUNICIPAL ATTORNEY’S REPORT:

Mr. Buglione stated that we are continuing with projects that have been on-going specifically, the law suit with regard to the Passaic Valley Sewerage Commission.

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 R12-54, a resolution, based on the recommendation of the Administrator, amending the Employee Handbook dated August 1, 2011 to include an Accident Reporting Policy for the Department of Public Works, Code Enforcement and Administration.**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, currently have in place an Employee Handbook for the Borough’s current and future employees; and

WHEREAS, this Employee Handbook provides 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; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park wish to amend the current Employee Handbook to include an Accident Reporting Policy for the Department of Public Works, Code Enforcement and Administration as follows:

The following policies apply to employees working in the Department of Public Works, Code Enforcement and Administration.

ACCIDENT REPORTING

Whenever a Woodland Park employee is involved in an accident using a municipal vehicle or equipment said accident must be immediately reported to his/her supervisor prior to the employee leaving the scene of the accident. The supervisor shall immediately notify the Woodland Park Police Department (PD). PD is charged with the responsibility to investigate all accidents involving municipal vehicles or equipment. PD shall dispatch an accident investigator to the scene and conduct such an investigation. A written report shall be provided to the Police Chief, Administrator and the appropriate Department Head.

DAMAGED, INOPERATIVE PROPERTY OR EQUIPMENT

Employees shall immediately report to their supervisor in writing the loss of, or damage to, municipal owned property assigned to or used by them. The immediate supervisor will be notified of any defects or hazardous conditions existing in any department equipment or property.

CARE OF MUNICIPAL BUILDINGS

No employee shall mar or deface any surface of a municipal owned or leased building. No material shall be affixed in any way to property owned or leased by the municipality without specific authorization from a Department Head or his/her designee.

COMPLIANCE

Employees are responsible for the proper care of municipal property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action.

1. If it is determined that the damage to municipal equipment is due to employee negligence, costs incurred by the municipality for replacement and/or repair may be assessed against the employee.
2. Failure to report an accident with a municipal vehicle or equipment; or failure to report a loss of, or damage, to municipal owned property; or the marring or defacing municipal owned or leased property; or posting material on municipal property without specific authorization; shall be addressed with disciplinary action as follow:

First Offense – Reprimand

Second Offense – One day suspension without pay.

Third Offense – One to five day suspension without pay.

Fourth Offense – Up to ten day suspension or employment termination.

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 amends the Employee Handbook dated August 1, 2011 to include the verbiage listed on the attachment of this resolution; and

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

B. Resolution R12-55, a resolution directing the appropriate administration staff to refund the amount of \$2,624.42 which represents the unused balance of an escrow account to Ed Schumacher, 1231 McBride Avenue, Woodland Park, based on the recommendation of Felix Esposito, Code Enforcement Officer.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are in receipt of a request from Ed Schumacher, 1231 McBride Avenue, Woodland Park, New Jersey for a refund of the balance of his escrow account associated with the Board of Adjustment application; and

WHEREAS, the Mayor and Council are in receipt of a recommendation from Felix Esposito, Code Enforcement Officer to return said escrow to Mr. Schumacher;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby direct the appropriate administration staff to refund the amount of \$2,624.42 to Ed Schumacher, 1231 McBride Avenue, Woodland Park, New Jersey.

C. Resolution R12-56, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$744.49 for the overpayment of taxes, relative to the State Tax Rebate, to the property owners of 4 Galena Road, Woodland Park 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 an overpayment of taxes, because of the State Tax Rebate, in the amount of \$744.49, was made; and

WHEREAS, Mary Franz, 4 Galena Road, Woodland Park, has requested, in writing, that this overpayment be returned to her; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a refund of said overpayment be made to Mary Franz;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$744.49 for the overpayment of taxes, because of the State Tax Rebate, to Mary Franz, with reference to 4 Galena Road; and

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

D. Resolution R12-57, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$2,233.50 for the overpayment of taxes to the property owners of 47 Haverhill Avenue, Woodland Park 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 an overpayment of taxes, in the amount of \$2,233.50, was made by Core Logic with reference to, Block 73, Lot 49; and

WHEREAS, Sylvia Ksiazek has requested, in writing, that this overpayment be returned to her; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a refund of said overpayment be made to Sylvia Ksiazek;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$2,233.50 for the overpayment of taxes to Sylvia Ksiazek, 47 Haverhill Avenue, Woodland Park, Block 73, Lot 49; and

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

E. Resolution R12-58, a resolution authorizing Immaculate Heart of Mary Parish, 580 Ratzler Road, Wayne, New Jersey to conduct a Tricky Tray and an On-Premise 50/50 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park on March 15, 2012 between the hours of 5:30 and 10:00 p.m.

