

**BOROUGH OF WOODLAND PARK  
REGULAR MEETING OF THE MUNICIPAL COUNCIL  
HELD ON JANUARY 22, 2014**

A Regular Meeting of the Municipal Council of the Borough of Woodland Park was held in the Council Chambers in the Municipal Building, 5 Brophy Lane, on January, 22 2014 and was called to order by Mayor Keith Kazmark at 7:00 p.m.

Present: Council President Spinelli, Councilman DeCesare, Councilwoman Gatti, Councilman Holloway, Councilwoman Kallert, Councilwoman Pascrell and Mayor Kazmark

Absent: None

Kevin Galland, Administrator, Courtney Fitzpatrick, Deputy Municipal Clerk and Albert Buglione, Municipal Attorney, were 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 8, 2014 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:**

Mayor Kazmark presented certificates to the winners of the 2014 Community Calendar and Recycling Schedule poster contest:

Sofia Locker, 5<sup>th</sup> Grade Memorial School, January  
Yastika Singh, 2<sup>nd</sup> Grade Charles Olbon School, February  
Lexie DeLuca, 6<sup>th</sup> Grade Memorial School, March  
Yaslyn Garcia, 5<sup>th</sup> Grade Memorial School, April  
Tristan DePrizio, 4<sup>th</sup> Grade Beatrice Gilmore School, May  
Joshua Arroyo-Arriaga, 3<sup>rd</sup> Grade Beatrice Gilmore School, June  
Ryan Doherty, 6<sup>th</sup> Grade Memorial School, July  
Kailyn Pagan, 1<sup>st</sup> Grade Charles Olbon School, August  
Michaela Raguseo, 6<sup>th</sup> Grade Memorial School, September  
Jennifer Chunchi, 4<sup>th</sup> Grade Beatrice Gilmore School, October  
Connor Hiel, 3<sup>rd</sup> Grade Beatrice Gilmore School, November  
Yasmin Omran, 8<sup>th</sup> Grade Memorial School, December

**PUBLIC HEARINGS:**

Mayor Kazmark 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.

**MINUTES:**

Upon Motion by Councilman DeCesare, seconded by Council President Spinelli, and passed on roll call vote, the Minutes from the Regular Meeting of January 8, 2014 and the Minutes from the Executive Session of January 8, 2014, were approved as submitted.

**CONFERENCE COMMITTEE REPORTS:**

Administration & Finance – Councilwoman Gatti thanked the Boys and Girls Club for

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their honorable consideration of Christopher DiMartino. She thanked Fairway Market for giving the children a chance to show their talent.

Public Works – Councilman President Spinelli thanked the Public Works Department on their tremendous job they did during the past snow storm.

Public Safety – Councilman DeCesare had nothing to report at this time.

Health & Senior Services – Councilwoman Kallert spoke about the Health Fair that will be held on Saturday March 29, 2014. The Senior Valentine's Day dance is being held on Saturday February 8, 2014 at 12:30 p.m. She spoke about the first Flood Board Meeting that was held. The next Flood Board Meeting is being held on Thursday February 13, 2014 in Cedar Grove NJ. She spoke about Resolution R14-35 that is on the Agenda. She spoke about the Tax Appeal Seminar that is being held on Saturday February 1, 2014 at 9:00 a.m. in the Council Chambers.

Recreation & Community Relations – Councilwoman Pascrell stated that the January meeting was cancelled and that the next meeting will be held in February. She spoke about Summer Camp and that the registrations will be sent out soon.

Laws & Ordinances – Councilman Holloway spoke about Borough Ordinance No. 14-1, 14-2 and 14-3 that are being introduced this evening. He spoke about the conference call that himself, Felix Esposito, Arlene Kazmark and Kevin Galland had with the Town Planner, Kathryn Gregory. They were able to identify the Ordinances that needed to be addressed immediately in regards to the CBD, Central Business District. The updated zoning map should be completed by next month. He spoke about the Parade Committee Meeting that is being held on Sunday January 26, 2014 at 9:30 a.m. in the Council Chambers. The Centennial Meeting is being held Thursday January 30, 2014 at 7:00 p.m. in the Conference Room.

