

**YOUTH MONTH
BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON MAY 2, 2012**

The following were the participants in the 2012 Youth Month Program and acted as Mayor and Council at the May 2, 2012 meeting:

Kayleigh Herrmann (Mayor Kazmark)
Cameron Baez (Council President Gatti)
Taina Vasquez (Councilman DiDomenico)
Matthew Meechee (Councilman Spinelli)
Rashmi Pradham (Councilwoman Pascrell)
Claudia Barone (Councilman Holloway)
Selena Tiberio (Councilman Vargas)
Kameron Bousquet (Borough Administrator)
Christian Riccardi (Municipal Clerk)
Bami Oke (Borough Attorney)

The following were also participants who filled other municipal positions:

Michael Amato (Police Chief)
Steve Delos Angeles (Fire Chief)
Amit Singh (Borough Treasurer)
Luzkarla Rodriguez (First Aid Squad Captain)
Merilin Sivrieva (Superintendent of Schools)
Zaira Capotorto (Municipal Court Judge)
Michael Cohen (Board of Ed. President)
Vernisha Henry (Supt. of Public Works)
Nicole Cianci (Library Director)

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 May 2, 2012 and was called to order by Kayleigh Herrmann (Mayor Kazmark) at 7:03 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 West Paterson Cheerleaders

PUBLIC HEARINGS:

Mayor Kazmark (Kayleigh Herrmann) opened the meeting to the public and asked if anyone wished to be heard.

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

MAYOR'S REPORT:

The Mayor stated that he had the opportunity to attend Governor Christie's Town Hall Meeting in Garfield. The Governor spoke about many items including passing a law that

prevents large sick time payouts and terminal leave. The Mayor also stated that he received a notice from the DEP urging residents to conserve water. He asked the residents to make every effort to minimize their water use. The Mayor told everyone that a scholarship in the name of Vince Olivo was presented by the Passaic County 200 Club. The Mayor stated that his meeting with Congressman Frelinghuysen is scheduled for May 11, 2012. He stated that Cavalieri Park renovations are almost complete. The Mayor thanked Mr. Gramata and the fourth graders at Beatrice Gilmore School for a great Earth Day/Arbor Day celebration.

MINUTES

Upon Motion by Council President Gatti (Cameron Baez), seconded by Councilman DiDomenico (Taina Vasquez), and passed on roll call vote, the Minutes of the Regular Meeting of April, 18, 2012; Special Meeting of April 23, 2012; Executive Session of April 23, 2012 and Special Joint Meeting of April 23, 2012 were approved as submitted with an abstention by Councilman Vargas (Selena Tiberio).

CONFERENCE COMMITTEE REPORTS:

- A. Administration & Finance – Council President Gatti (Cameron Baez) stated that the committee will be meeting this Monday. She stated that property taxes are now due and should be paid by May 10, 2012. She stated that she received draft ordinances from Mayor Kazmark and will be passing them on to Councilman Holloway for his review.
- B. Buildings & Grounds/Public Works – Councilman DiDomenico (Taina Vasquez) stated that at the April 2nd committee +meeting, the following topics were discussed: Spruce Street Bridge Sewer; sewer main under Peckman River at McBride Avenue; Mt. Pleasant Avenue rehabilitation; Rockland Avenue rehabilitation; Zaccaria Park improvements; \$250,000 grant for the resurfacing of Overmount Avenue; Woodrow Avenue rehabilitation; paving of Hughes and Wilson Avenues in conjunction with PSE&G project; Performance Bond for various phases of Four Seasons at Great Notch.
- C. Public Safety – Councilman Vargas (Selena Tiberio) stated that the reverse 911 system is now on the Borough’s website. Councilman Vargas commended the Woodland Park Police Department.
- D. Health & Senior Services – Councilman Spinelli (Matthew Meechee) reported that the Rabies Clinic will be held on May 9, 2012. He stated that the Municipal Alliance spoke to the senior citizens regarding over-the-counter medications.
- E. Recreation & Community Relations – Councilwoman Pascrell (Rashmi Pradham) stated that the Annual Fishing Contest held on April 28th was a success. She thanked everyone connected for their help and donations with regard to this contest. She also stated that Opening Day Baseball was held at the Sam Yodice Field and was a success. She stated that Memorial Field looks “incredible” and thanked everyone connected with that project. She reminded everyone that an outdoor flea market will be held on May 5, 2012 at the Kearfott parking lot. She also reminded everyone to register for camp and also reminded everyone of the Memorial Day Parade on May 28th.
- F. Laws & Ordinances – Councilman Holloway (Claudia Barone) stated that there will be a public hearing on three ordinances to be considered for final passage tonight. Also tonight will be an introduction of an Ordinance with regard to amending the Fire Prevention Code. Councilman Holloway (Claudia Barone) also stated that the 2014 Centennial Committee met on April 30th to discuss the some of the events being planned for the celebration.

