

**WOODLAND PARK MUNICIPAL COUNCIL  
AGENDA FOR REGULAR MEETING OF  
SEPTEMBER 7, 2022**

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 5, 2022 detailing the time and place, with notice given to the public by posting a copy thereof on the bulletin board in the Municipal Building, transmitting copies to the Herald News and The Record of Woodland Park.
2. **Flag salute and Prayer**
3. **Roll Call**
4. **Presentations:**
  - **Proclamation for Ovarian Cancer Awareness Month**
5. **Public Hearing:**
6. **Approval of Minutes:**
  - **Regular Meeting of June 1, 2022**
  - **Regular Meeting of June 15, 2022**
  - **Special Meeting of June 28, 2022**
7. **Committee Reports:**
  - A. Administration & Finance – Council President Pascrell
  - B. Public Works – Councilman Chaabane
  - C. Public Safety – Councilman DeCesare
  - D. Health, Senior Services & Veterans Affairs – Councilwoman Gatti
  - E. Recreation & Community Relations – Councilwoman Kallert
  - F. Laws & Ordinances – Councilman Holloway
8. **Mayor’s Report:**
9. **Municipal Attorney’s Report:**
10. **Consent Agenda:**

All matters listed under the Consent Agenda are considered to be routine by the Council and will be enacted by one resolution. 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 R22-205, a resolution to approve authorizing the Mayor to execute a Shared Services Agreement on behalf of the Borough with the County of Passaic for all mandated New Jersey State Public Health Services requirements with the exception of animal control, for the five (5) year period commencing July 1, 2022 through June 30, 2027, in the amount of \$72,869.33 for the first fiscal year.

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-205**

**MOTIONED BY:  
SECONDED BY:**

**SHARED SERVICES AGREEMENT BETWEEN THE  
BOROUGH OF WOODLAND PARK AND THE COUNTY OF PASSAIC  
FOR PUBLIC HEALTH SERVICES**

**WHEREAS**, the Borough of Woodland Park (Borough) desires to contract with the County of Passaic (County) to provide Public Health Services for the term of five (5) years commencing July 1, 2022 through June 30, 2027; and

**WHEREAS**, the County has the resources to provide all of the mandated New Jersey State Public Health Services requirements with the exception of animal control; and

**WHEREAS**, the County and Woodland Park reached an agreement in accordance with N.J.S.A. 40A:65-1, *et seq.* (“Uniform Shared Services and Consolidation Act”), whereby the County would provide services subject to this agreement; and

**WHEREAS**, the County shall charge Woodland Park \$72,869.33 for the first fiscal year with a 2% increase each fiscal year thereafter; and

**WHEREAS**, the County shall invoice Woodland Park July 15, September 15, December 15 and March 15 of each year;

**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 Mayor to execute the Shared Services Agreement on behalf of the Borough with the County of Passaic for all mandated New Jersey State Public Health Services requirements with the exception of animal control, for the five (5) year period commencing July 1, 2022 through June 30, 2027, in the amount of \$72,869.33 for the first fiscal year with a 2% increase each fiscal year thereafter.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available to fund this agreement.

\_\_\_\_\_  
Heather Barkenbush, CMFO

\_\_\_\_\_  
September 7, 2022  
Dated

**B. Resolution R22-206, a resolution to approve authorizing the Financing Department to have the outstanding checks in the Current Fund from 2020, cancelled which checks are outlined on the list attached to the resolution.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-206**

**MOTIONED BY:  
SECONDED BY:**

**CANCELLATION OF OUTSTANDING CHECKS**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey have been advised by the Finance Department that certain outstanding checks from 2020 need to be cancelled from the Current Fund; and

**WHEREAS**, the checks to be cancelled are in the total amount of \$200.00 and are outlined on the list attached hereto;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorize the Finance Department to have the outstanding checks in the Current Fund, from 2020, cancelled which checks are outlined on the list attached hereto.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby authorize the cancellation of outstanding checks from 2020.

\_\_\_\_\_  
Heather Barkenbush, CMFO

\_\_\_\_\_  
September 7, 2022  
Dated

C. Resolution R22-207, a resolution to approve authorizing the Financing Department to have the outstanding checks in the Current Fund from 2020, cancelled which checks are outlined on the list attached to the resolution.

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-207**

**MOTIONED BY:**  
**SECONDED BY:**

**CANCELLATION OF OUTSTANDING CHECKS**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey have been advised by the Finance Department that certain outstanding checks from 2020 need to be cancelled from the Current Fund; and

**WHEREAS**, the checks to be cancelled are in the total amount of \$1,214.52 and are outlined on the list attached hereto;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorize the Finance Department to have the outstanding checks in the Current Fund, from 2018 through 2020, cancelled which checks are outlined on the list attached hereto.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby authorize the cancellation of outstanding checks from 2018 through 2020.