WHEREAS, Immaculate Heart of Mary Parish, 580 Ratzler Road, Wayne, New Jersey, is seeking approval to conduct a Tricky Tray and an On-Premise 50/50 Raffle on March 15, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 5:30 and 10:00 p.m.; and

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

NOW BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby give authorization to Immaculate Heart of Mary Parish, Wayne, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on March 15, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 5:30 and 10:00 p.m.

F. Resolution R12-61, a resolution authorizing the purchase of a 2012 Chevy Tahoe SSV 4x4, through the Cranford Police Cooperative Pricing System, from Wigder Chevrolet, 606 W. Mt. Pleasant Avenue, Livingston, New Jersey in an amount not to exceed \$35,000.00.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey have determined that there is a need to purchase a 2012 Chevy Tahoe SSV 4x4 to be used by the Superintendent of Public Works; and

WHEREAS, funding for this purchase has been provided for in the 2011 Bond Ordinance; and

WHEREAS, this vehicle is being purchased through the Cranford Police Cooperative Pricing System, 8 Springfield Avenue, Cranford, New Jersey; and

WHEREAS, the vendor for this vehicle is Wigder Chevrolet, 606 W. Mt. Pleasant Avenue, Livingston, New Jersey;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, do hereby authorize the purchase of a 2012 Chevy Tahoe SSV 4x4 from Wigder Chevrolet, 606 W. Mt. Pleasant Avenue, Livingston, New Jersey in an amount not to exceed \$35,000.00.

G. Resolution R12-62, a resolution authorizing JC Landscape Construction & Management Co., Inc. to complete the additional work needed on the baseball field of Memorial School in an amount not to exceed \$22,200.00.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey entered into an agreement with JC Landscape

Construction & Management Co., Inc. at their October 5, 2011 Regular Meeting to refurbish Memorial Field with regard to the damage which had been done by Hurricane Irene; and

WHEREAS, the agreement between JC Landscape and the Borough of Woodland Park was in an amount not to exceed \$165,652.00 which included extensive grading work and sod to be placed on the football/soccer field; and

WHEREAS, it has now come to the attention of the Mayor and Council that due to weather conditions, it has become necessary to lay additional sod in the baseball areas as well; and

WHEREAS, due to the additional work and laying of additional sod, JC Landscape Construction has submitted an estimate of \$22,200.00 in addition to the original \$165,652.00 contract; and

WHEREAS, funds are available from Woodland Park Open Space Trust Fund Account for this project; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey that authorization be given to JC Landscape Construction & Management Co., Inc. to complete the additional work needed on the baseball field of Memorial School in an amount not to exceed \$22,200.00.

H. Resolution R12-63, a resolution approving an increase to the 2012 Temporary Budget in the amount of \$1,042,386.79.

WHEREAS, an emergent condition has arisen with respect to unexpected expenses and no adequate provision was made in the 2012 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of N.J.S. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total \$6,058,283.79 Grand Total of Current Fund Budget Appropriations;

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members therefore affirmatively concurring) that in accordance with N.J.S. 40A:4-20.

The following Temporary Emergency Appropriation is hereby made:

EMERGENCY TEMPORARY RESOLUTION = 02/15/11		
BUDGET ACCOUNT	BUDGET ACCOUNT	AMOUNT
2-01-20-100-101-020	GENERAL ADMINISTRATION O/E	\$10,000.00
2-01-23-210-210-020	INSURANCE OTHER PREMIUMS	\$185,000.00
2-01-23-220-220-020	GROUP INSURANCE	\$350,000.00
2-01-25-240-240-020	POLICE DEPARTMENT - O/E	\$40,000.00
2-01-31-455-455-020	PASSAIC COUNTY SEWERAGE	\$210,000.00
2-01-31-460-460-020	GASOLINE & MOTOR FUEL - O/E	\$20,000.00
2-01-36-471-471-020	PUBLIC EMPLOYEES PENSION	\$17,558.79
2-01-36-473-473-020	DCRP PENSION FUND	\$100.00

2-01-36-475-475-020	POLICE & FIRE PENSION	<u>\$209,728.00</u>
	RESOLUTION INCREASE	\$1,042,386.79
	CURRENT BUDGET STATUS	<u>\$5,015,897.00</u>
	NEW TEMPORARY BUDGET TOTAL	\$6,058,283.79

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

I. Resolution R12-64, a resolution to approve the actions noted in the Consent Agenda, items A. through H., 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 H. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Councilman DiDomenico requested the removal of Resolutions R12-61 and R12-62 to be discussed and voted on separately.