MUNICIPAL ATTORNEY’S REPORT:

Albert Buglione (Bami Oke) reported that litigation with the Passaic Valley Sewerage Commission is on-going. He stated that the Borough was successful in recovering reimbursement for the costs associated with an employee’s injury.

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 R12-148, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$1,055.01 to Toni Probst, 127 Wedgewood Drive, and forward the same to Cory Kestner, Esq., as attorney, 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 Toni Probst, 127 Wedgewood Drive, Woodland Park, Block 124, Lot 6.01, Qualifier C0127, was successful in her tax appeal for the year 2010; and

WHEREAS, Toni Probst's assessed taxes have been adjusted by the County; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested that a tax refund be made to Toni Probst and forwarded to Cory K. Kestner, Esq. as attorney for Toni Probst, in the amount of \$1,055.01 representing the tax appeal for the year 2010;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Borough of Woodland Park, be and is hereby authorized to refund the amount of \$1,055.01 to Toni Probst and forward the same to Cory Kestner, Esq. as attorney for Toni Probst, according to the new assessed value of her property as a result of a successful tax appeal; and

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Woodland Park, adjust the books and records accordingly.

- B. Resolution R12-149, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$912.81 to Marion Frazier, 135 Wedgewood Drive, and forward the same to Cory Kestner, Esq., as attorney, 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 Marion Frazier, 135 Wedgewood Drive, Woodland Park, Block 124, Lot 6.01, Qualifier C0135, was successful in her tax appeal for the year 2010; and

WHEREAS, Marion Frazier's assessed taxes have been adjusted by the County; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested that a tax refund be made to Marion Frazier and forwarded to Cory K. Kestner, Esq. as attorney for Marion Frazier, in the amount of \$912.81 representing the tax appeal for the year 2010;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Borough of Woodland Park, be and is hereby authorized to refund the amount of \$912.81 to Marion Frazier and forward the same to Cory Kestner, Esq. as attorney for Marion Frazier, according to the new assessed value of her property as a result of a successful tax appeal; and

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Woodland Park, adjust the books and records accordingly.

- C. Resolution R12-150, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$1,055.01 to John Misner, Jr., 264 Woodland Drive, and forward the same to Cory Kestner, Esq., as attorney, 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 John Misner, Jr., 264 Woodland Drive, Woodland Park, Block 124, Lot 6.01, Qualifier C0264, was successful in his tax appeal for the year 2010; and

WHEREAS, John Misner's assessed taxes have been adjusted by the County; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested that a tax refund be made to John Misner, Jr. and forwarded to Cory K. Kestner, Esq. as attorney for John Misner, Jr., in the amount of \$1,055.01 representing the tax appeal for the year 2010;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Borough of Woodland Park, be and is hereby authorized to refund the amount of \$1,055.01 to John Misner, Jr. and forward the same to Cory Kestner, Esq. as attorney for John Misner, Jr., according to the new assessed value of his property as a result of a successful tax appeal; and

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Woodland Park, adjust the books and records accordingly.

