

**WOODLAND PARK MUNICIPAL COUNCIL  
AGENDA FOR REGULAR MEETING OF  
DECEMBER 20, 2023**

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 4, 2023 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. **Presentation:**

5. **Public Hearing:**

**OPEN:** Motion to open the public session. Motion to open the public session by\_\_\_\_\_. Seconded by \_\_\_\_\_.

- **ROLL CALL:**

**CLOSE:** Motion to close the public session. Motion to close the public session by\_\_\_\_\_. Seconded by \_\_\_\_\_.

- **ROLL CALL:**

6. **Approval of Minutes:**

- Regular Meeting Minutes of May 3, 2023
- Regular Meeting Minutes of May 17, 2023
- Executive Session Minutes of May 17, 2023

**MOTION:** Motion to approve the minutes by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ROLL CALL:**

7. **Committee Reports:**

8. **Business Administrator's Report:**

9. **Mayor's Report:**

10. **Municipal Attorney's Report:**

11. **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 R23-304, a resolution to amend Resolution R23-281 and approve the extension of the current contract through to December 31, 2025 with Gaeta Recycling Co. Inc., 278-282 West Railway Avenue, Paterson, NJ 07503, for the disposal of the Borough's solid waste under the same terms and conditions as stated in the current contract.**

**B. Resolution R23-305, a resolution to approve unexpended balances of the Current Fund be canceled and transferred to surplus.**

**C. Resolution R23-306, a resolution to authorize the Chief Financial Officer to transfer certain funds among various line items as listed in the resolution.**

- D. Resolution R23-307, a resolution to authorize the cancelling of unexpended balances of the Water Utility listed in the resolution and credited to surplus.
- E. Resolution R23-308, a resolution to authorize the Recreation Department to hire staff for the 2023-2024 Before and After Care beginning on December 18, 2024 to the end of the school year in June 2024.
- F. Resolution R23-309, a resolution to authorize the Borough to apply for and obtain a grant from the New Jersey Department of Community Affairs in amount not to exceed \$75,000 to carry out a project to purchase Personal Protective Equipment and Swift Water Rescue Gear for members of the West Paterson Fire Department.
- G. Resolution R23-310, a resolution to approve the actions noted in the Consent Agenda, items A. through G., be and are hereby approved and the proper officers are directed to take necessary action on same.

**MOTION:** Motion to approve the Consent Agenda by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ROLL CALL:**

**12. Collector/Treasurer Report:**

CFO, Heather Barkenbush authorization for payment:

- Authorize payment of the 12/30/2023 regular and miscellaneous payroll estimated at \$480,000.00.

**MOTION:** Motion to approve payroll by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ROLL CALL:**

- Authorize Payment of bills from voucher list of 12/18/2023 totaling \$3,074,932.82.

**MOTION:** Motion to approve payment of bills by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ROLL CALL:**

**13. Department Reports:**

1. Fire Prevention monthly report of December 6, 2023
2. Municipal Court Matters report of November 2023
3. Summary Budget Status Report as of December 15, 2023

**MOTION:** Motion to approve Departmental Reports by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ALL IN FAVOR:**

**14. Old Business:**

**A. Public Hearing on the adoption of Salary Ordinance 23-24**

**OPEN:** Motion to open the public session. Motion to open the public session by\_\_\_\_\_ Seconded by \_\_\_\_\_.

- **ROLL CALL:**

**CLOSE:** Motion to close the public session. Motion to close the public session by\_\_\_\_\_ Seconded by \_\_\_\_\_.

- **ROLL CALL:**

**B. Resolution R23-311, a resolution to adopt ordinance 23-24 AN ORDINANCE AUTHORIZING THE INCREASE OF THE BOROUGH'S ANNUAL LEVY FOR THE OPEN SPACE TRUST FUND**

**WHEREAS**, the above ordinance was read in title on second reading and a hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Woodland Park that Ordinance 23-24 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.