\_\_\_\_\_  
Heather Barkenbush, CMFO

\_\_\_\_\_  
September 7, 2022  
Dated

**D. Resolution R22-208, a resolution to authorize the Recreation and Park Advisory Board to hold a fireworks display, on September 24, 2022, with a rain date set for September 25, 2022 under the supervision of the West Paterson Fire Department and West Paterson First Aid Squad.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-208**

**MOTIONED BY:  
SECONDED BY:**

**FIREWORKS APPROVAL**

**WHEREAS**, the Recreation and Park Advisory Board of the Borough of Woodland Park, County of Passaic, State of New Jersey is seeking approval and authorization to hold a firework display at the annual “Woodland Park Day” which is to be held on Saturday, September 24, 2022 with a rain date set for September 25, 2022; and

**WHEREAS**, this display will be held at dusk in coordination with the West Paterson Fire Department, the West Paterson First Aid Squad, and the Woodland Park Board of Education for the use of Memorial Field;

**WHEREAS**, this display will be funded by the Current Fund as well as donations from various businesses throughout the Borough;

**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 grant their consent to hold a fireworks display, on September 24, 2022, with a rain date set for September 25, 2022 under the supervision of the West Paterson Fire Department and West Paterson First Aid Squad.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022

Dated

**E. Resolution R22-209, a resolution to authorize the waiving of the fifty-dollar (\$50.00) Department of Health and Fire Prevention inspection fees, for those food vendors selling food on September 24, 2022 at Woodland Park Day**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-209**

**MOTIONED BY:  
SECONDED BY:**

**DEPARTMENT OF HEALTH AND FIRE PREVENTION  
FEE WAIVER – WOODLAND PARK DAY - SEPTEMBER 24, 2022**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, acknowledge the efforts of Woodland Park Recreation Department in their endeavor to provide a successful Woodland Park Day event for the residents of Woodland Park; and

**WHEREAS**, the Woodland Park Recreation Department has requested that the Mayor and Council waive the Department of Health and Fire Prevention fees for vendors selling food at the Woodland Park Day scheduled on September 24, 2022 with a rain date set for September 25, 2022;

**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 waive the fifty-dollar (\$50.00) Department of Health and Fire Prevention inspection fees, for those food vendors selling food on September 24, 2022 at Woodland Park Day; and

**BE IT FURTHER RESOLVED**, that all food vendors are required to secure a Department of Health License, issued by the Secretary of the Board of Health and comply with all State and Borough laws, rules and regulations as it relates to the sale of food.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

**F. Resolution R22-210, a resolution to authorize change order #1 and amend the contract with Cifelli & Son, Inc., 81 Franklin Avenue, Nutley, NJ 07110, for the FY2020 CDBG Project West 36<sup>th</sup> Street Improvements reducing the contract by 2% in an amount of \$2,240.73, in an amount not to exceed of \$109,795.84.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-210**

**MOTIONED BY:  
SECONDED BY:**

**FY2020 CDBG PROJECT  
WEST 36<sup>th</sup> STREET - CHANGE ORDER #1**

**WHEREAS**, on May 18, 2022, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey awarded a contract to Cifelli & Son, Inc., 81 Franklin Avenue, Nutley, NJ 07110, for the FY2020 & FY2021 CDBG Project West 36<sup>th</sup> Street and Newby Avenue in an amount not to exceed \$239.0000.00; and

**WHEREAS**, On August 12, 2022 submitted Estimate #1 and Change Order #1 representing contract quantities to actual field quantities, which decreases the contract by 2% in the amount of \$2,240.73 for a total amount not to exceed of \$109,795.84; 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, do hereby amend the contract with Cifelli & Son, Inc., 81 Franklin Avenue, Nutley, NJ 07110, for the FY2020 & FY2021 CDBG Project West 36<sup>th</sup> Street and Newby Avenue Project in an amount not to exceed of \$109,795.84.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

September 7, 2022  
\_\_\_\_\_  
Dated

**G. Resolution R22-211, a resolution to authorize change order #1 and amend the contract with Cifelli & Son, Inc., 81 Franklin Avenue, Nutley, NJ 07110, for the FY2021 CDBG Project Newby Avenue Improvements reducing the contract by 2% in the amount of \$1,425.66, in an amount not to exceed of \$69,857.40.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-211**

**MOTIONED BY:  
SECONDED BY:**

**FY2021 CBDG PROJECT  
NEWBY AVENUE - CHANGE ORDER #1**

**WHEREAS**, on May 18, 2022, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey awarded a contract to Cifelli & Son, Inc., 81 Franklin Avenue, Nutley, NJ 07110, for the FY2020 & FY2021 CDBG Project West 36<sup>th</sup> Street and Newby Avenue in an amount not to exceed \$239,000.00; and

**WHEREAS**, On August 12, 2022 submitted Estimate #1 and Change Order #1 as to FY 2021 CDBG Program Newby Avenue Improvements representing contract quantities to actual field quantities resulting in a decrease in the contract by 2% in the amount of \$1,425.66 for a total amount not to exceed of \$69,857.40; 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, do hereby amend the contract with Cifelli & Son, Inc., 81 Franklin Avenue, Nutley, NJ 07110, for the FY2021 CDBG Project Newby Avenue Improvements in an amount not to exceed of \$69,857.40.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

**H. Resolution R22-212, a resolution a resolution to requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2022 Budget in the sum of \$7,000.00 from the Highway Traffic Safety 2022 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-212**

**MOTIONED BY:  
SECONDED BY:**

**INSERTION OF AN ITEM OF REVENUE**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

**WHEREAS**, the Borough of Woodland Park has received notice of an award of \$7,000.00 from the Highway Traffic Safety and wishes to amend its Calendar Year 2022 Budget to include this amount as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar Year 2022 in the sum of \$7,000.

