

**WOODLAND PARK MUNICIPAL COUNCIL
AGENDA FOR REGULAR MEETING OF
SEPTEMBER 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:**
 - **Swearing in of Special Class III Police Officers:**
 - **John Malenich**
 - **Thomas Perrota**
 - **Four Seasons at Great Notch to Present a Check to the West Paterson Fire Department and the West Paterson First Aid Squad**
5. **Communication:**
 - **Resignation of Councilman Samuel Yodice Jr. effective September 18, 2023**
 - **Letter from Chairwoman of the Woodland Park Democratic Organization Ruth Patterson Nominating Three Council Candidates**
6. **Appointment of New Council Member by Governing Body**
7. **Public Hearing:**
8. **Approval of Minutes:**
 - **Regular Meeting of March 1, 2023**
 - **Special Budget Meeting of March 1, 2023**
 - **Regular Meeting of March 15, 2023**
 - **Executive Session Minutes of March 15, 2023**
9. **Committee Reports:**
 - A. Administration & Finance – Councilwoman Gatti
 - B. Public Works – Council President Kallert
 - C. Public Safety – Councilman DeCesare
 - D. Health, Senior Services & Veterans Affairs – Councilwoman Tiseo
 - E. Recreation & Community Relations – Councilman Yodice
 - F. Laws & Ordinances – Councilman Sica
10. **Mayor’s Report:**
11. **Municipal Attorney’s Report:**

12. 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 R23-235, a resolution to amend resolution R23-002 re-establishing TD Bank, Capital One Bank and NJ Cash Management Fund serve as the cash management plan for depositing and investing the Borough's funds.**
- B. Resolution R23-236, a resolution to amend resolution R23-003 re-establishing Capital One, Woodland Park Office, as the depository for the Current Accounts.**
- C. Resolution R23-237, a resolution to amend resolution R23-004 re-establishing Capital One, Woodland Park Office, as the depository of Certain Payroll Accounts.**
- D. Resolution R23-238, a resolution to amend resolution R23-006 re-establishing Capital One, Woodland Park Office and TD North, Wayne Office, as the depositories of the Escrow Accounts.**
- E. Resolution R23-239, a resolution to amend resolution R23-008 re-establishing TD North, Wayne Office, as the depositories of the Open Space Trust Fund Account.**
- F. Resolution R23-240, a resolution to approve the purchase of playground safety surface for Thomas May Park Improvements from Great Lakes Recreation Co, LLC DBA Boyce Recreation, 39 Veterans Drive, Suite 310, Holland, MI 49423 a Sourcewell vendor under contract 010521-LTS-1 in the amount of \$165,578.60.**
- G. Resolution R23-241, a resolution to approve the appointment of School Crossing Guards for the school year of 2023/2024 to cross children going to and from the schools in the Borough.**
- H. Resolution R23-242, a resolution rescinding resolution R23-225 recommending the release of Phase 4 and 5 project Performance Bonds with regard to K. Hovnanian and Four Seasons at Great Notch.**
- I. Resolution R23-243, a resolution to approve the release of Performance Bonds as to Phase 4 and 5 projects with regard to K. Hovnanian and Four Seasons at Great Notch subject to the conditions set forth in the Borough Engineer's letter of recommendation.**
- J. Resolution R23-244, a resolution to approve at the recommendation from Allan Burghardt, Code Enforcement Officer to refund the balance of escrow in the amount of \$1,279.88 to K. Hovnanian, 110 Fieldcrest Avenue, Edison, NJ.**
- K. Resolution R23-245, canceling unexpended balances of various budgets and transferring same to other various budgets totaling \$191,656.38.**
- L. Resolution R23-246, to acknowledge that the Grant receivables and Grant reserves shall be cancelled as stated in said resolution.**
- M. Resolution R23-247, a resolution to approve the Memorandum of Understanding and appoint Samuel Yodice Jr. as the Borough Administrator for the Borough of Woodland Park, effective September 25, 2023.**
- N. Resolution R23-248, 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.**

13. Collector/Treasurer Report:

CMFO, Heather Barkenbush authorization for payment:

Authorize payment of the 09/30/2023 regular and miscellaneous payroll estimated at \$365,000.00.

Payment of bills from voucher list of 09/15/2023 totaling \$3,130,936.81.

14. Department Reports:

1. Municipal Court Report for August 2023
2. Summary Budget Status Report as of September 14, 2023

15. Old Business:

A. Public hearing on the adoption of Ordinance 23-20

B. Resolution R23-249, a resolution to adopt Ordinance 23-20 AN ORDINANCE TO AMEND ORDINANCE 20-05 CHAPTER 37 ENTITLED "PROJECT LABOR AGREEMENTS"

16. New Business:

A. Introduction to Ordinance 23-21

B. Resolution R23-250, a resolution to introduce Ordinance 23-21 AN ORDINANCE TO AMEND ORDINANCE 12-06 MAKING THE PROVISION FO NEW JERSEY STATUTES ANNOTATED: TITLES 39 AND 59, AND MUNICIPAL ORDINANCES, APPLICABLE TO ALL WOODLAND PARK BOARD OF EDUCATION PROPERTY, TO REGULATE THE USE OF THE ROADWAYS, STREETS, DRIVEWAYS, PARKING LOTS AND FIELDS, USED BY MOTOR VEHICLES ON THE SAID PROPERTY

17. Executive Session:

18. Adjournment:

**Sandra Olivola, RMC
Municipal Clerk**

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-235**

MOTIONED BY:

SECONDED BY:

**A RESOLUTION TO AMEND RESOLUTION 23-002
CASH MANAGEMENT PLAN**

WHEREAS, by the Council of the Borough of Woodland Park, County of Passaic, State of New Jersey that for the year 2023, the following shall serve as the cash management plan:

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Woodland Park's funds. The following Government Unit Deposit Protection Act (GUDPA) approved banks are authorized depositories for deposit of funds:

TD Bank
Capital One Bank
NJ Cash Management Fund

WHEREAS, all warrants or checks for the disbursement of money shall be made by any three (3) of the following officials and facsimile signatures may be used:

CHIEF FINANCIAL OFFICER
ACTING MAYOR
BOROUGH ADMINISTRATOR (Samuel Yodice Jr. effective September 25, 2023)

WHEREAS, The Borough Administrator, Chief Financial Officer and/or Assistant Financial Officer are empowered to invest cash funds as bank balances will allow from time to time in order to realize a revenue. The above stated officers are authorized to transfer funds electronically for the purpose of investments and payroll only.

WHEREAS, the following are authorized as suitable investments:

- Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved).
- Certificates of deposit in GUDPA approved banking institutions.
- Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.
- Government money market mutual funds that comply with N.J.S.A. 40A:5-15.1(e).
- Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
- Bonds or other obligations of the local unit or school district of which the Borough is a part.
- Any other obligations with maturities not exceeding 397 days, as permitted by the State Division of Investments.
- Local government investment pools which comply with N.J.S.A. 40A:5-15.1(e) and conditions set by the Division of Local Government Services.
- New Jersey Cash Management Fund.
- Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e).
- New Jersey Asset & Rebate Management Program.
- New Jersey CLASS

There are no approved security broker/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgment that they have seen and reviewed the cash management plan.

NOW THEREFORE BE IT RESOLVED, each month, the Chief Financial Officer shall prepare a report for the Borough Administrator that consists of the following:

- A summary of all investments made or redeemed for the month.
- A listing of any and all financial institutions holding local unit funds.
- The class or type of securities purchased or funds deposited.
- Income earned on deposits and investments.
- Market value of investments and disclosure as to how the value was determined, if applicable.
- A listing of accounts or deposits that do not earn interest.

NOW THEREFORE BE IT FURTHER RESOLVED, this document shall constitute the cash management policy of the Borough. Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the Manager and to the Local Finance Board or Local Ethics Board as applicable. Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-236**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION TO AMEND RESOLUTION 23-003
DEPOSITORIES FOR CURRENT ACCOUNTS**

BE IT RESOLVED, by the Municipal Council of the Borough of Woodland Park that Capital One, Woodland Park Office and NJ Cash Management Fund, Trenton, shall be the depository for the following accounts of the Borough of Woodland Park and that the Custodian shall be Heather Barkenbush:

- Current Account
- Capital Improvement Account
- Water Capital Fund
- Utility Operation Water Account
- N.J.-UCC Trust and Savings Account
- Board of Recreation Trust Account
- POAA Special Trust
- Affordable Housing Trust
- Municipal Alliance Against Drug & Alcohol Abuse Trust
- CDBC Trust
- Snow Removal Reserve
- Public Defender Trust
- Outside Employment of Off-Duty Municipal Officers
- NJ Cash Management Account

BE IT FURTHER RESOLVED, that all disbursements shall be made by checks signed by Tracy Kallert, Acting Mayor, Heather Barkenbush, Chief Financial Officer and Borough Administrator (Samuel Yodice Jr. effective September 25, 2023).

Record of Mayor and Council Vote on Passage

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

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Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-237**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION TO AMEND RESOLUTOIN R23-004
DEPOSITORY FOR CERTAIN PAYROLL ACCOUNTS**

BE IT RESOLVED, by the Municipal Council of the Borough of Woodland Park that Capital One, Woodland Park Office, shall be the depository for the following accounts of the Borough of Woodland Park and that the Custodian shall be Heather Barkenbush:

Payroll Account
Dog License Fee
Board of Health
Firemen’s Dedicated Penalty
Tax Lien Redemption

BE IT FURTHER RESOLVED, that all disbursements shall be made by checks signed by Acting Mayor Tracy Kallert, Chief Municipal Financial Officer Heather Barkenbush and Borough Administrator (Samuel Yodice Jr. effective September 25, 2023).

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-238**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION TO AMEND RESOLUTION R23-006
ESCROW ACCOUNTS**

BE IT RESOLVED, by the Municipal Council of the Borough of Woodland Park that Capital One, Woodland Park Office and TD North, Wayne Office shall be the depositories for the following documents of the Borough of Woodland Park and that the Custodian shall be Heather Barkenbush, Chief Financial Officer:

Escrow Accounts
Rolling Views Escrow Account

BE IT FURTHER RESOLVED, that all disbursements shall be made by checks signed by Acting Mayor Tracy Kallert; Chief Financial Officer Heather Barkenbush and Borough Administrator (Samuel Yodice Jr. effective September 25, 2023).

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION 23-239**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION TO AMEND RESOLUTION R23-008
OPEN SPACE TRUST FUND**

BE IT RESOLVED, by the Municipal Council of the Borough of Woodland Park that TD North, Wayne Office, shall be the depository for the following accounts of the Borough of Woodland Park and that the Custodian shall be Heather Barkenbush, Chief Financial Officer:

Open Space Trust Fund

BE IT FURTHER RESOLVED, that all disbursements shall be made by checks signed by Acting Mayor Tracy Kallert; Chief Financial Officer Heather Barkenbush and Borough Administrator (Samuel Yodice Jr. effective September 25, 2023).