D. Resolution R12-151, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$926.57 to Robert J. LaConte, 313 Cedarwood Terrace, and forward the same to Cory Kestner, Esq., as attorney, 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 Robert J. LaConte, 313 Cedarwood Terrace, Woodland Park, Block 124, Lot 6.01, Qualifier C0313, was successful in his tax appeal for the year 2010; and

WHEREAS, Robert J. LaConte's assessed taxes have been adjusted by the County; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested that a tax refund be made to Robert J. LaConte and forwarded to Cory K. Kestner, Esq. as attorney for Robert J. LaConte, in the amount of \$926.57 representing the tax appeal for the year 2010;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Borough of Woodland Park, be and is hereby authorized to refund the amount of \$926.57 to Robert J. LaConte and forward the same to Cory Kestner, Esq. as attorney for Robert J. LaConte, according to the new assessed value of his property as a result of a successful tax appeal; and

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Woodland Park, adjust the books and records accordingly.

E. Resolution R12-152, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$623.83 to Mary T. Vitaletti, 411 Dogwood Court, and forward the same to Cory Kestner, Esq., as attorney, 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 Mary T. Vitaletti, 411 Dogwood Court, Woodland Park, Block 124, Lot 6.01, Qualifier C0411, was successful in her tax appeal for the year 2010; and

WHEREAS, Mary T. Vitaletti's assessed taxes have been adjusted by the County; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested that a tax refund be made to Mary T. Vitaletti and forwarded to Cory K. Kestner, Esq. as attorney for Mary T. Vitaletti, in the amount of \$623.83 representing the tax appeal for the year 2010;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Borough of Woodland Park, be and is hereby authorized to refund the amount of \$623.83 to Mary T. Vitaletti and forward the same to Cory Kestner, Esq. as attorney for Mary T. Vitaletti, according to the new assessed value of her property as a result of a successful tax appeal; and

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Woodland Park, adjust the books and records accordingly.

F. Resolution R12-153, a resolution directing the appropriate administration staff to refund the amount of \$3,102.71 to Capital One Bank, 425 Meadowlands Parkway, Secaucus, New Jersey representing their escrow balance associated with a Planning Board application relative to 287 Browertown Road.

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 Capital One Bank, 425 Meadowlands Parkway, Secaucus, New Jersey for a refund of their escrow account associated with a Planning Board application relative to 287 Browertown Road; and

WHEREAS, the Mayor and Council are in receipt of a recommendation from Felix Esposito, Code Enforcement Officer to return said escrow to Capital One Bank;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby direct the appropriate administration staff to refund the amount of \$3,102.71 to Capital One Bank, 425 Meadowlands Parkway, Secaucus, New Jersey.

G. Resolution R12-154, a resolution authorizing St. Michael the Archangel Byzantine Catholic Cathedral, 96 First Street, Passaic, New Jersey to conduct an Off-Premise 50/50 Raffle on September 16, 2012 at St. Michael's Chapel, 415 Lackawanna Avenue, Woodland Park, New Jersey at 6:00 p.m.

WHEREAS, St. Michael the Archangel Byzantine Catholic Cathedral, 96 First Street, Passaic, New Jersey, is seeking approval to conduct an Off-Premise 50/50 Raffle on September 16, 2012 at St. Michael's Chapel, 415 Lackawanna Avenue, Woodland Park, New Jersey at 6:00 p.m.; and

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

NOW BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby give authorization to St. Michael the Archangel Byzantine Catholic Cathedral, 96 First Street, Passaic, New Jersey to conduct an Off-Premise 50/50 Raffle on September 16, 2012 at St. Michael's Chapel, 415 Lackawanna Avenue, Woodland Park, New Jersey at 6:00 p.m.