Which is now available as an item of revenue from:

- Miscellaneous Revenues:
  - Section F: Special Items of General Revenue Anticipated
  - With Prior Written Consent of Director of Local Government Services – Public and Private Revenues
  - Offset with Appropriations:
    - Highway Traffic Safety
    - 2022 Drive Sober or Get Pulled Over
    - Statewide Labor Day Crackdown

**BE IT FURTHER RESOLVED** that the like sum of .....\$7,000.00  
Be and the same is hereby appropriated under the caption of:

- General Appropriations:
  - (A) Operations Excluded from CAPS
  - Public and Private Programs offset by Revenues:
    - Highway Traffic Safety
    - 2022 Drive Sober or Get Pulled Over
    - Statewide Labor Day Crackdown

**BE IT FURTHER RESOLVED**, that the CFO has forwarded an electronic copy of this resolution to the Director of Local Government Services for approval.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

I. Resolution R22-213, a resolution a resolution to requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2022 Budget in the sum of \$2,937.94 from the National Opioids Trust Fund.

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-213**

**MOTIONED BY:**  
**SECONDED BY:**

**INSERTION OF AN ITEM OF REVENUE**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

**WHEREAS**, the Borough of Woodland Park has received notice of an award of \$2,937.94 from the National Opioids Trust Fund and wishes to amend its Calendar Year 2022 Budget to include this amount as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar Year 2022 in the sum of \$2,937.94.

Which is now available as an item of revenue from:

- Miscellaneous Revenues:
  - Section F: Special Items of General Revenue Anticipated
  - With Prior Written Consent of Director of Local Government Services – Public and Private Revenues
- Offset with Appropriations:
  - National Opioids Trust Fund

**BE IT FURTHER RESOLVED** that the like sum of .....\$2,937.94

Be and the same is hereby appropriated under the caption of:

- General Appropriations:
  - (A) Operations Excluded from CAPS
- Public and Private Programs offset by Revenues:
  - National Opioids Trust Fund

**BE IT FURTHER RESOLVED**, that the CFO has forwarded an electronic copy of this resolution to the Director of Local Government Services for approval.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

**J. Resolution R22-214, a resolution to support for the *Drive Sober or Get Pulled Over 2022 Statewide Labor Day Crackdown* from August 19, 2022 through September 5, 2022 and pledges to increase awareness of the danger of driving while impaired by alcohol or drugs.**

**BOROUGH OF WEST PATERSON  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-214**

**MOTIONED BY:  
SECONDED BY:**

**IMPAIRED DRIVING ENFORCMENT CRACKDOWN TO BE  
CONDUCTED LOCALLY AS PART OF A STATEWIDE  
END OF SUMMER CAMPAIN**

**WHEREAS**, the Mayor and Council of the Borough of West Paterson, County of Passaic, State of New Jersey recognize that impaired drivers on our nation’s roads kill someone every 30 minutes, which equates to 50 people per day, and almost 18,000 people each year; and

**WHEREAS**, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

**WHEREAS**, impaired driving crashes killed 11,654 people in the United States in 2020; and

**WHEREAS**, impaired driving crashes cost the United States almost \$44 Billion a year; and

**WHEREAS**, during the past five years New Jersey’s roadways experienced 33,798 crashes and 662 fatalities involving impaired drivers; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the end of summer/Labor Day period is traditionally a time for social gatherings which include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2022 Statewide Labor Day Crackdown*; and

**WHEREAS**, the project will involve increased impaired driving enforcement from August 19, 2022 through September 5, 2022; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**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 resolve that they declare their support for the *Drive Sober or Get Pulled Over 2022 Statewide Labor Day Crackdown* from August 19, 2022 through September 5, 2022 and pledges to increase awareness of the danger of driving while impaired by alcohol or drugs; and further authorize the Borough’s administration to apply for the \$7,000.00 reimbursement grant from State of New Jersey, Office of the Attorney General, Department of Law and Public Safety.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

**K. Resolution R22-215, a resolution to authorize change order #1 and amend the contract with Schifano Construction Corp., 1 Smalley Avenue, P.O. Box 288, Middlesex, NJ 08846, miscellaneous streets increasing the contract by the amount of \$18,009.00, in an amount not to exceed of \$141,059.00.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-215**