**MOTION**: Motion to Adopt Ordinance 23-24 by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ROLL CALL:**

**15. New Business:**

**A. Introduction of Ordinance 23-25**

**B. Resolution R23-312, a resolution to introduce ordinance 23-25 AN ORDINANCE TO AMEND AND UPDATE SECTION § 4-15. PRIVATE EMPLOYMENT OF OFF-DUTY POLICE OFFICERS**

**BE IT RESOLVED**, by the Governing Body of the Borough of Woodland Park that Ordinance 23-25, heretofore introduced, does now pass on first reading and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

**MOTION**: Motion to Introduce Ordinance 23-25 by \_\_\_\_\_, seconded by\_\_\_\_\_.

- **ROLL CALL:**

**16. Executive Session:**

**17. Adjournment:**

**MOTION**: Motion to Adjourn the Meeting by \_\_\_\_\_Seconded by\_\_\_\_\_.

- **ROLL CALL:**

**Sandra Olivola, RMC  
Municipal Clerk**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-304**

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

**A RESOLUTION TO AMEND RESOLUTION R23-281  
TO APPROVE A CONTRACT EXTENSION FOR THE  
DISPOSAL OF BOROUGH SOLID WASTE – GAETA RECYCLING CO.**

**WHEREAS,** On November 22, 2023 the Acting Mayor and Council approved a resolution to extend the current contract with Gaeta Recycling Co., through December 31, 2025, at the same terms and conditions as the current contract; and

**WHEREAS,** the Acting Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby approve the extension of the current contract with Gaeta Recycling Co. Inc., for the disposal of solid waste for the time period of January 1, 2024 through December 31, 2024 in an amount of \$84.00 per ton, and for the time period of January 1, 2025 through December 31, 2025 in an amount of \$85.00 per ton;

**NOW THEREFORE BE IT FURTHER RESOLVED,** that the Acting Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, do hereby amend Resolution R23-281 and approve the extension of the current contract with Gaeta Recycling Co. Inc., 278-282 West Railway Avenue, Paterson, NJ 07503, for the disposal of the Borough’s solid waste rates, under the same terms and conditions as stated above and in the current contract.

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This Resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the December 20, 2023. Signed and sealed before me.

December 20, 2023

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

\_\_\_\_\_  
Dated

I, Heather Barkenbush, Chief Financial Officer for the Borough of Woodland Park do hereby confirm that there will be sufficient funds available for this award in the 2024 municipal budget.

December 20, 2023

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

\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-305**

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

**A RESOLUTION CANCELLING UNEXPENDED BALANCES**

**WHEREAS**, the following budget appropriation Current Fund balances remain unexpended; and

**WHEREAS**, in accordance with NJSA 40A:4-60 it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Acting Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that the listed unexpended balances of the Current Fund shall be canceled and transferred to surplus.

<b>Current Budget Cancellations</b>		
3-01-20-100-101-010	General Administration - S&W	\$ 5,000.00
3-01-20-110-110-010	Mayor & Council - S&W	\$ 10,000.00
3-01-20-150-150-020	Tax Assessor O/E	\$ 10,000.00
3-01-20-165-165-020	Engineering Services O/E	\$ 5,000.00
3-01-21-180-180-010	Planning Board - S&W	\$ 5,000.00
3-01-22-195-198-010	Plumbing Inspection - S&W	\$ 2,000.00
3-01-22-195-199-010	Electrical Inspection - S&W	\$ 1,000.00
3-01-22-195-202-010	Fire Protection Official - S&W	\$ 3,000.00
	<b>Total Cancelled to Fund Balance</b>	<b>\$ 41,000.00</b>

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 20th day of December, 2023. Signed and sealed before me.

December 20, 2023

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

\_\_\_\_\_  
Dated

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

December 20, 2023

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

\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-306**

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

**BUDGET TRANSFER**

**WHEREAS**, the Acting Mayor and Council of the Borough of Woodland Park did adopt a budget for the year 2023 in accordance with Municipal Budget Law N.J.S.A. 40A:4 et seq.; and

**WHEREAS**, it has become necessary to transfer certain funds among the various line items as contained within the aforementioned adopted municipal budget; and

**WHEREAS**, N.J.S.A. 40A:4-58 allows for the transfer of funds among line items of and adopted municipal budget during the last two months of the fiscal year and N.J.S.A. 40A:4-59 appropriation transfers during first three months of succeeding year; and

**NOW, THEREFORE, BE IT RESOLVED** by the Acting Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that the Chief Municipal Financial Officer of the Borough of Woodland Park is hereby authorized to make the transfers as listed on the following schedule among various line items:

	<b>2023 Budget Transfers</b>	FROM	TO
3-01-20-110-110-010	Mayor & Council - S&W	\$5,000.00	
3-01-20-150-150-020	Tax Assessor O/E	\$5,000.00	
3-01-25-240-240-010	Police Department - S&W	\$80,000.00	
3-01-25-265-268-010	Uniform Fire Safety - S&W	\$5,000.00	
3-01-30-425-425-020	Salary & Wage Adjustment		\$80,000.00
3-01-31-430-430-020	Electric & Gas O/E		\$5,000.00
3-01-31-435-435-020	Street Lighting		\$5,000.00
3-01-36-472-472-020	Social Security		\$5,000.00
	<b>TOTAL</b>	<b>\$95,000.00</b>	<b>\$95,000.00</b>

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 20<sup>th</sup> day of December, 2023. Signed and sealed before me.