H. Resolution R12-155, a resolution entering into a Memorandum of Understanding with the State of New Jersey, Department of Environmental Protection, to acquire the home and property known as 37 Radcliff Avenue, at no cost to the Borough, and to adhere to all conditions set forth in the attached Memorandum of Understanding and authorizing the Borough Administrator to execute said Memorandum of Understanding and any other such documents related to this effort on behalf of the Borough.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are aware that property located at 37 Radcliff Avenue, Woodland Park has been repeatedly damaged by flooding from the Passaic River; and

WHEREAS, the Mayor and Council have also been made aware that the property owner of 37 Radcliff Avenue has applied to the State of New Jersey, Department of Environmental Protection (NJDEP) requesting that this home and property be purchased through The Green Acres Program; and

WHEREAS, the NJDEP desires to acquire said property and transfer title to the Borough of Woodland Park after entering into a Memorandum of Understanding (MOU) with the Borough of Woodland Park provided that the Borough adhere to all conditions set forth in said MOU attached hereto; and

WHEREAS, no financial obligations will be borne by the Borough for the acquisition of 37 Radcliff Avenue;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby agrees to enter into a MOU with the NJDEP whereby the NJDEP shall initially acquire the property known as 37 Radcliff Avenue and subsequently transfer title to the Borough, at no cost to the Borough, subject to compliance with all of the conditions set forth in the attached MOU, and

BE IT FURTHER RESOLVED, that Mr. Kevin Galland, Borough Administrator is hereby authorized to execute the MOU, and any other such documents related to this effort, on behalf of the Borough.

I. Resolution R12-157, a resolution amending Resolution R11-267 which was approved on October 19, 2011, to change the amount of the Municipal Alliance Grant to \$25,163.00.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, recognize that the abuse of alcohol and drugs are a serious problem in our society amongst persons of all ages; and

WHEREAS, the Mayor and Council further recognize that it is incumbent upon not only public officials, but also upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council approved Resolution R11-267 on October 19, 2011 authorizing submission of an application for the Woodland Park Municipal Alliance Grant for calendar year 2012 in the amount of \$27,200.00; and

WHEREAS, it has become necessary to amend said resolution to change the amount of the Grant to \$25,163.00;

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, does hereby amend Resolution R11-267 to change the amount of the Municipal Alliance Grant for the calendar year 2012 to \$25,163.00.

J. Resolution R12-158, a resolution authorizing JC Promotions and the Woodland Park Recreation Department to hold a Vendor/Craft Fair on May 5, 2012 and July 8, 2012 from 7:00 a.m. to 6:00 p.m. in the Kearfott Parking Lot on McBride Avenue.

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 JC Promotions and the Woodland Park Recreation Department, a non-profit organization, to hold a Vendor/Craft Fair on May 5, 2012 and July 8, 2012 between the hours of 7:00 a.m. and 6:00 p.m., in the Kearfott Parking Lot on McBride Avenue; and

WHEREAS, the application has been reviewed and found to be in compliance with the application requirements established in Ordinance 09-04 by this Mayor and Council; and

WHEREAS, notification has been made to the Woodland Park Police Department, the West Paterson Fire Department and Code Enforcement officials; and

WHEREAS, a copy of the application and certificate of liability insurance are on file in the Municipal Clerk's office; and

WHEREAS, the application fee of \$250.00 is hereby waived in accordance with Ordinance 09-04 waiving the fee for certified non-profit organizations as well as the Flea Market Permit fee of \$100.00; 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 JC Promotions and the Woodland Park Recreation Department to hold a Vendor/Craft Fair on May 5, 2012 and July 8, 2012 from 7:00 a.m. to 6:00 p.m. in the Kearfott Parking Lot on McBride Avenue.

K. Resolution R12-159, a resolution authorizing the use of the Diane Grimes Field on May 10, 2012, May 22, 2012 and June 8, 2012 by the Windsor Academy from 10:00 a.m. until 12:00 p.m.