**MOTIONED BY:  
SECONDED BY:**

**PAVING OF MISCELLANEOUS STREETS  
CONTRACT AWARD - CHANGE ORDER #1**

**WHEREAS**, on October 6, 2021, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey awarded a contract under the Morris County Cooperative Pricing Council Contract 6, Contract Period January 1, 2021 through December 31, 2021 to Schifano Construction Corp., 1 Smalley Avenue, Middlesex, NJ 08846, for the paving of miscellaneous streets in an amount not to exceed \$141,059.00; and

**WHEREAS**, on August 22, 2022 Schifano Construction Corp. submitted Change Order #1 adjusting unforeseen expenses increasing the contract in the amount of \$18,009.00 for a total amount not to exceed of \$159,068.00; 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, do hereby amend the contract with Schifano Construction Corp., 1 Smalley Avenue, Middlesex, NJ 08846, for the paving of miscellaneous streets in an amount not to exceed of \$\$159,068.00.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available under line items Account No. C-04-20-011-000-902 and C-04-21-014-000-901 for this purchase.

\_\_\_\_\_  
Heather Barkenbush, CMFO

\_\_\_\_\_  
September 7, 2022  
Dated

**L. Resolution R22-216, a resolution appointing school crossing guards, as listed in the resolution, at the rate of \$19.62 per hour for the time period of September 8, 2022 through June 30, 2023.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-216**

**MOTIONED BY:  
SECONDED BY:**

**APPOINTMENT OF CROSSING GUARDS**

**WHEREAS**, the Mayor of the Borough of Woodland Park, County of Passaic, State of New Jersey needs to appoint School Crossing Guards for the school year of 2022/2023 to cross children going to and from the three schools in the Borough; and

**WHEREAS**, this appointment shall be effective from September 8, 2022 through June 30, 2023 at an hourly rate of \$20.41; and

**WHEREAS**, the following is a list of the crossing guards being appointed:

- |                          |                   |
|--------------------------|-------------------|
| Helena Delapaz           | David Conte       |
| Manuel Jamie             | Anthony Volpe     |
| Janelle Supplee          | Aurel Ardeljan    |
| Patricia Borgese-Volpe   | Laura Hodges      |
| Joanne Greenway Faggaini | Jean Schultz      |
| Santa DeCesare           | James Nicholas    |
| Vincent Cicarelli        | Norma Taylor      |
| Lucia Occhipinit         | George Delguidice |
| Margarita Toia           | Cheryl Cook       |

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor of the Borough of Woodland Park, County of Passaic, State of New Jersey, hereby appoints School Crossing Guards, as listed in this resolution at the rate of \$20.41 per hour for the time period of September 8, 2022 through June 30, 2023.

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

September 7, 2022  
Dated

**M. Resolution R22-217, a resolution to approve the hiring of Before and After Care staff beginning on September 6, 2022 through to the conclusion of the school year to June 2023.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-217**

**MOTIONED BY:  
SECONDED BY:**

**HIREING OF STAFF FOR THE  
BEFORE AND AFTER CARE PROGRAM**

**WHEREAS**, the Recreation Department of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in need of hiring Before and After Care Program staff for the school year beginning on September 6, 2022 through the conclusion of the school year in June of 2023; and

**WHEREAS**, the Recreation Department wishes to hire the following employees at the following rates per hour unless otherwise noted:

School 1	Baccaro, Lucia	\$15.00
School 1	Guy, Tiyahna	\$15.00
Charles Olbon	Batraki, Roger	\$15.00
Charles Olbon	Colon, Ana	\$15.00
Charles Olbon	Koodray, Evelyn	\$15.00
Charles Olbon	McGovern, Bonnie	\$15.00
Charles Olbon	Myles, Cierra	\$15.00
Charles Olbon	Quintana, Annette	\$20.00
Charles Olbon	Velardi, Dawn	\$15.00
Beatrice Gilmore/Memorial	Santiago, Julia	\$15.00
Beatrice Gilmore/Memorial	Scarpa, Mary Rose	\$20.00
Beatrice Gilmore/ Memorial	Tambone, Louisa	\$22.50
Beatrice Gilmore/Memorial	Guy, Nasir	\$15.00
Beatrice Gilmore/Memorial	Carswell, Quanisha	\$20.00
On Call Supervisor Stipend	Alers, Andrew	\$8,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, hereby authorizes the Recreation Department to hire the above individuals as staff for the 2022-2023 Before and After Care beginning on September 6, 2022 to the conclusion of the school year in June 2023.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a special meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola, Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

**N. Resolution R22-218, a resolution to approve**

**O. Resolution R22-219, a resolution to approve the actions noted in the Consent Agenda, items A. through N., be and are hereby approved and the proper officers are directed to take necessary action on same.**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-219**

**MOTIONED BY:  
SECONDED BY:**

**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 N., be and are hereby approved and the proper officers are directed to take necessary action on same.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola Municipal Clerk

\_\_\_\_\_  
September 7, 2022  
Dated

**11. Collector/Treasurer Report:**

CFO, Heather Barkenbush authorization for payment:

Authorize payment of the regular and miscellaneous payroll estimated at 9/15/2022 is \$ 365,000.00.