December 20, 2023

Sandra Olivola, Municipal Clerk

Dated

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

December 20, 2023

Heather Barkenbush, CMFO

Dated

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-307**

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

**A RESOLUTION CANCELLING UNEXPENDED BALANCES**

**WHEREAS**, the following budget appropriation Water Utility balances remain unexpended; and

**WHEREAS**, in accordance with NJSA 40A:4-60 it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Acting Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that the listed unexpended balances of the Water Utility shall be canceled and transferred to surplus.

<b>Water Budget Cancellations</b>		
3-05-55-501-501-501	Water Salaries	\$20,000.00
3-05-55-502-502-520	Water O/E	\$25,000.00
	<b>Total Cancelled to Fund Balance</b>	<b>\$45,000.00</b>

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 20<sup>th</sup> day of December, 2023. Signed and sealed before me.

December 20, 2023

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

\_\_\_\_\_  
Dated

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

December 20, 2023

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

\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-308**

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

**HIRING 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 December 4, 2023 through the conclusion of the school year in June of 2024; and

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

Memorial School	\$15.00	Isabella Tambone
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**NOW, THEREFORE, BE IT RESOLVED**, the Acting 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 individual as staff for the 2023-2024 Before and After Care beginning on December 18, 2023 to the end of the school year in June 2024.

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a special meeting held on the 20<sup>th</sup> day of December, 2023. Signed and sealed before me.

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Sandra Olivola, Municipal Clerk	December 20, 2023 Dated
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**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-309**

**MOTIONED BY:  
SECONDED BY:**

**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
AMERICAN RESCUE PLAN FIREFIGHTER GRANT FY 2024  
BOROUGH OF WOODLAND PARK**

**WHEREAS**, the Borough of Woodland Park desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in amount not to exceed \$75,000 to carry out a project to purchase Personal Protective Equipment and Swift Water Rescue Gear for members of the West Paterson Fire Department.

**BE IT THEREFORE RESOLVED**, that;

1. the Borough of Woodland Park does hereby authorize the application for such a grant; and,
2. recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Woodland Park and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection there with:

\_\_\_\_\_  
**(signature)**  
\_\_\_\_\_  
**Paul Salomone**  
\_\_\_\_\_  
**Fire Chief**

\_\_\_\_\_  
**(signature)**  
\_\_\_\_\_  
**Sam Yodice Jr.**  
\_\_\_\_\_  
**Business Administrator**

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a special meeting held on the 20<sup>th</sup> day of December, 2023. Signed and sealed before me.

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

December 20, 2023  
\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-310**

**MOTIONED BY:**

**SECONDED BY:**

**APPROVAL OF CONSENT AGENDA**

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

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 20<sup>th</sup> day of December, 2023. Signed and sealed before me.

December 20, 2023

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

\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-311**

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

**ADOPTION OF ORDINANCE 23-24**

**AN ORDINANCE AUTHORIZING THE INCREASE OF THE  
BOROUGH'S ANNUAL LEVY FOR THE OPEN SPACE TRUST FUND**

**WHEREAS**, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled **AN ORDINANCE AUTHORIZING THE INCREASE OF THE BOROUGH'S ANNUAL LEVY FOR THE OPEN SPACE TRUST FUND**; and

**WHEREAS**, notice of introduction and passage on first reading was published in the Herald News dated December 12, 2023 setting the date of December 20, 2023 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 December 20, 2023 at the regularly scheduled meeting of the Mayor and Council;

**NOW, THEREFORE BE IT RESOLVED**, that ordinance **AN ORDINANCE AUTHORIZING THE INCREASE OF THE BOROUGH'S ANNUAL LEVY FOR THE OPEN SPACE TRUST FUND** 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 Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 20<sup>th</sup> day of December, 2023. Signed and sealed before me.