Record of Mayor and Council Vote on Passage

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

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Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-240**

**MOTIONED BY:
SECONDED BY:**

**CONTRACT AWARD
THOMAS MAY PARK IMPROVEMENTS**

WHEREAS, the Borough of Woodland Park, pursuant to P.L.2011,C139 may, by resolution and without advertising for bids, purchase any goods or services utilizing National Cooperative Contracts; and

WHEREAS, the Borough of Woodland Park has the need on a timely basis to purchase goods or services utilizing said contracts for Thomas May Park improvements; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey have a need to purchase playground safety surface for Thomas May Park Improvements; and

WHEREAS, the Borough intends to enter into a contract for this purchase with Great Lakes Recreation Co, LLC DBA Boyce Recreation located at 39 Veterans Drive, Suite 310, Holland, MI 49423 a vendor of Sourcewell under the Cooperative contract 010521-LTS-1 to perform the resurfacing; and

WHEREAS, the Borough of Woodland Park was awarded \$50,000.00 from the New Jersey Department of Community Affairs (DCA) – Local Recreation Improvement Grant (LIRG) Program FY23 to use toward the Thomas May Park Improvements; and

WHEREAS, funds are available for this purchase from Bond Ordinance 23-10 under line item C-04-23-010-000-913.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby award a contract to Great Lakes Recreation Co, LLC DBA Boyce Recreation located at 39 Veterans Drive, Suite 310, Holland, MI 49423 a Sourcewell vendor under contract 010521-LTS-1 in the amount of \$165,578.60 to perform the resurfacing.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-241**

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 2023/2024 to cross children going to and from the three schools in the Borough; and

WHEREAS, this appointment shall be effective from September 7, 2023 through June 30, 2024 at an hourly rate of \$20.82; and

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

Denise Greco

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 \$20.82 per hour for the time period of September 7, 2023 through June 30, 2024.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
DeCesare									
Gatti					Acting Mayor Kallert				
Sica									
Tisco									

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

Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-242**

**FOUR SEASONS AT GREAT NOTCH
A RESOLUTION RESCINDING RESOLUTION R23-225**

WHEREAS, on September 6, 2023, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, approved Resolution R23-225, which recommended the release of Phase 4 and 5 projects Performance Bonds relative to K. Hovnanian, 110 Fieldcrest Avenue, Edison, NJ subject to the conditions set forth in the Borough Engineer’s letter of recommendation; and

WHEREAS, upon further review, and at the request of Mustafa Elmalah of K. Hovnanian, Resolution R23-225 does not provide detailed information required by the Surety Company in order for them to release said Bonds; and

NOW THEREFORE BE IT RESOLVED, that based on the notification received from K. Hovnanian that this resolution requires additional information to release said Performance Bonds, Resolution R23-225 is hereby rescinded.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-243**

**MOTIONED BY:
SECONDED BY:**

**K. HOVNIANIAN
FOUR SEASONS AT GREAT NOTCH
APPROVAL OF THE RELEASE OF PERFORMANCE BONDS**

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, is in possession of Phase 4 and Phase 5 Performance Bonds, as well as escrow from K. Hovnanian, 110 Fieldcrest Avenue, Edison, NJ, for certain On-Site Improvements in connection with the premises commonly known as Four Seasons at Great Notch, and

WHEREAS, the Borough Engineer has reviewed available records to determine that the outstanding deliverables appear to be in order and satisfactorily addressed and is recommending that the Performance Bonds posted for both Phase 4 and 5 of the projects be released as summarized below:

Phase IV - Bond No. 1103202	
Surety:	\$126,101.70
Cash:	\$ 14,011.30
Plus applicable interest:	\$ 5,965.53
Phase V – Bond No. 1103203	
Surety:	\$115,149.60
Cash:	\$ 12,794.40
Plus applicable interest:	\$ 5,456.29
TOTAL:	\$ 38,227.52

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, based on the recommendation of the Borough Engineer does hereby release both Performance bonds and Cash Reserve relative to the Phase 4 and 5 On-Site Improvements to the amounts stated in this resolution; and

BE IT FURTHER RESOLVED; that the Borough Engineer’s correspondence to the Borough Administrator dated September 2, 2023 is hereby incorporated by reference into this resolution.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, hereby approve the listed resolution under line item T-13-56-855-000-801.

Heather Barkenbush, CMFO

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-244**

**MOTIONED BY:
SECONDED BY:**

**K. HOVNANIAN
FOUR SEASONS AT GREAT NOTCH
RETURN OF ESCROW**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are in receipt of a request from K. Hovnanian, 110 Fieldcrest Avenue, Edison, New Jersey, for refund of their escrow account associated with the Four Seasons at Great Notch; and

WHEREAS, the Mayor and Council are in receipt of a recommendation from Allan Burghardt, Code Enforcement Officer to refund said balance to K. Hovnanian Northeast Division Inc;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby direct the appropriate administration staff to refund the amount of \$1,279.88 to K. Hovnanian, 110 Fieldcrest Avenue, Edison, NJ.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, hereby approve the listed resolution under line item T-13-56-855-000-801.