Resolution R12-64 was revised to reflect Resolutions R12-61 and R12-62 being taken off the Consent Agenda.

Resolution R12-64, a resolution to approve the actions noted in the Consent Agenda, items A. through E. and H. and I., be and are hereby approved and the proper officers are directed to take necessary action on same.

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

The Mayor discussed his reasoning behind Resolution R12-54 and explained why he wanted this policy instituted.

Resolution R12-61, a resolution authorizing the purchase of a 2012 Chevy Tahoe SSV 4x4, through the Cranford Police Cooperative Pricing System, from Wigder Chevrolet, 606 W. Mt. Pleasant Avenue, Livingston, New Jersey in an amount not to exceed \$35,000.00.

Councilman DiDomenico asked if this vehicle was in addition to our fleet or a replacement for one of the vehicles that we own. Mr. Galland explained that this was left over from our 2011 Bond Ordinance and was a vehicle to replace the one currently used by George Galbraith, Superintendent of Public Works.

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

Resolution R12-62, a resolution authorizing JC Landscape Construction & Management Co., Inc. to complete the additional work needed on the baseball field of Memorial School in an amount not to exceed \$22,200.00.

Councilman DiDomenico asked if there would be any other potential work to be done at Memorial Field. The Mayor explained that, although he was not Mayor at the time, he thought that sodding all the fields should have been done all at once. Since we did not contract for the baseball fields with the landscaper, he stated that there is, in fact, a need for it and that is why it is being done at this time. He does not believe that any additional work needs to be done after this takes place.

Upon Motion made by Councilman Holloway, and seconded by Councilman Vargas, 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 Council President Gatti, seconded by Councilman Spinelli and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 02/10/11 totaling \$1,971,474.69.

DEPARTMENT REPORTS:

1. Police Reports for January, 2012.
2. Fire Department Report for January, 2012.
3. Fire Prevention Report for January, 2012.
4. Senior Bus Usage Report for January, 2012.
5. Planning Board Minutes for January 9, 2012.
6. Planning Board Resolution
7. Planning Board – Approval of Master Plan.
8. Animal Control Report for January, 2012.
9. Finance Department - Summary Budget Status Reports for Feb. 10, 2012.

OLD BUSINESS:

- A. Public Hearing on Ordinance 12-01, 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 on Brophy Lane, from Mt. Pleasant Avenue to the northeast corner of Vernon Court.**

Upon a Motion made by Councilman Holloway, seconded by Councilwoman Pascrell and passed on roll call vote, a public hearing was opened on Ordinance No. 12-01.

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

- B. Resolution R12-59, adoption of Ordinance 12-01 by the Mayor & Council.**

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt 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 on Brophy Lane, from Mt. Pleasant Avenue to the northeast corner of Vernon Court; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News setting the date of February 15, 2012 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 February 15, 2012 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled ordinance 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 on Brophy Lane,

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from Mt. Pleasant Avenue to the northeast corner of Vernon Court be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk be and he is hereby authorized and directed to publish said Ordinances according to law.

Council President Gatti wanted to make sure that the homeowners were informed of this ordinance before it was enforced.

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

ORDINANCE No. 12-01

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 Brophy Lane, from Mt. Pleasant Ave. to the Northeast Corner of Vernon Court,

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 allows parking on Brophy Lane, from Mt. Pleasant Ave. to the Northeast Corner of Vernon Court, are hereby amended, as follows:

“Parking will no longer be permitted or allowed on Brophy Lane, from Mt. Pleasant Ave. to the North- east Corner of Vernon Court.”

VIOLATION:

Any motor vehicle operator who violates the provisions of this Ordinance will be fined Sixty (\$60.00) Dollars, and their motor vehicle will be towed at the motor vehicle owner’s expense, as this area has been identified as a dangerous area when motor vehicles are parked there.

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. The Chief of Police is hereby directed to co-ordinate the installation of proper signage and/or pavement markers – to call attention to the provisions of this article, to be erected along Brophy Lane.

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.