### **MAYOR'S REPORT:**

Mayor Kazmark stated that the Borough Calendars have been dropped off at the Post Office and should be delivered this week. He thanked the Department of Public Works for the tremendous job that they did during the past snow storm. He thanked Tom Minnella who video taped the State of Borough Speech during the re-organization meeting that was held on January 8, 2014. The State of The Borough Speech can be viewed on the Borough Website. On Monday January 20, 2014 the Mayor and Council were in attendance at a Town Meeting that was held in the Community Room to introduce the potential concept of a Billboard being erected on Brophy Lane that would be visible to those traveling on Route 80. He stated that he did expect more participation than what was received. On Wednesday January 21, 2014 at 11:00 a.m. bid proposals that have been submitted will be opened by Kevin Galland, Borough Administrator. The bids will go into an evaluation stage before the Mayor and Council for review in regards to a potential billboard. A second public meeting will be held if the Borough can identify after the bid proposals are submitted a company they might proceed with, with the input of the public. He spoke about the Tax Appeal Seminar that will be held in the Council Chambers on Saturday February 1, 2014 at 9:00 a.m. He spoke about a letter that was sent to Anthony De Nova, County Administrator, by Kevin Galland, Borough Administrator, relative to the Council's request to reallocate the 2013 Open Space Grant Award which was originally designated for Rose Place Park in the amount of \$99,000.00. The Borough is requesting to transfer the \$99,000.00 to be allocated towards Dowling Gardens. If the request is granted by the Passaic County Board of Chosen Freeholders the money will finish the lightening project at Dowling Park at which Dowling Park will be completed. He spoke about Fairway Market being selected in June 2013 to play host to an episode of Rachel Ray vs. Guy Fieri which was aired this past Monday January 20, 2014 at 9:00 p.m. on the Food Network Channel. He expressed his condolences to the family of Christopher DiMartino, an 8 year old boy who attended Charles Olbon School. He thanked Police Chief Anthony Galietti and Sgt. Tom Bolen who have spent some time with the DiMartino Family over the past few weeks. Christopher DiMartino was named an honorary member of the Woodland Park Police Department. He expressed to those who have not made a donation to the Christopher DiMartino Foundation, that they may

do so and that they can mail those donation to 77 Pitts Avenue. He spoke about Martin Luther King Day and how Doctor Martin Luther King visited West Paterson in 1966. The sight that Martin Luther King visited was a residential property that was owned by Doctor and Mrs. Rice which is now Magic Ears Pre-School. Mayor Kazmark has been working with the owners of Magic Ears Pre-School, Mr. Roger Wood and Mrs. Barbara Wood. They are planning on approaching the County and having the County sponsor a commemorative plaque marking the visit of Martin Luther King on September 11, 1966. Mayor Kazmark reviewed some paperwork with Mr. Roger Wood from Magic Ears. Mr. Wood has the police report when the Police Department was assigned to provide Police protection during the visit. In addition, Mr. Wood has old newspapers that mark the visit as well. Those documents have been turned over to Rick Lijoi, historian for the Centennial Committee, for inclusion in the historical records that are being put together. He spoke about the 50/50 tickets that are being sold for \$50.00 each to support the Centennial.

**MUNICIPAL ATTORNEY'S REPORT:**

Mr. Buglione spoke about the continuation of projects from 2013 that have been carried over to 2014. He spoke about Ordinances that have been worked on in which three (3) of those Ordinances are on the Agenda this evening.

**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 R14-34, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the total of \$612.24 for the overpayment of Water Utility to Patricia Murray, 53 Bush Ave, Woodland Park NJ 07424, with reference to Block 43, Lot 10, Water Account number 21089-0 and to adjust the books and records accordingly.**

**OVERPAYMENT OF WATER UTILITY**

**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 water utility, in the amount of \$612.24, was made by Patricia Murray with reference to 53 Bush Ave, Block 43, Lot 10, Water Account number 21089-0; and

**WHEREAS**, Patricia Murray 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 Patricia Murray;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector be and is hereby authorized to refund the total of \$612.24 for the overpayment of water utility to Patricia Murray, 53 Bush Ave, Woodland Park NJ 07424, with reference to Block 43, Lot 10, Water Account number 21089-0 ; and

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

- B. Resolution R14-35, a resolution supporting Assembly Bill No. 4313 establishing an office of river maintenance within the N.J.D.E.P.**

**SUPPORTING ASSEMBLY BILL NO. 4313 ESTABLISHING AN OFFICE OF RIVER MAINTENANCE WITHIN THE N.J.D.E.P**

**WHEREAS**, on June 27, 2013, the NJ Assembly introduces A-4313; and

**WHEREAS**, A-4313 establishes the Office of River Maintenance within the DEP; and

**WHEREAS**, this newly created office would be responsible for conducting all stream cleaning, desnagging and bank stabilization on water bodies throughout the State; and

**WHEREAS**, this Bill re-defines the terms “stream cleaning and de-snagging project, bank stabilization or restoration”, and other terms found in the “Flood Hazard Area Contract Act”; and

**WHEREAS**, this office would be the agency within the DEP to implement the current laws relating to such undertakings; and

**WHEREAS**, Woodland Park and our sister municipalities within the Passaic River Basin stand to benefit by the creation of such an office given the financial commitment “we” invested in maintaining the rivers which flow through our communities.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that Woodland Park supports and endorses Assembly Bill A-4313 requiring the State of New Jersey to take a leading role in stream and river cleaning through the Office of River Maintenance thereby protecting countless properties from potential damage while saving untold dollars in losses due to stream and river flooding.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be sent to our sister municipalities within the Passaic River Basin, Governor Chris Christie, Senate President Steve Sweeney, and members of the 40<sup>th</sup> Legislative District.