Heather Barkenbush, CMFO

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-245**

MOTIONED BY:
SECONDED BY:

A RESOLUTION CANCELLING UNEXPENDED BALANCES

WHEREAS, certain General Capital Improvement Authorizations have appropriation balances which remain dedicated to projects that are completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to capital surplus, grants receivable and unused debt authorizations may be cancelled;

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Woodland Park, the following unexpended and dedicated balances of General Capital Fund appropriations be cancelled:

2023 Capital Ordinance Cancellations				
Ordinance Number	Ordinance Description	Budget Code	Funded	Unfunded
08-08	Various Public Improvements	C-04-08-008-000-903		
08-08	Various Public Improvements	c-04-8-008-000-908		
	Total Ordinance 08-08		\$5,593.00	
12-09	2012 Bond Ordinance - DPW Equipment	C-04-12-009-000-903		
	Total Ordinance 12-09			\$2,222.00
15-03	Various Public Improvements	C-04-15-003-000-901		
15-03	Various Public Improvements	C-04-15-003-000-920		
	Total Ordinance 15-03			\$89,659.38
15-08	Rose PL & Zaccaria Parks	C-04-15-008-000-901		
	Total Ordinance 15-08			\$25,125.00
20-012	McBride Ave Decorative Street Lighting	C-04-20-012-000-901		
	Total Ordinance 17-16		\$1,791.00	
20-29	Police Communications Desk	C-04-20-029-000-901		
	Total Ordinance 17-16		\$3,158.00	
21-23	21-23 McBride Ave Streetscape	C-04-21-023-000-901		
21-23	21-23 McBride Ave Streetscape	C-04-21-023-000-920		
	Total Ordinance 21-23			\$64,108.00
			\$10,542.00	\$181,114.38

BE IT FURTHER RESOLVED, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey that the Chief Financial Officer is hereby authorized and directed to cancel the above listed unused funded and unfunded improvement authorizations totaling **\$191,656.38**.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-246**

MOTIONED BY:
SECONDED BY:

CANCELLATION OF ITEM OF REVENUE

WHEREAS, certain Grant balances remain on the Borough’s records; and

WHEREAS it is necessary to formally cancel the receivable balances and offsetting reserves from the balance sheet and subsidiary ledgers **of the State and Federal Grant Fund**; and;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby acknowledges that the following Grant receivables and Grant reserves be cancelled:

GRANTS TO BE CANCELLED		
Grant Receivables Cancelled:	Account Number	Amount
Passaic County Open Space Dowling Park Fountain	G-01-12-705-301	\$20.00
PC Open Space - Zaccaria Park	G-01-10-725-301	\$ -
County Corridor Enh-Mc Bride Ave Streetscape	G-01-15-735-301	\$ -
CDBG - DISASTAR RECOVERY	G-01-13-740-301	\$112,948.93
PC CDBG: Resurface Ray & Radcliff Ave's	G-01-15-765-301	\$39,789.47
2016 PC CDBG Glover Ave Sanitary Sewer	G-01-16-775-301	\$ -
OEM - Additional Funding	G-01-14-705-301	\$ -
Passaic County NJ Cares Grant	G-01-20-720-301	\$ 37,913.09
NJ State Library Emergency Tropical Storm Ida	G-01-21-775-301	\$ -
Click It Or Ticket	G-01-16-735-301	\$369.68
2018 Click it or Ticket	G-01-18-710-301	\$1.31
DDEF - Drunk Driving 2016	G-01-16-750-301	\$ -
2017 DDEF - Drunk Driving Enforcement	G-01-17-765-301	\$ -
SLCG - Local Library Aid		\$ -
Special Purpose Grant - Roof		\$ -
2008- Municipal Storm Water Grant	G-01-08-710-301	\$ -
2009 NJDOT Newby Avenue	G-01-09-714-301	\$8,356.65
NJDOT: Resurfacing Mt Pleasant Avenue	G-01-11-715-301	\$73,973.95
NJDEP Peckman River De-Snag	G-01-14-730-301	\$7,826.30
Community Policing Grant	G-01-17-745-301	\$802.06
Drive Sober or Get Pulled Over	G-01-14-755-301	\$320.96
Drive Sober or Get Pulled Over	G-01-15-740-301	\$19.24
Drive Sober or Get Pulled Over 15" Year End Crackdown	G-01-15-755-301	\$154.64
Drive Sober or Get Pulled Over	G-01-16-755-301	\$13.12
2016 Drive Sober or Get Pulled Over	G-01-16-780-301	\$226.24
2017 Drive Sober or Get Pulled Over	G-01-17-740-301	\$ -
2019 Drive Sober or Get Pulled Over	G-01-19-750-301	\$440.19
2020 Drive Sober or Get Pulled Over	G-01-20-735-301	\$292.32
2021 Drove Sober or Get Pulled Over	G-01-21-785-301	\$2,828.16
Statewide Drive Sober or Get Pulled Over	G-01-22-785-301	\$469.48
2017 Distracted Driving Crack Down	G-01-17-710-301	\$11.03
2019 Distracted Driving Crackdown	G-01-19-720-301	\$1.31
Distracted Driving Crackdown	G-01-21-735-301	\$4.44
Distracted Driving Crackdown	G-01-22-735-301	\$689.64
	Total Cancelled	\$287,472.21
Grant Appropriation Reserves Cancelled:		
Passaic County Open Space Dowling Park Fountain	G-01-12-705-301-001	\$20.00
PC Open Space - Zaccaria Park	G-01-10-725-301-001	\$550.00
County Corridor Enh-Mc Bride Ave Streetscape	G-01-14-735-301-001	\$20.00
CDBG - DISASTAR RECOVERY	G-01-13-740-301-001	\$95,575.42