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 the Windsor Academy requesting the use of Diane Grimes Field; and

WHEREAS, the request 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 the use of the Diane Grimes Field on May 10, 2012, May 22, 2012 and June 8, 2012 by the Windsor Academy from 10:00 a.m. until 12:00 p.m.; and

L. Resolution R12-160, a resolution to approve the actions noted in the Consent Agenda, items A. through K., be and are hereby approved and the proper officers are directed to take necessary action on same.

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

Upon Motion made by Councilwoman Pascrell (Rashmi Pradham), and seconded by Councilman Vargas (Selena Tiberio), 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 (Cameron Baez), seconded by Councilman DiDomenico (Taina Vasquez) and unanimously passed on roll call vote, the Council confirmed the payment of the 05/15/12 and 05/30/12 regular and miscellaneous payrolls estimated at \$190,000.00 each.

Upon Motion made by Councilman Spinelli (Matthew Meechee), seconded by Councilman Holloway (Caludia Barone) and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 04/27/12 totaling \$3,037,371.64.

DEPARTMENT REPORTS:

1. Library Report for April 16, 2012.
2. Board of Adjustment Minutes for March 26, 2012.
3. Finance Department - Summary Budget Status Report for April 27, 2012.

OLD BUSINESS

A. Public Hearing on Ordinance 12-05.

Upon a Motion made by Councilman Spinelli (Matthew Meechee), seconded by Councilman DiDomenico (Taina Vasquez) and passed on roll call vote, a public hearing was opened on Ordinance No. 12-05.

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

B. Resolution R12-145, adoption of Ord. 12-05 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 known as the “Traffic Ordinance”, adopted December 29, 1972; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 21, 2012, setting the date of May 2, 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 May 2, 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 known as the “Traffic Ordinance”, adopted December 29, 1972 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 Councilwoman Pascrell (Rashmi Pradham), and seconded by Councilman DiDomenico (Taina Vasquez), the foregoing resolution was unanimously adopted on roll call vote.

ORDINANCE NO. 12-05

AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS KNOWN AS THE “TRAFFIC ORDINANCE,” ADOPTED DECEMBER 29, 1972

WHEREAS, Chapter XI, Schedule II of the Ordinances of the Borough of Woodland Park (“Borough”), which is known as the “Traffic Ordinance” identifies those streets on which parking is prohibited during certain hours; and

WHEREAS, in order to enable the Borough to properly clean the streets, the Borough of Woodland Park seeks to ban parking on certain streets during certain hours of certain days;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Counsel of the Borough of Woodland Park as follows:

I. Section 11-3.4 “Parking Prohibited During Certain Times on Certain Streets,” and Schedule II of Chapter XI of the Ordinance of the Borough of Woodland Park, which is known as the “Traffic Ordinance,” adopted December 29, 1972, shall be amended and supplemented by adding the following thereto:

<u>Name of Street</u>	<u>Hours and Days</u>	<u>Side</u>	<u>Location</u>
McBride Avenue	1st and 3rd Thursday 8:30 a.m. to Noon	west	Paterson Line to Little Falls Line

McBride Avenue	2nd and 4th Thursday 8:30 a.m. to Noon	east	Paterson Line to Little Falls Line
Lackawanna Avenue	1st and 3rd Thursday 8:30 a.m. to Noon	both	McBride Ave. to Lackawanna Bridge
Hillery Street	1st and 3rd Thursday 8:30 a.m. to Noon	both	McBride Avenue to Passaic River Bridge
All other County roads in Woodland Park	1st and 3rd Thursday 8:30 a.m. to Noon	both	
Mt. Park Road and all park roads	2nd and 4th Thursday 8:30 a.m. to Noon	both	Garrett Mountain

II. Any person found to be in violation of this Ordinance shall be assessed a fine not to exceed \$50.00.

III. If an improperly parked vehicle is deemed to present a hazard to the public health, safety, and welfare by a duly authorized law enforcement officer of the Borough, it shall be towed at the vehicle owner's expense.