Payment of bills from voucher list of 09/7/2022 totaling \$1,173,179.68.

**12. Department Reports:**

1. Fire Prevention Report of August 2022
2. Millennium Strategies Monthly Activity Report of September 1, 2022
3. Summary Budget Status Report of September 2022

13. Old Business:

- A. Public Hearing on the adoption of Ordinance 22-14.
- B. Resolution R22-**XXX**, a resolution, to adopt Ordinance 22-14 AN ORDINANCE TO AMEND CHAPTER VII TRAFFIC OF THE GENERAL CODE OF THE BOROUGH OF WOODLAND PARK.

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-**XXX****

MOTIONED BY:  
SECONDED BY:

**ADOPTION OF BOROUGH ORDINANCE 22-14**

**AN ORDINANCE TO AMEND CHAPTER VII TRAFFIC OF THE  
GENERAL CODE OF THE BOROUGH OF WOODLAND PARK**

**WHEREAS**, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled **AN ORDINANCE TO AMEND CHAPTER VII TRAFFIC OF THE GENERAL CODE OF THE BOROUGH OF WOODLAND PARK**; and

**WHEREAS**, notice of introduction and passage on first reading was published in the Herald News dated August 23, 2022 setting the date of September 7, 2022 or soon thereafter 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 September 7, 2022 at the regularly scheduled meeting of the Mayor and Council;

**NOW, THEREFORE BE IT RESOLVED**, that the ordinance entitled **AN ORDINANCE TO AMEND CHAPTER VII TRAFFIC OF THE GENERAL CODE OF THE BOROUGH OF WOODLAND PARK** for the calendar year 2022 be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk is hereby authorized and directed to publish said Ordinances according to law.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola Municipal Clerk

September 7, 2022  
\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
ORDINANCE NO. 22-14**

**AN ORDINANCE TO AMEND CHAPTER VII TRAFFIC OF THE  
GENERAL CODE OF THE BOROUGH OF WOODLAND PARK**

**WHEREAS, the Borough has in effect Chapter VII “Traffic”; and**

**WHEREAS, the Mayor and Borough Council desire to amend Chapter VII “Traffic” of the General Code of the Borough of Woodland Park to establish a stop sign on Dowling Parkway and the intersection of Hromiak Terrace and Dowling Parkway; and**

**WHEREAS, the Mayor and Borough Council have determined that the adoption of such an amendment to the Ordinance will promote the public health and safety of the residents of the Borough;**

**NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Woodland Park, in the County of Passaic and the State of New Jersey, that Chapter VII Traffic of the General Code of the Borough of Woodland Park shall be amended to include the following:**

1. Section 7-11 entitled “Stop Intersections” shall include that Stop sign shall be installed as provided therein:

<i>Intersection</i>	<i>STOP Sign on:</i>
Dowling Parkway and Hromiak Terrace	Hromiak Terrace

2. If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.
3. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
4. This Ordinance shall take effect upon passage and publication as required by law.

Attest:

Approved:

\_\_\_\_\_

\_\_\_\_\_

Introduced: August 17, 2022

Adopted:

- C. Public Hearing on the adoption of Ordinance 22-15.
- D. Resolution R22-~~XXX~~, a resolution, to adopt Ordinance 22-15 AN ORDINANCE SUPPLEMENTING THE GENERAL ORDINANCES OF THE BOROUGH OF WOODLAND PARK OF PASSAIC COUNTY, NEW JERSEY, REQUIRING CRIMINAL HISTORY BACKGROUND CHECKS FOR RECREATION EMPLOYEES AND VOLUNTEERS.

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R22-~~XXX~~**

MOTIONED BY:  
SECONDED BY:

**ADOPTION OF BOROUGH ORDINANCE 22-15**

**AN ORDINANCE SUPPLEMENTING THE GENERAL  
ORDINANCES OF THE BOROUGH OF WOODLAND PARK OF  
PASSAIC COUNTY, NEW JERSEY, REQUIRING CRIMINAL  
HISTORY BACKGROUND CHECKS FOR RECREATION  
EMPLOYEES AND VOLUNTEERS**

**WHEREAS**, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled **AN ORDINANCE SUPPLEMENTING THE GENERAL ORDINANCES OF THE BOROUGH OF WOODLAND PARK OF PASSAIC COUNTY, NEW JERSEY, REQUIRING CRIMINAL HISTORY BACKGROUND CHECKS FOR RECREATION EMPLOYEES AND VOLUNTEER**; and

**WHEREAS**, notice of introduction and passage on first reading was published in the Herald News dated August 23, 2022 setting the date of September 7, 2022 or soon thereafter 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 September 7, 2022 at the regularly scheduled meeting of the Mayor and Council;