PC CDBG: Resurface Ray & Radcliff Ave's	G-01-15-765-301-001	\$29,774.27
2016 PC CDBG Glover Ave Sanitary Sewer	G-01-16-775-301-001	\$226.02
OEM - Additional Funding	G-01-14-715-301-001	\$2,629.18
Passaic County NJ Cares Grant	G-01-20-720-301-001	\$47,443.97
NJ State Library Emergency Tropical Storm Ida	G-01-21-775-301-001	\$ -
Click It or Ticket	G-01-16-735-301-001	\$369.68
2018 Click it or Ticket	G-01-18-710-301-001	\$1.31
DDEF - Drunk Driving 2016	G-01-16-750-301-001	\$1,562.72
2017 DDEF - Drunk Driving Enforcement	G-01-17-765-301-001	\$312.88
SLCG - Local Library Aid	G-01-05-772-001-020	\$126.00
Special Purpose Grant - Roof	G-01-05-760-001-020	\$50,000.00
2008- Municipal Storm Water Grant	G-01-08-710-301-001	\$2,552.00
2009 NJDOT Newby Avenue	G-01-09-714-301-001	\$700.00
NJDOT: Resurfacing Mt Pleasant Avenue	G-01-11-715-301-001	\$85,355.35
NJDEP Peckman River De-Snag	G-01-14-730-301-001	\$7,826.30
Community Policing Grant	G-01-17-745-301-001	\$802.06
Drive Sober or Get Pulled Over	G-01-14-755-301-001	\$170.96
Drive Sober or Get Pulled Over	G-01-15-740-301-001	\$19.24
Drive Sober or Get Pulled Over 15" Year End Crackdown	G-01-15-755-301-001	\$154.64
Drive Sober or Get Pulled Over	G-01-16-755-301-001	\$13.12
2016 Drive Sober or Get Pulled Over	G-01-16-780-301-001	\$226.24
2017 Drive Sober or Get Pulled Over	G-01-17-740-301-001	\$47.28
2019 Drive Sober or Get Pulled Over	G-01-19-750-301-001	\$440.19
2020 Drive Sober or Get Pulled Over	G-01-20-735-301-001	\$292.32
2021 Drove Sober or Get Pulled Over	G-01-21-785-301-001	\$2,828.16
Statewide Drive Sober or Get Pulled Over	G-01-22-785-301-001	\$469.48
2017 Distracted Driving Crack Down	G-01-17-710-301-001	\$11.03
2019 Distracted Driving Crackdown	G-01-19-720-301-001	\$1.31
Distracted Driving Crackdown	G-01-21-735-301-001	\$6,000.00
Distracted Driving Crackdown	G-01-22-735-301-001	\$689.64
	Total Cancelled	\$337,211.00

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies 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
DeCesare									
Gatti					Acting Mayor Kallert				
Sica									
Tiseo									

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park, do hereby approve the listed resolution.

Heather Barkenbush, CMFO

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-247**

APPOINTMENT OF BOROUGH ADMISTRATOR

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desires to employ the services of Mr. Samuel Yodice Jr., CPM as the Borough Administrator effective as of September 25, 2023; and

WHEREAS, Mr. Yodice holds the certification of New Jersey Certified Public Manager and is qualified and willing to perform the duties of the Borough Administrator for the Borough of Woodland Park;

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey have discussed the establishment of a Memorandum of Understanding with Samuel Yodice Jr.; and

WHEREAS, this agreement (attached hereto) is now presented to the Mayor and Council for their approval; 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 approves the Memorandum of Understanding and appoint Samuel Yodice Jr. as the Borough Administrator for the Borough of Woodland Park, effective September 25, 2023.

Record of Mayor and Council Vote on Passage

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

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-248**

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 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
DeCesare									
Gatti					Acting Mayor Kallert				
Sica									
Tiseo									

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-249**

**MOTIONED BY:
SECONDED BY:**

ADOPTION OF ORDINANCE 23-20

**AN ORDINANCE TO AMEND ORDINANCE 20-05 CHAPTER 37 ENTITLED
“PROJECT LABOR AGREEMENTS”**

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled **AN ORDINANCE TO AMEND ORDINANCE 20-05 CHAPTER 37 ENTITLED “PROJECT LABOR AGREEMENTS**; and

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

NOW, THEREFORE BE IT RESOLVED, that ordinance **AN ORDINANCE TO AMEND ORDINANCE 20-05 CHAPTER 37 ENTITLED “PROJECT LABOR AGREEMENTS** 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
DeCesare									
Gatti					Acting Mayor Kallert				
Sica									
Tiseo									

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 September, 2023. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

September 20, 2023
Dated

**BOROUGH OF WOODLAND PARK
ORDINANCE NO. 23-20**

**AN ORDINANCE TO AMEND ORDINANCE 20-05
CHAPTER 37 ENTITLED “PROJECT LABOR AGREEMENTS”**

WHEREAS, the Borough of Woodland Park has a compelling interest to ensure that development projects with a total estimated cost equal to or exceeding \$5 million, excluding land acquisitions costs, are completed at responsible cost with the highest degree of quality; and

WHEREAS, the Borough of Woodland Park has a compelling interest in ensuring that workers on such development projects are paid appropriate wages and that their families receive appropriate benefits; and

WHEREAS, a highly skilled workforce ensures the efficient, economical and safe completion of contracts as described above; and

WHEREAS, the employment of apprentices in such contracts can maintain reasonable costs while providing valuable and rewarding work opportunities for new workers; and

WHEREAS, the Borough of Woodland Park also seeks to ensure that job opportunities generated by contracts as described above are also utilized to help low-income, minority and women workers gain access to careers in the construction trades; and

WHEREAS, the Borough seeks to promote meaningful job opportunities for all of its citizens; and

WHEREAS, the benefits received by contractors impacted by this ordinance will create opportunities to employ a substantial number of apprentices from Woodland Park, thus ensuring that those projects will expand access to living wage careers in the construction trades for a new generation of Woodland Park workers. However, if a construction project is put out to bid pursuant to this Ordinance and which contains a “Project Labor Agreement” and none of the bids received are within the budget for that project, the Borough shall rebid the project without mandating the use of a “Project Labor Agreement”; and

WHEREAS, to facilitate the above, the Mayor and Borough Council have determined that the annexed amended Chapter entitled “Project Labor Agreements” shall be added to the General Code of Woodland Park;

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:

1. The annexed amended Chapter 37 “Project Labor Agreements” shall be added to the General Code of Woodland Park.
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:

Sandra Olivola, Municipal Clerk

Tracy Kallert, Acting Mayor

Introduction: September 6, 2023

Adoption:

Chapter 37. Project Labor Agreements

§37-1. Purpose.