C. Public Hearing on Ordinance 12-02, an ordinance to allow residents of the Borough of Woodland Park to obtain good conduct letters from the Borough of Woodland Park Police Department.

Upon a Motion made by Councilwoman Pascrell, seconded by Councilman Spinelli and passed on roll call vote, a public hearing was opened on Ordinance No. 12-02.

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

D. Resolution R12-60 adoption of Ordinance 12-02 by the Mayor & Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance to allow residents of the Borough of Woodland Park to obtain good conduct letters from the Borough of Woodland Park Police Department; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated February 10, 2012, setting the date of February 15, 2012 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 February 15, 2012 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled ordinance an Ordinance to allow residents of the Borough of Woodland Park to obtain good conduct letters from the Borough of Woodland Park Police Department be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk be and he is hereby authorized and directed to publish said Ordinances according to law.

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

Said Ordinance 12-02 has been written out in the Minutes of the February 1, 2012 meeting.

At this point in time, Mayor Kazmark attempted to move on to the next subject item on the Agenda and the following conversation ensued:

Councilman DiDomenico: Mayor, I still have some old business.

Mayor Kazmark: Oh, sorry

Councilman DiDomenico: We're on old business?

Mayor Kazmark: Go ahead

Councilman DiDomenico: I want to defer to the attorney. I don't want to violate anyone's rights under the Rice Law, but you brought up earlier this evening, that you appointed the former Mayor to a position in the Department of Public Works. My research this week...

Mayor Kazmark: Councilman, Councilman let me stop you there because I think, based on a conversation I had with the Clerk, I think I know where you're going to go and that employee has not been riced so I think it would be better served...

Councilman DiDomenico: I'm talking about the process though. I'm asking the attorney, can we discuss the process?

Mayor Kazmark: If you going to...

Councilman DiDomenico: You know what? Let it go.

Mayor Kazmark: Well, no...
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Councilman DiDomenico: Let it go.

Mayor Kazmark: We can certainly take on the discussion at Executive Session if you feel that way, but anything that can potentially affect any employments, any employee's employment, which if it's the same discussion that was relayed to me by the Clerk/Administrator, I would just be concerned that we would have an issue if, in light of the fact that that employee has not been rice noticed. That's all.

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:

- o Personnel Matters

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 Gatti, seconded by Councilman Holloway and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 8:40 p.m.

Upon the conclusion of the executive session, a Motion was made by Councilman Spinelli and seconded by Councilman Vargas to continue the regular meeting at 9:24 p.m. At that time, a roll call was taken and all council members were present.

Mr. Buglione stated that because of the laws of the State of New Jersey, the Mayor, Council and Borough Attorney are not permitted to state the names of the employees which were discussed at Executive Session. Mr. Buglione stated that they will be referred to as Employee #1 and Employee #2. Mr. Buglione proposed to the Mayor and Council that they authorize, with regard to Employee #1, retention of hearing officer, Hon. Frank Donoto, retired Superior Court Judge from Passaic County, for professional services in an amount not to exceed the amount of \$2,500.00.

Upon Motion made by Councilman Spinelli, and seconded by Council President Gatti, the Mayor and Council unanimously voted to hire the Hon. Frank Donoto to act as a hearing officer with regard to Employee #1.

Mr. Buglione continued by saying that, also with regard to Employee #1, he is strongly suggesting the retention of a conflict attorney, the law firm of Weber Dowd Law LLC to serve as the prosecuting attorneys on any disciplinary charges relative to Employee #1 not to exceed \$4,000.00.

Upon Motion made by Councilman Holloway, and seconded by Councilman Spinelli, with an abstention by Councilman DiDomenico, the Mayor and Council unanimously voted to retain the law firm of Weber Dowd Law LLC as conflict counsel, relative to Employee #1.

With regard to Employee #2, Mr. Buglione stated that we have been presented with a generic offer of settlement in that matter. However, this matter is being monitored by the Prosecutor's Office. In the event that the settlement does not work out or is rejected by the Prosecutor's Office, he respectfully suggests that the Hon. Frank Donoto be retained as the hearing officer and that a Professional Service Agreement, not to exceed \$2,500.00, be approved.

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Upon Motion made by Councilman Vargas, and seconded by Councilman Holloway, the Mayor and Council unanimously voted to hire the Hon. Frank Donoto to act as a hearing officer with regard to Employee #2.

There being no further business to come before the Council, upon Motion by Councilwoman Pascrell, seconded by Council President Gatti and unanimously passed on roll call vote, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Keith Kazmark
Mayor