**C. Resolution R14-36, a resolution to amend Resolution R13-113, increasing the original contract with Judge Donato, as an independent hearing officer to address a disciplinary matter with an employee of the Department of Public Works, from an amount not to exceed of \$5,000.00 to an amount not to exceed of \$5,200.00.**

**AMEND RESOLUTION R13-113  
CONTRACT AMENDMENT  
RETENTION OF INDEPENDENT HEARING OFFICER**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park (Borough), County of Passaic, State of New Jersey awarded (R12-343) a contract to secure the services of Frank M. Donato, J.S.C. (retired) as an independent hearing officer to address a disciplinary matter with an employee of the Department of Public Works, in an amount not to exceed of \$2,500.00; and

**WHEREAS**, the Mayor and Council approved an amount not to exceed of \$2,500.00 on December 19, 2012; and

**WHEREAS**, the Mayor and Council approved an amount not to exceed of \$2,500.00 to an amount not to exceed \$5,000.00 on April 3, 2013; and

**WHEREAS**, the Borough is now in receipt of an invoice from Judge Donato in the amount of \$1,800.00; and

**WHEREAS**, it has become self-evident that the amount of the awarded contract will not cover the final costs for Judge Donato’s services;

**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, do hereby increase the contract with Judge Donato as an independent hearing officer to address a disciplinary matter with an employee of the Department of Public Works, from an amount not to

exceed of \$5,000.00 to an amount not to exceed of \$5,200.00.

- D. Resolution R14-37, a resolution authorizing Totowa Parent Teacher Organization, 10 Crews Street, Totowa, New Jersey 07512, to conduct one (1) On Premise Merchandise Raffle and one (1) On Premise 50/50 Raffle to be held on April 10, 2014, at the West Mount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between 6:00 p.m.-11:00 p.m.**

### **RAFFLE APPLICATION**

**WHEREAS**, Totowa Parent Teacher Organization, 10 Crews Street, Totowa, New Jersey 07512, is seeking approval to conduct one (1) On Premise Merchandise Raffle and one (1) On Premise 50/50 Raffle to be held on April 10, 2014, at the West Mount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between 6:00 p.m.-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 Totowa Parent Teacher Organization, 10 Crews Street, Totowa, New Jersey 07512, to conduct one (1) On Premise Merchandise Raffle and one (1) On Premise 50/50 Raffle to be held on April 10, 2014 at the West Mount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between 6:00 p.m.-11:00 p.m..

- E. Resolution R14-39, a resolution authorizing the Passaic Valley High School Band Association, to conduct a Can Shake Fundraiser from February 22, 2014 through February 23, 2014, at the intersections of McBride Avenue and Glover Avenue, and Lackawanna Avenue and McBride Avenue subject to the conditions set forth in this resolution.**

### **Passaic Valley High School Band Association CAN SHAKE FUNDRAISER**

**WHEREAS**, the Passaic Valley High School Band Association has requested permission to conduct a Can Shake Fundraiser on February 22, 2014 through February 23, 2014, in order to collect voluntary contributions for operational costs and expenses for students who wish to partake in off-campus competitions and trips; and

**WHEREAS**, the Passaic Valley High School Band Association has requested that this activity be held at the intersections of McBride Avenue and Glover Avenue as well as McBride Avenue and Lackawanna Avenue; and

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park fully support the dedicated efforts of the Passaic Valley High School Band Association in all of their activities and recognize the need to periodically solicit contributions from the public;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodland Park authorizes the Passaic Valley High School Band Association to conduct a Can Shake fundraiser on February 22, 2014 through February 23, 2014, at the intersections of McBride Avenue and Glover Avenue and Lackawanna Avenue and McBride Avenue.