**NOW, THEREFORE BE IT RESOLVED**, that the ordinance entitled **AN ORDINANCE SUPPLEMENTING THE GENERAL ORDINANCES OF THE BOROUGH OF WOODLAND PARK OF PASSAIC COUNTY, NEW JERSEY, REQUIRING CRIMINAL HISTORY BACKGROUND CHECKS FOR RECREATION EMPLOYEES AND VOLUNTEERS** for the calendar year 2022 be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk is hereby authorized and directed to publish said Ordinances according to law.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola Municipal Clerk

September 7, 2022  
\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
COUNTY OF PASSAIC, STATE OF NEW JERSEY  
ORDINANCE 22-15**

**AN ORDINANCE SUPPLEMENTING THE GENERAL ORDINANCES  
OF THE BOROUGH OF WOODLAND PARK OF PASSAIC COUNTY,  
NEW JERSEY, REQUIRING A CRIMINAL HISTORY BACKGROUND  
CHECKS FOR RECREATION EMPLOYEES AND VOLUNTEERS**

**WHEREAS**, the municipal governing body of the Borough of Woodland Park wishes to ensure that this municipality is providing the safest possible recreation programs for its youth; and

**WHEREAS**, the municipal governing body recommended that all employees and volunteers of recreational, athletic, cultural, charitable, social or other activities, services or programs for persons younger than 18 years of age programs sponsored or co-sponsored by this Borough's Recreation Department or any other youth serving organizations, who have regular supervised or unsupervised access to minors involved in such programs, be required to submit to criminal history background checks at their own expense; and

**WHEREAS**, the Borough of Woodland Park requires all youth programs using municipal facilities, and all programs that are funded or supported by the Borough in whole or in part (including but not limited to baseball, softball, soccer, football, basketballs etc.) be required to perform criminal background checks as a condition of using municipal facilities.

**WHEREAS**, P.L. 1999, Chapter 432 (N.J.S.A, 15A:3A-1 et seq.) authorizes and provides for criminal history record background checks of employees and Volunteers of non-profit youth serving organizations as defined in said statute; and

**WHEREAS**, N.J.S.A. 15A:3A-1 permits non-profit youth-serving organizations to request the State Police to perform a criminal background check on current and prospective employees or volunteers, in order to check the criminal histories of those employees or volunteers who have direct contact with minors, in order to eliminate those with convictions for certain crimes and disqualify prospective employees and volunteers who have been convicted of certain offenses; and

**WHEREAS**, P.L. 2003, Chapter 199, Section 34 (N.J.S.A 40:48-1.4) provides that a municipality may enact an ordinance providing that an authorized municipal official or officer may request a criminal history record background check of any person for an official governmental purpose, including, but not limited to, employment, licensing and the procurement of services; and

**WHEREAS**, the ordinance shall provide that the person shall submit to being fingerprinted in accordance with applicable State, federal laws, rules and regulations, and shall further provide that the official or officer is authorized to exchange fingerprint data with and receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the governing body of the Borough of Woodland Park, in the county of Passaic, State of New Jersey as follows:

1. Hereby revises the General Ordinances of the Borough of Woodland Park, is hereby supplemented with the following provisions;
2. Criminal History Background Checks of Employees and Volunteers Involved in Recreation Programs; and
3. Definitions for this Ordinance are:

As used in this chapter, the following terms shall have the meanings indicated:

"Criminal History Record Background Check" means a determination of whether a person has a criminal record by cross-referencing that person's name and fingerprints with those

on file with the Federal Bureau of Investigation, Identification Division and/or the New Jersey State Bureau of Identification in the Division of State Police.

"Municipal-Sponsored Youth Programs" means any program sponsored by the Borough of Woodland Park including any municipal employees, volunteer organizations created by the municipality, and all leagues, boards, committees and commissions affiliated with, falling within the purview, or acting for or on behalf of the Borough of Woodland Park and having contact with persons under the age of 18 years.

"Non-Sponsored Youth Program" means any youth program not sponsored by the Borough of Woodland Park but that utilize municipal facilities or have affiliation with a municipal-sponsored youth program and having contact with persons under the age of 18 years.

"Youth Program" means any program that allows for participation in activities by those persons under 18 years of age. Activities may include, but are not limited to, sporting or athletic activities, passive recreation groups, clubs or camps and trips or other activities whereby some control and responsibility for children is assigned to some person acting for or on behalf of a municipal-sponsored youth program or non-sponsored youth program, other than a parent or caregiver.