This chapter shall ensure that large construction projects with total costs that exceed \$5,000,000, excluding land acquisition costs and certain public construction contracts with total costs that exceed \$5,000,000 that the municipality directly undertakes or for which it provides financial support, are performed promptly, at a reasonable cost and with the highest degree of quality. This chapter also creates opportunities to employ a substantial number of apprentices, thus ensuring that these projects will expand access to living wages careers in the construction trades for a new generation of workers. However, if a construction project is put out to bid pursuant to this ordinance and which contains a Project Labor Agreement requirement and none of the bids received are within the budget for that project, the Borough shall rebid the proposed contract without mandating the use of a "Project Labor Agreement".

§37-2. Definitions.

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

APPRENTICE

A worker who participates in a federally-approved apprenticeship program or as an apprentice equivalent participates in a federally-approved training program, takes a construction apprenticeship test and receives benefits and pay not less than those received by an apprentice.

APPRENTICE PROGRAM

An apprenticeship program operated by an entity registered by the Bureau of Apprenticeship and Training of the United States Department of Labor or registered by a federal apprenticeship agency recognized by the Bureau.

CERTAIN PROJECTS

The Borough in its sole discretion may exempt projects which otherwise would fall within the purview of this chapter from the requirements of same.

CONTRACTOR

A person or entity awarded a public works project or contract on a publicly funded project contemplated by this chapter.

CRAFT-REQUEST FORM

A form which delineates the job or craft titles and descriptions (for example, but not by way of limitation, plumbers, glazers, carpenters, etc.) which are needed for a particular project, which form may be the one customarily used by the relevant trade or craft unions at that time and place.

DEVELOPER

The recipient of financial assistance for a redevelopment area financing project or the contractor for a public works project.

LABOR ORGANIZATION

An organization which represents, for purposes of collective bargaining, employees involved in the performance of construction contracts and eligible to be paid prevailing wages under the "New Jersey Prevailing Wage Act," P.C. 1963, c. 150 (N.J.S.A. 34:11-56.25 et seq.) and has the present ability to refer, provide or represent sufficient numbers of qualified employees to perform the contracted work and which has an apprenticeship program registered by the Bureau of Apprenticeship and Training of the United States Department of Labor.

NOT-FOR-PROFIT

Any entity that is organized as a nonprofit or not-for-profit entity, corporate or otherwise as a governmental entity.

PROJECT LABOR AGREEMENT

A contract between a contractor/labor organization, and a developer and/or the Borough of Woodland Park that contains, at a minimum, the requirements set forth in this chapter.

PRIVATE ENTITY

Any organization which conducts a profit-making business and is not otherwise organized as a nonprofit organization or governmental entity.

PUBLIC WORKS PROJECT

Building, altering, repairing, improving or demolishing any public structure or facility constructed, acquired or otherwise owned by the Borough of Woodland Park to house local government functions or provide water, waste, disposal, power, transportation and other public infrastructure.

PUBLICLY FUNDED PROJECTS

Includes public works projects that the Borough of Woodland Park directly undertakes with total costs that exceed \$5,000,000 and redevelopment area financing projects with total costs that exceed \$5,000,000.

REDEVELOPMENT AREA FINANCING ("RAF") PROJECT

A project that has a total construction cost that is equal to or exceeds \$5,000,000, exclusive of any land acquisition costs, which and receives (1) a tax exemption pursuant to N.J.S.A. 40A:20-1 et seq. or N.J.S.A. 40A:21-1 et seq. and (2) receives some form of redevelopment area financing such as an affordable housing trust fund grant, a community block development grant, or a redevelopment area bond.

SUBCONTRACTOR

A person or entity that is engaged or performs work or provides materials for a contractor or developer as defined herein, which person or entity may or may not be in privity of contract with the Borough of Woodland Park.

TOTAL PROJECTS COSTS

Shall be inclusive of environmental work, demolitions, pre-construction and construction costs .

§37-3. Coverage.

The terms of this chapter, set forth in Sec. 37-4 below are applicable to covered projects. "Covered projects" includes public works and publicly funded projects.

§37-4. Conflicts.

To the extent of any of the provisions of this chapter are deemed to conflict with N.J.S.A. 52:38-1 et seq. (P.L. 2002, c. 44) or any other applicable New Jersey statute, the statute shall control. To the extent the provisions of this chapter conflict with the Borough's ordinance implementing an Affirmative Action Program (Ordinance No. 7 of 1982), this chapter shall prevail. To the extent this chapter conflicts with any additional local ordinances, this chapter shall control.

§37-5. Requirements for covered contracts.