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

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

**F. Resolution R14-41, a resolution supporting the workers and union members on the New Jersey Turnpike and Garden State Parkway and recommends that the New Jersey Turnpike Authority not privatize toll workers jobs.**

**OPPOSE PRIVATIZATION OF TOLL COLLECTION SERVICES ON THE NEW JERSEY TURNPIKE AND GARDEN STATE PARKWAY**

**WHEREAS**, the New Jersey Turnpike Authority seeks to privatize toll workers jobs, which would eliminate pensions, health benefits and job protections of the unionized workers; and

**WHEREAS**, New Jersey's unemployment rate is 7.8%, as reported in the December 19, 2013, New Jersey Department of Labor and Workforce Development jobs report, which is one of the highest unemployment rates in the region, and our poverty rate is at an all-time high; and

**WHEREAS**, New Jersey workers and their families need decent middle-class jobs; and

**WHEREAS**, firing more workers at a time when unemployment is already extremely high and decent jobs are hard to find will only put more of a burden on the public, increasing the need for social services and public assistance, and result in more home foreclosures; and

**WHEREAS**, New Jersey Turnpike toll collectors have already sacrificed by taking pay cuts of 30%, and making many other concessions to save their jobs; and

**WHEREAS**, newly hired New Jersey Turnpike toll collectors make less than \$35,000 a year, and privatization will reduce the workers' wages to poverty levels; and

**WHEREAS**, privatization has a track record in the State of New Jersey of failing to take into consideration the interests of taxpayers, residents, and employees, and often does not live up to lofty cost-savings projections; and

**WHEREAS**, there is limited oversight and a lack of accountability to the public because private companies do not fall under the Open Public Records Act and there is no state agency that monitors privatization contracts; and

**WHEREAS**, the New Jersey Turnpike Authority has saved more than \$30 million dollars as a result of the pay cuts and concessions toll workers have already made; 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 acknowledges its support of the workers and union members on the New Jersey Turnpike and Garden State Parkway and recommends that the New Jersey Turnpike Authority not privatize toll workers jobs.

**G. Resolution R14-42, a resolution to approve the actions noted in the Consent Agenda, items A. through F., be and are hereby approved and the proper officers are directed to take necessary action on same.**

**APPROVAL OF CONSENT AGENDA**

**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 E. 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 F. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Upon Motion made by Council President Spinelli, and seconded by Councilwoman Kallert, 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 Councilwoman Pascrell and unanimously passed on roll call vote, the Council confirmed the payment of the 01/30/14 regular and miscellaneous payroll estimated at \$230,000.00.

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 01/14/14 totaling \$2,471,639.58.

**DEPARTMENT REPORTS:**

1. Police Report for December 2013.
2. Planning Board Minutes for December 2, 2013.
3. Planning Board 2014 Member List.
4. Planning Board Docket No. 13-05.
5. Planning Board Docket No. 13-06.
6. Summary Budget Status Report for 2013.
7. Summary Budget Status Report for 2014.

**NEW BUSINESS:**

**b. Resolution R14-38, Introduction of Ordinance 14-1**

**INTRODUCTION TO BOROUGH ORDINANCE NO. 14-1**

AN ORDINANCE WHICH SUPERSEDES ORDINANCES NO. 07-12 AND 08-05 TO REGULATE THE PARKING OF COMMERCIAL VEHICLES AND REQUIRING THE REGISTRATION OF COMMERCIAL VEHICLES WITH 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 5<sup>th</sup> day of February, 2014, 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.

Upon motion made by Councilman Holloway, seconded by Councilwoman Gatti, the foregoing resolution was unanimously adopted on roll call vote.

**c. Resolution R14-43, Introduction of Ordinance 14-2**

**INTRODUCTION TO BOROUGH ORDINANCE NO. 14-2**

**AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE" TO INSTALL STOP SIGNS ON PITTS AVENUE AND WINSLOW PLACE AT THEIR INTERSECTIONS WITH MORLEY DRIVE 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 5<sup>th</sup> day of February, 2014, 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.

Upon motion made by Councilwoman Gatti, seconded by Councilman DeCesare, the foregoing resolution was unanimously adopted on roll call vote.

**d. Resolution R14-44, Introduction of Ordinance 14-3**

**INTRODUCTION TO BOROUGH ORDINANCE NO. 14-3**

**AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS KNOWN AS THE “TRAFFIC ORDINANCE” TO REGULATE THE PARKING OF COMMERCIAL VEHICLES WITHIN 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 5<sup>th</sup> day of February, 2014, 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.**

Upon motion made by Councilman Holloway, seconded by Councilman DeCesare, the foregoing resolution was unanimously adopted on roll call vote.

**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:

- Contract Negotiations

**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 Councilman DeCesare and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 8:30 p.m.

There being no further business to come before the Council, upon Motion by Council President Spinelli, seconded by Councilman Holloway and unanimously passed on roll call vote, the meeting was adjourned at 8:55 p.m.

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Respectfully submitted,

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Kevin V. Galland  
Municipal Clerk

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Keith Kazmark  
Mayor