III. The dates of enforcement of the previous provisions of this Ordinance shall be from the 15th of April of each year until the 15th of November of each year.

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

V. If any section, paragraph, clause, or provision of this Ordinance is adjudged invalid, illegal, unconstitutional, otherwise unenforceable, such adjudication shall apply only to the paragraph, subdivision, clause of provision so adjudged, and the remainder of the section, paragraph, clause, provision, or Ordinance as a whole shall remain enforceable.

VI. This Ordinance being vital to the public health, safety, and welfare shall take effect immediately upon final passage and publication as provided by law.

C. Public Hearing on Ordinance 12-06.

Upon a Motion made by Councilman Holloway (Claudia Barone), seconded by Councilman Vargas (Selena Tiberio) and passed on roll call vote, a public hearing was opened on Ordinance No. 12-06.

With no one wishing to be heard, upon a Motion made by Council President Gatti (Cameron Baez), seconded by Councilman Spinelli (Matthew Meechee) and passed on roll call vote, the public hearing was closed.

D. Resolution R12-146, adoption of Ord. 12-06 by the Mayor & Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance making the provision for New Jersey Statutes Annotated: Titles 39 and 59, and municipal ordinances, applicable to all Woodland Park Board of Education property, to regulate the use of the roadways, streets, driveways, parking lots and fields used by motor vehicles on the said property; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 21, 2012, setting the date of May 2, 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 May 2, 2012 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an ordinance making the provision for New Jersey Statutes Annotated: Titles 39 and 59, and municipal ordinances, applicable to all Woodland Park Board of Education property, to regulate the use of the roadways, streets, driveways, parking lots and fields used by motor vehicles on the said property 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 Spinelli (Matthew Meechee), and seconded by Councilman DiDomenico (Taina Vasquez), the foregoing resolution was unanimously adopted on roll call vote.

ORDINANCE NO.: 12-06

AN ORDINANCE MAKING THE PROVISION FO NEW JERSEY STATUTES ANNOTATED: TITLES 39 AND 59, AND MUNICIPAL ORDINANCES, APPLICABLE TO ALL WOODLAND PARK BOARD OF EDUCATION PROPERTY, TO REGULATE THE USE OF THE ROADWAYS, STREETS, DRIVEWAYS, PARKING LOTS AND FIELDS, USED BY MOTOR VEHILES ON THE SAID PROPERTY

BE IT ORDAINED, by the Borough Council of the Borough of Woodland Park (“Borough”), in the County of Passaic and the State of New Jersey as follows:

The provisions of this Ordinance shall apply to the following locations:

1. Charles Olbon School – 50 Lincoln Lane, Woodland Park, NJ 07424
2. Beatrice Gilmore School – 1075 McBride Avenue, Woodland Park, NJ 07424.
3. Memorial School – 15 Memorial Drive, Woodland Park, NJ 07424;
4. Woodland Park Board of Education Office – 853 McBride Avenue, Woodland Park, NJ 07424; and
5. Building formerly known as School #1 – 665 McBride Avenue, Woodland Park, NJ 07424.

SECTION I.

The Borough of Woodland Park Board of Education, a Municipal Entity established under N.J.S.A. 59:1-1, *et seq.*, has filed a written consent with the Borough to have 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 public and semi-public roads, streets, driveways, and parking lots that are owned, maintained, leased and/or operated by the Borough Woodland Park Board of Education in the Borough of Woodland Park, County of Passaic, State of New Jersey, and the following regulations shall be enforceable:

1. Parking:

- A. All vehicles must park in designated parking areas only and between the lines provided. In addition, there shall be no parking in the following areas -
 - i. Fire zones;
 - ii. Drop off/Pick up Zones. No vehicle may be left unattended in such Zones; and