- A. Projects labor agreement required. Public works projects and publicly funded projects shall require the execution of a project labor agreement that complies with the requirements of this chapter, unless the Borough determines that it is in the best interests of the Borough to waive this requirement. The agreement shall either be directly entered into with a labor organization or the award of the contract shall be made on the conditions that the construction manager for the contract shall negotiate a project labor agreement in good faith with one or more labor organizations.
- B. Project labor agreement requirements. Each project labor agreement executed pursuant to this chapter shall be in conformity with N.J.S.A. 52:38-1 *et seq.* (P.L. 2002, c. 44).
 - (1) Advance the interests of the Borough of Woodland Park, including the interests in cost, efficiency, quality, timeliness, skilled labor force, and safety;
 - (2) Contain guarantees against strikes, lock-outs, or other similar actions;
 - (3) Set forth effective, immediate, and mutually binding procedures for resolving jurisdictional and labor disputes arising before the completion of the work;
 - (4) Be made binding on all contractors and subcontractors on the project in all relevant documents, including bid specifications;

- (5) Require that each contractor and subcontractor working on the project utilize have an apprenticeship program as defined herein;
 - (6) Fully conform to all statutes, regulations and Borough of Woodland Park ordinances regarding the implementation of set-aside goals for women and minority owned businesses, the obligation to comply with which shall be expressly provided for in the project labor agreement;
 - (7) Include a publicly available plan which is in full conformance with the requirements of all applicable statutes, regulations, executive orders and Borough ordinances and is mutually agreed upon by the participating labor organizations and the public entity or the developer which will own the facilities which are built, altered or repaired under the project, provided that any shares mutually agreed upon pursuant to this subsection shall equal or exceed the requirements of other statutes, regulations, executive orders or local ordinances;
 - (8) State that contractors and subcontractors need not be a party to a collective bargaining agreement with the applicable labor organization other than for-the project covered by the project labor agreement;
 - (9) Require the Borough to monitor, or arrange to have a state agency monitor, the amount and share of work done on the project by minority group members and women and the progression of minority group members and women into apprentice and journey worker positions and require the Borough to make public, or have the state agency make public, all records of monitoring conducted pursuant to N.J.S.A. 52:38-1 et seq. (P.L. 2002, c. 44), this chapter and the project labor agreement;
 - (10) State that any and all residents who are already in any signatory union or an apprenticeship program shall be referred to contractors or subcontractors who request them, even if those Woodland Park residents were not in line for referral under normal hiring hall procedures;
 - (11) Require the contract for the public works project to provide whatever resources may be needed to prepare for apprenticeship a number of women and minority members sufficient to enable compliance with the plan agreed upon pursuant to this chapter and provide that the use of those resources be administered jointly by the participating labor organization and the public entity;
 - (12) State that the terms of the project labor agreement shall prevail over conflicting terms of any collective bargaining agreements;
 - (13) Require that the labor organization utilize members who are Woodland Park residents as their first choice for staffing without regard of any other preferential status; and
 - (14) Require that 10% of the labor hours required shall be performed by the Woodland Park residents who are participating in the apprenticeship program and that 100% of the apprentices shall be Passaic County residents.
- C. Advertisement. At such time as its sponsored apprentice program is seeking applications, the labor organization will advertise in two newspapers regularly published and distributed in the Borough and outreach via other media, such as cable television, the Internet and/or radio. The advertisement shall solicit apprenticeship applications for the labor organization's apprenticeship program, describe the basic requirements for admission, describe the job training and set forth the range of salaries.
- D. Pre-construction meeting. Not less than 30 days prior to the commencement of construction, the developer shall meet with the appropriate Borough officials, as the context makes relevant, or his or her designee to present workforce needs, which will include the job description of the positions to be filled and duration of the project. In addition, the developer will provide the construction schedule to the respective director or his or her designee. The labor organization will present the developer and the respective director or his or her designee with the names, addresses and trades of eligible apprentices who are available to work on the project.
- E. Job fairs. The developer and the labor organization will jointly participate in a job fair to be held in the Borough in order to explain the apprenticeship program and solicit applications from attendees.

However, if a construction project is put out to bid pursuant to this Ordinance and which contains a Project Labor Agreement requirement and none of the bids received are within the budget for that project the foregoing shall not apply.

§37-6. Apprenticeship utilization goals.

On all covered projects, the minority and women employment goals for each contractor and subcontractor for each trade shall be established by the New Jersey Department of Labor in manner that is consistent with N.J.A.C. 17:27-7.2; however, a contractor shall not be subject to enforcement actions for violation of this provision if that contractor can demonstrate that it made good faith efforts to comply with this section. For the purposes of this section, "good faith efforts" for a developer shall at a minimum include compliance with the following:

- A. Entry into a project labor agreement and obtaining letters of assent from each contractor/subcontractor;
- B. Convening pre-bid and pre-construction meetings to educate construction manager and subcontractors about the apprenticeship utilization goals;
- C. Cooperating with Borough representative. The contractor shall cooperate with the representative appointed by the Borough to ensure compliance with this section. The representative shall provide services in support of the Contractor's apprentice hiring goals;
- D. Establish a point of contact to provide information about pre-apprenticeship or apprenticeship opportunities;
- E. Develop and maintain an up-to-date list of persons who have been offered opportunities and those who are working on the project;
- F. Facilitate relationships among approved apprenticeship programs and contractors to enable prompt referrals;
- G. Assist contractors with reporting by working with contractors and the representative where appropriate;
- H. Regularly contacting and documenting of contact with the representative and providing certified payroll and other records on a regular basis to the representative;
- I. Use and documenting use of Borough-approved craft request forms sent to both unions and Borough representative craft request form, as defined herein means a document through which contractors shall request workers from unions;
- J. Requesting apprentices that are Borough residents from union hiring halls;
- K. Documenting reasons for not hiring referred candidates from target populations, if applicable;
- L. Allowing the Borough representative prompt and willing access to documentation of all of the above activities and to the work site if requested.