§ **Non-Sponsored Youth Programs – using Municipal facilities, do not provide a guarantee for background checks. The Borough does not guarantee that youth programs which are merely using the Borough’s facilities, and not sponsored by the Borough – will have vetted and performed background checks on their employees and volunteers. Special Note: An additional disclaimer shall be posted/published by the Director of Recreation.**

§ **Municipal-Sponsored Youth Programs - Background checks.**

- A. All adults, those persons 18 years of age or older, including but not limited to coaches, assistant coaches, or similar positions involved in educating, directing or supervising youth, and in any way assisting in a municipal-sponsored function participated in by children, shall submit sufficient information on forms supplied by the municipal Police Department or other enforcement authority from the New Jersey State Police, for the purpose of obtaining a criminal history background check from the State Bureau of Identification in the New Jersey State Police, or an authorized Agency/Vendor. Then, the results of the said background check will be vetted and approved by the Recreation Director.
- B. It is expressly understood that any individual applying for the background check shall authorize the Recreation Director for the Borough of Woodland Park to be the recipient of the response from the State Police or authorized agent for the findings of the background check. Individuals involved in a municipal-sponsored youth function, and who are required to undergo background checks based upon this chapter, shall not be responsible for the costs involved with obtaining the criminal background check. The Borough of Woodland Park shall bear the costs for the background checks for individuals qualified under this section.
- C. All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this chapter for that league or program. The President or leader of each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this chapter. The roster shall be on forms supplied by the Borough of Woodland Park and shall contain a certification as to the accuracy and completeness of the roster and individual names. Any person who knowingly certifies a background check roster that excludes an individual required to be checked shall be in violation of this chapter and laws regarding false swearing.

§ **Qualification — ID Card.**

- A. Individuals engaged in providing recreation opportunities for, or on behalf of, the Borough of Woodland Park shall be issued identification cards with appropriate expirations based upon the date of their individual background check. Individuals issued identification cards are required to display their card while in performance of their duty involving youth programs. This process/procedure is to be supervised by the Director of Recreation.

§ **Disqualification.**

- B. Upon receipt of a completed background check conducted by the State Bureau of Identification in the New Jersey State Police, Federal Bureau of Investigation, Identification Division and/or, authorized Agency/Vendor, of the Borough. Then, the Director of Recreation for the Borough of Woodland Park shall notify the applicant and the President or leader of the recreation program of affirmative or negative results. The determination of the Director of Recreation is based upon section B.1 of this chapter. Details in the background check that result in a negative determination are only available to the applicant upon making a formal request to the State Bureau of Investigation, or authorized Agency/Vendor.
- C. In the event the criminal background check reveals any prior convictions for crimes or offenses which negatively impact the health, safety and welfare of children, said person shall not be qualified to participate in any official capacity in any function form persons under the age of 18 years held at any Borough-owned facilities. Such offenses shall include, but not to be limited to:
1. In New Jersey, any crime or disorderly persons offense:
    - a. involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:1 1-1 et seq., such as criminal homicide; N.J.S. A. 2C:12-1 et seq., such as assault, reckless endangerment, threats, stalking; N.J.S.A. 2C:13-1 et seq., such as kidnapping; N.L.S.A. 2C: 14-1 et seq., such as sexual assault; or N.J.S.A. 20:15-1 et seq., such as robbery;
    - b. against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:24-1 et seq., such as endangering the welfare of a child;
    - c. involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes;
    - d. involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S.A. 20:35-10.\
    - e. any 4<sup>th</sup> degree offense or higher.
  2. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in this section.
- C. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify a person from assisting with youth-related activities as indicated herein.
- D. Refusal by individuals required to submit to background checks will result in an immediate dismissal of the individual from any municipal-sponsored activities requiring background checks. In addition, refusal to comply with this chapter by any individual falling within the scope of requirements for non-sponsored youth programs will forfeit that individual's ability to participate with the respective program. Refusal of a non-municipal sponsored youth program to subscribe to the requirements of this chapter shall forfeit that program's ability to use municipal facilities.

§ **Frequency of Background Checks.**

- A.
1. All municipal sponsored youth programs that have individuals subject to this chapter shall direct those individuals to the Chief of Police for background checks prior to the individual being able to participate at any function sponsored by the Borough of Woodland Park. Thereafter, every three (3) years a new background check shall be submitted to the Director of Recreation for the Borough of Woodland Park.
  2. Individuals involved in municipal-sponsored youth programs who are required to undergo background checks shall be given an interim approval for participation only after submission to the Division of State Police for a background check, or authorized Agency/Vendor. Interim approvals shall only be valid for the period of time that it takes to receive background checks results. Such interim approval shall not be valid for a period of time not to exceed 45 days. Only one interim approval may be granted per individual.

