

**WEST PATERSON MUNICIPAL COUNCIL  
AGENDA FOR REGULAR MEETING OF  
AUGUST 20, 2008**

1. In accordance with the Open Public Meeting Law, P.L.1975, chapter 231, notice requirements for this meeting have been set forth in the resolution adopted by the Municipal Council at its Reorganization Meeting of January 2, 2008 detailing the time and place, with notice given to the public by posting a copy on the bulletin board in the Municipal Building, transmitting copies to the Herald News and The Record of West Paterson.
2. **Flag salute and Prayer**
3. **Roll Call**
4. **Public Hearing:**
5. **Approval of minutes from the Special Meeting of June 30, 2008.  
Approval of minutes from the Regular Meeting of July 16, 2008.  
Approval of minutes from Executive Session of July 16, 2008.  
Approval of minutes from the Special Meeting of July 21, 2008.**
6. **Committee Reports:**
  - A. Administration & Finance – Council President Pascrell
  - B. Buildings & Grounds/Public Works – Councilwoman Gatti
  - C. Public Safety – Councilwoman Patterson
  - D. Health & Senior Services – Councilman Spinelli
  - E. Recreation & Community Relations – Councilman Kazmark
  - F. Laws & Ordinances – Councilman DiDomenico
7. **Mayor’s Report:**
8. **Municipal Attorney’s Report:**
9. **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 this Governing Body, and if so removed, will be acted upon as a separate matter.

- A. **Resolution R08-180, a resolution authorizing the Tax Collector of the Borough of West Paterson to refund the total amount of \$440.00 for the overpayment of taxes to Leslie Berkeley, 20 Silicon Drive, West Paterson New Jersey and authorizing the Tax Collector to adjust the books and records as required by law.**
- B. **Resolution R08-182, a resolution rescinding the petty cash fund for the Recreation Department.**
- C. **Resolution R08-183, a resolution establishing a new petty cash fund for the Alfred H. Baumann Free Public Library in the amount of \$150.00 and naming Robert Lindsley as custodian.**
- D. **Resolution R08-184, a resolution changing the custodian of the Administration's Petty Cash fund to Nancy Ferrigno.**
- E. **Resolution R08-185, a resolution establishing Chief Robert Reda as custodian of the Police Department's Petty Cash fund.**
- F. **Resolution R08-186, a resolution requesting the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2008 budget, in the sum of \$12,355.30 for Solid Waste Administration, Clean Communities Grant.**
- G. **Resolution R08-187, a resolution requesting the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2008 budget, in the sum of \$2,552.00 for Municipal Stormwater Regulation Program Grant.**
- H. **Resolution R08-188, a resolution requesting the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2008 budget, in the sum of \$250,000.00 for Open Space and Farmland Preservation Trust Fund, Dowling Park Grant.**
- I. **Resolution R08-189, a resolution requesting the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2008 budget, in the sum of \$200,000.00 for Open Space and Farmland Preservation Trust Fund, Morris Canal and Tow Path Grant.**
- J. **Resolution R08-190, a resolution authorizing St. Ann Melkite Church, 802 Rifle Camp Road, West Paterson, New Jersey to hold two 50/50's at 2:00 and 4:00 p.m. ON September 7, 2008 at the St. Ann Melkite Church.**
- K. **Resolution R08-191, a resolution entering into a contract with Kelly Excavating & Paving Inc., d/b/a Owl Contracting, Kenvil, New Jersey, under the Morris County Cooperative Pricing Council for milling and paving of the following roads and parking lot in West Paterson:**

**Alexandria Court  
Harrison Court  
Miller Avenue**

**Pershing Place  
Verbickas Drive  
Weston Place  
Pompton Avenue  
Boys and Girls Club Parking Lot**

- L. Resolution R08-192, a resolution approving the application of Savino A. Balducci, 880 Rifle Camp Road, West Paterson, to become a West Paterson Junior Volunteer Firefighter.**
- M. Resolution R08-193, a resolution approving an Application for Permit granting approval to Daniel Dugan, Football Commissioner, to hold a Pep Rally/Bon Fire on Friday, September 5, 2008 between the hours of 6:00 and 10:00 p.m. at Memorial Field, Memorial Drive, West Paterson.**
- N. Resolution R08-195, a resolution approving a one thousand dollar (\$1,000.00) donation from the West Paterson Recreation Trust Fund to the Passaic Valley Football and Cheerleading Parent Association to help defray the costs of temporary lighting to be supplied for the 2008 Passaic Valley Varsity Football Home Coming Game.**
- O. Resolution R08-196, a resolution granting consent by the Mayor and Council to hold a fireworks display on September 20, 2008, with a rain date of September 21, 2008, at Memorial Field in conjunction with the West Paterson Day Family Picnic, under the supervision of the West Paterson Fire Department and the West Paterson First Aid Squad.**
- P. Resolution R08-198, a resolution authorizing the Tax Collector of the Borough of West Paterson to refund an overpayment of taxes in the amount of \$440.00 to Judy Nachlas and Yehiel Volchik, Block 113, Lot 12.01 and also authorizing the Tax Collector to adjust the books and records accordingly.**
- Q. Resolution R08-199, a resolution authorizing the Tax Collector of the Borough of West Paterson to refund an overpayment of taxes in the amount of \$440.00 to Horace and Mary Marucci, Block 113, Lot 12.01 and also authorizing the Tax Collector to adjust the books and records accordingly.**
- R. Resolution R08-200, a resolution amending Resolution 08-53 authorizing the use of additional funds from the Borough's Open Space Recreation and Historic Preservation Trust Fund, in an amount of \$600.60, to pay the costs associated with the development of the Borough wide open space and recreation plan, bringing the total amount not to exceed to \$10,600.60.**
- S. Resolution R08-201, a resolution authorizing the use of funds from the Borough's Open Space Recreation and Historic Preservation Trust Fund, in an amount not to exceed \$10,000.00, to pay for consulting services from Passaic Valley River Coalition, 94 Mt. Bethel Road, Warren, NJ 07059, to file applications on behalf of the Borough to secure grant funding for various projects within the Borough, which will include, but not limited to, the 2008**