December 20, 2023

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Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK  
COUNTY OF PASSAIC, STATE OF NEW JERSEY  
ORDINANCE NO. 23-24**

**MOTIONED BY:  
SECONDED BY:**

**AN ORDINANCE AUTHORIZING THE INCREASE OF THE  
BOROUGH'S ANNUAL LEVY FOR THE OPEN SPACE TRUST FUND**

**WHEREAS**, the Mayor and Council for the Borough of Woodland Park has followed the will of the Borough's electorate (voters), who approved a referendum in 2006, to establish a trust fund to develop and maintain the public land and acquire land for recreation and conservation purposes, preserve and/or acquire historic properties, and fund related upkeep and maintenance.

**WHEREAS**, an additional non-binding referendum was issued to the general public (voters) during the general election of 2023 on November 7, 2023, wherein a vote was taken on a non-binding referendum, to determine whether or not to increase the tax levy for the Open Space Trust Fund from one cent per one hundred dollars of assessed value for taxable property, to three cents per one hundred dollars charged for taxable property;

**WHEREAS**, N.J.S.A. 40:12-15.7, et seq., authorizes the Mayor and Council to take action on all non-binding referendums relative to the Open Space Trust Fund, and with the public voting favorably to increase the Open Space Trust Fund, during the General Election of November 7, 2023;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Woodland Park, County of Passaic, and State of New Jersey, that the tax levy for taxable properties attributable to the Open Space Trust Fund will be increased from one cent to three cents, per one hundred dollars of taxable property value, for properties that pay taxes in the Borough of Woodland Park;

**WHEREAS**, this action is vital for the preservation and maintenance of recreational spaces for the residents of the Borough of Woodland Park, County of Passaic, and the State of New Jersey, and can only be achieved through a definitive long-term plan and a fixed source of funding, for projects that are necessary and required to achieve the goals of the Open Public Space Trust Fund.

This Ordinance shall take effect after final passage and publication as required by law.

Attest:

Approve:

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

\_\_\_\_\_  
Tracy Kallert, Acting Mayor

**Introduced: December 6, 2023**

**Adopted:**

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R23-312**

**MOTIONED BY:  
SECONDED BY:**

**INTRODUCTION TO ORDINANCE 23-24**

**AN ORDINANCE TO AMEND AND UPDATE SECTION§ 4-15. PRIVATE EMPLOYMENT  
OF OFF-DUTY POLICE OFFICERS**

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 24<sup>th</sup> day of January, 2024, 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.

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Chaabane					Tiseo				
DeCesare					Acting Mayor Kallert				
Gatti									
Sica									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular meeting held on the 20<sup>th</sup> of December, 2023. Signed and sealed before me.

December 6, 2023

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

\_\_\_\_\_  
Dated

**BOROUGH OF WOODLAND PARK  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY  
ORDINANCE NO. 23-25**

**AN ORDINANCE TO AMEND AND UPDATE SECTION § 4-15.  
PRIVATE EMPLOYMENT OF OFF-DUTY POLICE OFFICERS  
[ORD. NO. 01-10 §4-19; ORD NO. 11-17; ORD NO. 14-17; ORD NO. 2017-26 § 2, 8]**

A. Policy.

Member of the Police Department shall be permitted to accept employment as safety or security personnel for private employers only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Borough.

B. Requesting Assignment of Off-Duty Police Officers Procedure.

Any organization or contractor wishing to employ off-duty police shall first obtain the approval of the Chief of Police which approval shall be granted, if in the opinion of the Chief of Police such employment would not be inconsistent with the efficient functioning and good reputation of the Police Department and would not unreasonably endanger or threaten the safety of the officer or officers who are to perform the work.'

Any organization or contractor that desires to employ off-duty members of the Department shall submit the request in writing to the Chief of Police on a form prescribed by the Chief of Police. The organization or contractor shall hold the Borough harmless from any and all claims that may arise as a result of the assignment of the member to the organization or contractor. In addition, the organization or contractor shall submit with its application a Certificate of Insurance that shows evidence of not less than \$1,000,000 in both personal liability and comprehensive general liability insurance and \$300,000 in property damage coverage as well as a Certificate of Workmen's Compensation Insurance. A non-profit religious or charitable organization may submit a Certificate of Insurance in coverage amounts less that set forth herein upon the organization's representation contained in its request that obtaining the required coverage would impose an undue hardship on the organization and approved by the Governing Body.