§ **Appeals of Disqualification.**

- A. Any person whose criminal history background check disqualifies that person from employment or from volunteering, may appeal his or her disqualification.
1. Appeal re: Accuracy of Record. A person may challenge the accuracy of the criminal history record.
    - (a) A challenge to the accuracy of the report shall be filed with the Director of Recreation.
  2. Appeal Alleging Rehabilitation. A person may claim to be rehabilitated,
    - (a) No person may appeal a disqualification on the grounds of rehabilitation, if convicted of a 4<sup>th</sup> Degree Offense or Higher, if the person has been disqualified because that person has been convicted, adjudicated delinquent or acquitted by reason of insanity of aggravated sexual assault; sexual assault; aggravated criminal sexual contact; kidnapping pursuant to paragraph (2) of subsection c. of N.J.S.A, 2C1 ; endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child pursuant to subsection a. of N.J. S.A. 2C:24-4; endangering the welfare of a child pursuant to paragraph (4) of subsection b. of N.J. S.A. 2C:24-4; luring or enticing pursuant to section 1 of P.L. 1993 c.291 (N.J.S.A. 2C:13-6); criminal sexual contact pursuant to N.J.S.A. 2C:14-3b. if the victim is a minor; kidnapping pursuant to N.J.S.Å 2C:13-2, or false imprisonment pursuant to N.J.S.A 2C: 13-3 if the victim is a minor and the offender is not the parent of the victim; knowingly promoting prostitution of a child pursuant to paragraph (3) or paragraph (4) of subsection b. of N.J.S.A 2C:34-1; or an attempt to commit any of these enumerated offenses
    - (b) Appeals Committee. An appeal based on rehabilitation shall be made to an Appeals Committee, which shall consist of the Director of Recreation, a Designee of the Police Department, a member of the Recreation Committee and the municipal attorney. Any such appeal must be made within thirty (30) days of receipt of the notice of disqualification.
    - (c) Rehabilitation Criteria. In determining whether a person has affirmatively demonstrated rehabilitation, the Appeals Committee shall consider the following factors:

1. The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;
2. The nature and seriousness of the offense;
3. The circumstances under which the offense occurred;
4. The date of the offense;
5. The age of the person when the offense was committed;
6. Whether the offenses was an isolated or repeated incident;
7. Any social conditions which may have contributed to the offense; and,
8. Any other evidence of rehabilitation, including good conduct in prison or the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work release programs, or the recommendation of those who have had the person under their supervision.

(d) If the Appeals Committee determines that the disqualified person has been successfully rehabilitated, it shall enter that person's name on the list of qualified employees and volunteers maintained by the municipal Chief of Police or other chief law enforcement officer of the Borough of Woodland Park.

#### § **Privacy and Confidentiality**

- A. Any and all criminal background checks supplied to the Director of Recreation shall be filed and maintained in a secure and locked cabinet or room and shall not be available to the public, and the Borough of Woodland Park shall take appropriate steps to safeguard such records. The records shall be exempt from public disclosure under the common law or the New Jersey Right to Know Law. The records shall only be retained for such period of time as is necessary to serve their intended and authorized purpose, and thereafter shall be destroyed.
- B. Access to criminal history record information for non-criminal justice purposes, including licensing and employment, is restricted to the members of the review committee, as authorized by federal or state statute, rule or regulation, executive order, local ordinance or resolution regarding obtaining and disseminating of criminal history record information obtained under this section.
- C. The review committee shall limit its use of criminal history record information solely to the individual for which it was obtained, and the criminal history record information furnished shall not be disseminated to persons or organizations not authorized to receive the records for authorized purposes. This information shall be limited solely to the authorized purpose for which it was given and it shall not be disseminated to any unauthorized persons. Any person violating federal or state regulations governing access to criminal history records information may be subject to criminal and/or civil penalties,

#### § **Penalties**

- A. Failure to comply with this Ordinance may result in the Borough of Woodland Park withholding findings for the non-profit youth-serving organization, prohibiting the use of facilities, or withholding funding for facility maintenance,
- B. Any individual who has been advised, verbally or in writing of his/her disqualification to participate and continues to participate upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
  1. A fine of not less than two hundred fifty dollars (\$250.00) and not more than one thousand five hundred dollars (\$1,500.00);
  2. Each continuing violation of this chapter shall constitute a separate offense

§ **Severability**

In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable there from and shall not be affected.

§ **Ordinance Provisions Repealed**

Any ordinance provisions inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

§ **Effective Date**

This ordinance shall take effect immediately upon the approval and publication of notice of adoption as provided by law.

§ **Severability**

In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable there from and shall not be affected.

§ **Ordinance Provisions Repealed**

Any ordinance provisions inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

§ **Effective Date**

This ordinance shall take effect immediately upon the approval and publication of notice of adoption as provided by law.

Attest:

Approved:

\_\_\_\_\_

\_\_\_\_\_

Introduced: August 17, 2022

Adopted:

14. **Executive Session:**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION RE22-05**

**MOTIONED BY:**

**SECONDED BY:**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION  
PURSUANT TO N.J.S.A. 10:4-12**

**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:

- **Tax Appeal – Levco**
- **Tax Appeal – Summit Lenox Plaza, LLC**

**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.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Pascrell					Holloway				
Chaabane					Kallert				
DeCesare					Mayor Kazmark				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 7<sup>th</sup> day of September, 2022. Signed and sealed before me.

\_\_\_\_\_  
Sandra Olivola Municipal Clerk

September 7, 2022

\_\_\_\_\_  
Dated

15. **Adjournment:**

**Sandra Olivola, RMC  
Municipal Clerk**