- iii. No parking in designated parking areas between the hours of 12:00 a.m. and 6:00 a.m. without the written permission of the incumbent Borough Administrator.
- B. No person shall stop or stand a vehicle in an area that is prohibited by a stop sign, or directive of a Borough police officer, except in areas that allow for standing or stopping;
- C. Any person who violates any aspect of Title 39 or any applicable Municipal Ordinance of the Borough will be subjected to all fines and penalties that are provided by the same, which shall include but not be limited to: tickets; fines; and the towing of their vehicle, the expense of which shall be borne by the owner of the vehicle.
- D. Handicapped parking – All handicapped parking stalls shall be 12 feet wide and signed with R7-8 (Reserved Parking sign and penalty plate), in the designated parking areas for persons who have been issued the Handicapped Parking Permits by the Division of Motor Vehicles. Any person who parks their vehicle in a designated handicapped parking area, and does not have the requisite handicapped parking permit issued by the New Jersey Department of Motor Vehicles, will be prosecuted in the same manner as provided by Title 39 – N.J.S.A. 39:1-1, et seq.
- E. Reserved parking – The parking lots are permitted to have “Reserved Parking” for various types of vehicles. Such “Reserved Parking” spaces must be properly identified, i.e. ”Teacher Parking.”

2. Through Streets, Stop and Yield Intersections:

- A. Through streets – Any person operating a motor vehicle within the confines of the Borough of Woodland Park Board of Education’s property, and who fails to yield, will be prosecuted in the same manner as provided by Title 39 – N.J.S.A. 39:1-1, et seq. and all applicable Borough Municipal Ordinances.
- B. Stop intersections – Any person operating a motor vehicle within the confines of the Borough of Woodland Park Board of Education’s property, and who fails to stop at any stop sign or like traffic control device, will be prosecuted for such failure in the same manner as provided by Title 39 – N.J.S.A. 39:1-1, et seq., and all applicable Borough Municipal Ordinances.

3. Speed Limits:

The speed limits that are posted on property that is owned, maintained, controlled, or operated by the Borough of Woodland Park Board of Education will be enforced by the Woodland Park Police Department, through this ordinance, with the authority vested in them by Title 39 – N.J.S.A. 39:1-1, et seq., and any applicable Borough Municipal Ordinance. The speed limit for all traffic in the parking lots of properties specified herein shall be 10 miles per hour. Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits authorized by the New Jersey Department of Transportation.

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, drop-off or pick-up areas, 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, within the discretion of the Woodland Park Police Department, pursuant to Title 39 – N.J.S.A. 39:1-1, et seq. and any applicable Borough Municipal Ordinances.

5. Trespassing:

No trespassing on Borough of Woodland Park Board of Education owned property or field after school hours shall be permitted without written permission

obtained from the Borough of Woodland Park Board of Education, the Mayor of the Borough, or the Council of the Borough, or an authorized representative of those entities.

SECTION II.

All signs, posts, or other necessary materials required to advise of the implementation of Title 39 Traffic Regulations and Borough Traffic Regulations on Board of Education property shall be installed and paid for by the Borough of Woodland Park Board of Education. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27, and should also include all applicable Borough Ordinances.

SECTION III.

The penalty for violation of this ordinance shall be a \$50.00 fine.

SECTION IV.

If any section, paragraph, clause, or provision of this Ordinance is adjudged invalid, illegal, unconstitutional, otherwise unenforceable, such adjudication shall apply only to the paragraph, subdivision, clause or provision so adjudged, and the remainder of the section, paragraph, clause, provision, or Ordinance as a whole shall remain enforceable.

SECTION V.

This ordinance shall take effect upon final passage and publication according to law and approval by the Mayor and Council of the Borough of Woodland Park.

E. Public Hearing on Ordinance 12-07.

Upon a Motion made by Councilman Vargas (Selena Tiberio), seconded by Councilwoman Pascrell (Rashmi Pradham) and passed on roll call vote, a public hearing was opened on Ordinance No. 12-07.