**Passaic County Open Space and Farmland Preservation Trust; New Jersey State Green Acres; New Jersey Historic Trust; and any other opportunity identified by the consultant or the administration of the Borough.**

- T. Resolution R08-202, a resolution rescinding Resolution R08-56, which approved the expenditure of funds from the Borough's Open Space Recreation and Historic Preservation Trust Fund, in an amount not to exceed of \$30,000.00, to pay for the replacement of back stops at various baseball fields through out the Borough as this work effort has been deferred to 2009.**
- U. Resolution R08-204 a resolution authorizing the Mayor of the Borough of West Paterson and the Borough Administrator to enter into a Right-of-Way Use Agreement with Fiber Technologies Networks, LLC of 300 Meridian Centre, Rochester, New York for the purpose of installing local exchange and interexchange telecommunications services throughout the Borough.**
- V. Resolution R08-207, a resolution authorizing the use of funds from the Borough's Open Space Recreation and Historic Preservation Trust Fund, in an amount of \$5,000.00 as a contribution to the renovations to the snack stand at Memorial Field.**
- W. Resolution R08-208, a resolution to approve the actions noted in the Consent Agenda, items A through V, be and are hereby approved and the proper officers are directed to take necessary action on same.**

**10. Collector/Treasurer Report:**

CFO, Frederick J. Tomkins recommends authorization for payment:

- 1. Authorize payment of the 9/15/08 and 9/30/08 regular and miscellaneous payrolls estimated at \$190,000.00 each.
- 2. Payment of bills from voucher list of 08/15/08 totaling \$4,968,645.93.

**14. Department Reports:**

- 1. Police Monthly Equipment Report for the month of June, 2008.
- 2. Senior Bus usage report for July, 2008.
- 3. Planning Board resolution for Northfork Bank.
- 4. Planning Board minutes for July 14, 2008.
- 5. Planning Board minutes of Executive Session for July 14, 2008.
- 6. Board of Adjustment Minutes for June 23, 2008.
- 7. Board of Adjustment Resolution of Memorialization
- 8. Animal Control Reports for June & July.
- 9. Fire Prevention Report for July, 2008.

**11. Old Business:**

**12. New Business:**

**Resolution R08-194 introduction of Ordinance 08-10 an Ordinance to ban smoking in public places owned by the Borough of West Paterson, Passaic County, New Jersey for the year 2008.**

**BE IT RESOLVED;** that the ordinance entitled: **AN ORDINANCE TO BAN SMOKING IN PUBLIC PLACES OWNED BY THE BOROUGH OF WEST PATERSON, PASSAIC COUNTY, NEW JERSEY** 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 3<sup>rd</sup> day of September, 2008, 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.

**Resolution R08-197 introduction of Ordinance 08-11 an Ordinance to address the issue of handicapped parking within the Borough of West Paterson.**

**BE IT RESOLVED;** that the ordinance entitled: **AN ORDINANCE TO ADDRESS THE ISSUE OF HANDICAPPED PARKING WITHIN THE BOROUGH OF WEST PATERSON** 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 3<sup>rd</sup> day of September, 2008, 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.

**Resolution R08-203 introduction of Ordinance 08-12 an Ordinance to amend Chapter XI of the Ordinances of the Borough of West Paterson, which is also known as the "Traffic Ordinance"**

**BE IT RESOLVED** that the ordinance entitled: **AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WEST PATERSON, WHICH IS ALSO KNOWN AS THE "TRAFFICE ORDINANCE"** heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 3<sup>rd</sup> day of September, 2008, 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.

**Resolution R08-205 introduction of Ordinance 08-13 an Ordinance to amend Chapter XI of the Ordinances of the Borough of West Paterson, which is also known as the “Traffic Ordinance”, relocating an existing bus stop within the Borough of West Paterson.**

**BE IT RESOLVED** that the ordinance entitled: **AN ORDINANCE TO AMEND CHAPTER XI OF THE ORDINANCES OF THE BOROUGH OF WEST PATERSON, WHICH IS ALSO KNOWN AS THE “TRAFFICE ORDINANCE” RELOCATING AN EXISTING BUS STOP WITHIN THE BOROUGH OF WEST PATERSON** 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 3<sup>rd</sup> day of September, 2008, 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.

**Resolution R08-206 introduction of Ordinance 08-14 an Ordinance to address the issue of crowd control within the Borough of West Paterson.**

**BE IT RESOLVED** that the ordinance entitled: **AN ORDINANCE TO ADDRESS THE ISSUE OF CROWD CONTROL WITHIN THE BOROUGH OF WEST PATERSON** 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 3<sup>rd</sup> day of September, 2008, 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.

**13. Executive Session:**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of West Paterson, 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:

- Matters relating to Employment Relationship.

**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.

**14. Adjournment**

**Kevin V. Galland  
Municipal Clerk**