C. Payment.

1. Private employers may pay to the Chief Financial Officer of the Borough of Woodland Park, such hourly sum as is set forth herein or as may be fixed from time to time by an ordinance adopted by the Governing Body as compensation for such services. The Borough shall remit to the member of the Police Department performing such off-duty service, a portion of said hourly rate and the balance shall be retained by the Borough for administrative expenses all as established by this section or by future resolution of the governing body.

If the estimated aggregate value of the services to be rendered exceeds \$1,000, the Borough may require the contractor or organization to pay for the services in advance, whereby the fund shall be placed in escrow and disbursed through payroll. The amount collected will be based on an estimate of total number of hours required times the hourly rates identified herein. Additional amounts shall be deposited with the Borough if the actual expenses consume all of the deposited funds. Police services may be discontinued until sufficient funds are deposited. Any excess funds collected will be returned to the contractor or organization 30 days after the last payroll in which employees are paid for related services.

Upon completion of the off-duty work, the Police Department shall prepare and submit to the private contractor an invoice of the total cost for such off-duty work performed, which shall be paid (in full) to the Borough within 15 days of being invoiced. The Borough will pay the police officer(s) who provided off-duty services as soon as the contractor's payment has been declared valid; or

2. Use of a Secondary Service Provider.

The Borough, at its discretion and in consultation with the Chief of Police, may utilize a secondary service provide to handle the administrative tasks associated with “off-duty police services work” within the Borough. In the event that the Borough decides to utilize a secondary service provider, the following procedure will be followed:

- a. The Borough will utilize a secondary service to administrate and perform the actions related to the off-duty employment process. These actions will include, but are not limited to: Communicating with said person or company to schedule off-duty jobs, scheduling the officers for said jobs, invoicing the person or company and receiving escrow and/or payments from the person or company in a manner set forth by the secondary service provider. The secondary service provider may charge an additional fee for services that are above and in addition to the fee structure stated in this chapter and utilize business-type collection rules as set forth in the contract/agreement between the Borough and the secondary provider, which will be charged to the person or entity that has requested “off-duty police services”; and
- b. The secondary service provider will reimburse the Borough via ACH or other funds transfer methods, according to the fees set forth in this chapter, due to the Borough and officer, in a timely manner, usually coinciding with payroll periods for the jobs that the officers have performed or were scheduled for in that period in accordance with the above-listed rules of employment between the Borough and the person or company seeking off-duty services.

D. Off-duty police rate and fee schedule

1. The contractor will pay a permit fee to be paid to the Borough of Woodland Park in the amount of \$60 for each application.
2. The contractor(s) will be charged \$95 per hour for traffic control and security. This hourly charge will then be distributed in the following manner: The Borough will receive \$15 per hour for administrative costs and \$5 per hour for vehicle maintenance. The remaining \$75 per hour will be paid to the off-duty police officer. Please note that the contractor(s) will be charged the above-stated rates for each additional police officer. [Amended 12-18-2019 by Ord. No. 19-14]
3. Effective January 1, 2022, the contractor(s) will be charged \$100 per hour for traffic control and security. This hourly charge will then be distributed in the following manner: The Borough will receive \$15 per hour for administrative costs and \$5 per hour for vehicle maintenance. The remaining \$80 pe hour will be paid to the off-duty police officer. Please note that the contractor(s) will be charged the above-stated rates for each additional police officer. [Amended 12-18-2019 by Ord. No. 19-14]
4. Non-profit/charitable organizations: rates may vary, not to exceed \$60 per hour paid to the off-duty officer(s).

E. Lien for unpaid invoice.

If such invoice is not paid in full within 15 days, a lien is hereby created in favor of the Borough of Woodland Park upon the property and the owner of the property at which the work was performed as appears on the most recent tax roll prepared by the Tax Collector. The lien shall be in the amount of the total invoice plus costs, fees, expenses, including attorneys’ fees, and shall bear interest at the rate provided by law for unpaid taxes. Such lien shall be prior to all other liens on such lands or premises except the lien of municipal taxes and shall be on parity with the lien of municipal taxes. Such lien, when delinquent for more than 15 days, may be processed for foreclosure in the same manner as delinquent municipal taxes.

F. Traffic plan approval.

If the off-duty work involves a contract to be done in or on the roadways located within the Borough, a traffic plan must be submitted and approved by the Police Department before work an commence.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Attest:

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Sandra Olivola, Municipal Clerk

**Introduced: December 6, 2023**

**Adopted:**

Approve:

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Tracy Kallert, Acting Mayor