With no one wishing to be heard, upon a Motion made by Councilman Holloway (Claudia Barone), seconded by Councilman Vargas (Selena Tiberio) and passed on roll call vote, the public hearing was closed.

F. Resolution R12-147, adoption of Ord. 12-07 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 VI of the Ordinances of the Borough of Woodland Park that is known as the "General Police Regulations Ordinance" adopted December 29, 1972; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 21, 2012, setting the date of May 2, 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 May 2, 2012 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an ordinance to amend Chapter VI of the Ordinances of the Borough of Woodland Park that is known as the "General Police Regulations Ordinance" adopted December 29, 1972 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 Councilwoman Pascrell (Rashmi Pradham), and seconded by Councilman Vargas (Selena Tiberio), the foregoing resolution was unanimously adopted on roll call vote.

ORDINANCE NO. 12-07

AN ORDINANCE TO AMEND CHAPTER VI OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK THAT IS KNOWN AS THE “GENERAL POLICE REGULATIONS ORDINANCE” ADOPTED DECEMBER 29, 1972

BE IT ORDAINED by the Mayor and Council of the Borough of Woodland Park (“Borough”), in the County of Passaic, and State of New Jersey, as follows:

Section I.

That Section 6-6.1 of Chapter VI be amended to read as follows:

6-6.1. Obstruction Defined. No person shall obstruct any Streets, right of ways and sidewalks of the Borough by parking, leaving, or placing thereon any type of dumpster, any immobile or detached trailer, portable garbage container, garbage container, goods, wares, merchandises, articles for trade or sale, or clothing dumpster.

Furthermore, that it shall be unlawful to leave or park same on Borough owned property without written consent of the incumbent Borough Administrator.

Section II.

That Section 6-6.2(b) of Chapter VI be amended to read as follows:

To the receptacles for garbage, ashes or refuse lawfully placed on or in the sidewalk areas for collection, excluding portable garbage dumpsters.

Section III.

Any person found to be in violation of this Ordinance shall be fined in an amount not to exceed \$60.00. Further, any type of dumpster, any immobile or detached trailer, portable garbage container, garbage container, goods, wares, merchandises, articles for trade or sale, or clothing dumpster found to be in violation of this Ordinance shall be towed at the owner or operator’s expense.

Section IV.

All other Ordinances or sections or provisions thereof that may be in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section V.

If any section, paragraph, clause, or provision of this Ordinance is adjudged invalid, illegal, unconstitutional, otherwise unenforceable, such adjudication shall apply only to the paragraph, subdivision, clause of provision so adjudged, and the remainder of the section, paragraph, clause, provision, or Ordinance as a whole shall remain enforceable.

Section VI.

This ordinance shall take effect after final passage and publication as provided by law.

NEW BUSINESS:

Resolution R12-156, Introduction of Ordinance 12-08

AN ORDINANCE AMENDING THE CHAPTER REGARDING “FIRE PREVENTION CODE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WOODLAND PARK 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 16th day of May, 2012, 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.

Councilman DiDomenico asked Albert Buglione, Esq. if we were just covering our expenses with regard to this ordinance. Mr. Buglione explained that Chief Muccio recommended that we adopt the State of New Jersey's Uniform Fee Schedule. Councilman Holloway asked Mr. Buglione to explain the penalties associated with this ordinance. Mr. Buglione stated that we amended the penalty phase due to the fact that the Chief Muccio stated that the State has a penalty phase and we should amend our ordinance to be in compliance with the State.

Upon Motion made by Councilman Holloway (Claudia Barone), and seconded by Councilman Spinelli (Matthew Meechee), the foregoing resolution was unanimously adopted on roll call vote.

There being no further business to come before the Council, upon Motion by Councilwoman Pascrell (Rashmi Pradham), seconded by Councilman Spinelli (Matthew Meechee) and unanimously passed on roll call vote, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Nancy Ferrigno
Deputy Municipal Clerk

Keith Kazmark
Mayor