§37-7. Local minority hiring goals.

For each contractor and subcontractor performing work on a covered project, the project labor agreement shall contain female and minority employment goals that are consistent with the guidelines set forth by the Division of Public Contracts Equal Employment Opportunity pursuant to N.J.A.C. 17.27-7.2.

§37-8. Enforcement.

- A. Monitoring and enforcement. Each contractor and subcontractor subject to the provisions of this chapter shall submit to the Borough a completed certified declaration of compliance form prior to commencing work on the covered project.
- B. Contractors and subcontractors. All contractors on covered projects shall require that their subcontractors comply with the provisions of this chapter. Language indicating the subcontractor's agreement to comply shall be included in the contract between the contractor and subcontractor, and shall contain a provision making such terms enforceable by the Borough. Copies of such agreements shall be submitted to the Borough.

- C. Reports. All contractors and subcontractors shall report to the respective Director or his or her designee on a quarterly basis according to the following schedule (by March 31, June 30, September 30, and December 31 of each year) and shall provide the following information, certified and notarized, for each covered contract for which work was performed during the previous quarter.
1. Manning report. The developer's/contractor's report, as the case may be, will accurately reflect the total hours in each construction trade or craft and the number of hours worked by Borough residents, including a list of minority resident and women resident workers in each trade or craft, and will list separately the work hours performed by such employees of the contractor and each of its subcontractors during the previous quarter.
 2. Certified payroll report. The developers/contractors, as the case may be, that will specify the residence, gender and ethnic/racial origin of each worker, work hours, and the rate of pay and benefits provided.
 3. Equal employment opportunity reports. A copy of the labor organization's local union report (EEO-3) and apprenticeship information report (EEO-2) which are required to be filed with the Equal Employment Opportunity Commission by the labor organization.
 4. Apprenticeship report. The report of the labor organization that shall list the names, address and contact information of all Woodland Park residents who were accepted in to the apprenticeship program. The report shall also list the names, address and contact information of all Woodland Park residents who were rejected for admission, with the reasons for rejection and, for those Woodland Park residents who failed to finish the program, the reasons why they failed to complete the program.
 5. Total cost report. In the event construction permits have been issued and more than 12 months has expired from the date of the adoption of the ordinance approving the tax abatement, the developer shall be required to resubmit a current estimate of total construction costs to ensure that the total construction costs do not exceed \$5,000,000 or it will be deemed that this chapter applies.
 6. Final cost report. No later than 90 days following project completion, the developer shall submit a certificate of actual total construction costs. All total construction costs shall be certified to the Borough by the project architect and engineer and is subject to review by the Borough at the time of application for certificate of occupancy and audit by the Borough.
 7. Other reports. The developer or the labor organization shall furnish to the Borough of Woodland Park such further information, documents or reports as shall be requested.
- D. Records. Contractors and subcontractors performing work on covered contracts shall maintain certified payroll records for all employees and shall preserve them for a period of three years after completion of the covered contract, making such records available within three days of a written request by the Borough or its designee and upon inspection without notice.
- E. Site and records access. All developers, contractors and subcontractors performing work on covered contracts shall permit access for representatives of the Borough or its designee to all work sites and to all applicable records in order to monitor compliance with the provisions of this chapter. In the event the Borough has good cause to believe that any contractor or subcontractor has failed to comply with the provisions of this chapter, the contractor or subcontractor shall be given written notice and afforded an opportunity for a hearing before the appropriate Borough official prior to the imposition of the sanctions set forth in this section. The decision of the respective director(s) shall be final.
- F. Borough remedies. In the event the Borough has good cause to believe that any contractor or subcontractor on either a publicly funded project or a public works project has failed to comply with the provisions of this chapter, said contractor or subcontractor shall be given written notice of their alleged noncompliance and afforded an opportunity to submit a written response to the Borough. In the event the Borough determines that any contractor or subcontractor on either a publicly funded project or a public works project has failed to comply with the provisions of this chapter, it shall have available all remedies available at law or in equity, which shall include, but not be limited to the following:
- (1) Suspending or terminating the contract, grant, subsidy agreement, or tax abatement agreement in question;

- (2) Completing the public works project with a different contractor or subcontractor, and require the original contractor or subcontractor to pay all damages and costs in utilizing a substitute contractor or subcontractor and/or make claim on their performance bond;
- (3) Debarring the developer, contractor or subcontractor from eligibility for future Borough contracts and for financial assistance;
- (4) Assessing liquidated damages in the amount of 5% of the value of the contract or subsidy in question;
- (5) Late filing of any report or record or the prohibition of any access required for same under Subsections C, D or E hereof, may result in a fine of \$1,000 per day for each day that the report is late for up to 15 days applies. After 15 days, the failure to provide same shall constitute a material breach and the above remedies shall apply;
- (6) Such other remedies available at law or in equity.

§37-9. Implementation.

- A. The Borough shall include language in all grant agreements or other documents approved by the Borough Council providing financial assistance on covered projects, including financial agreements in connection with long term tax abatements, requiring compliance with this chapter.
- B. Any advertisement for a public works project published 60 days or more following the effective date of this chapter shall contain provisions conditioning the award of any contract on compliance with this chapter.

§37-10. Right to Rebid.

- A. In the event that a construction project is put out to bid pursuant to this Ordinance which contains a Project Labor Agreement requirement and none of the bids received are within the budget for that project, the Borough shall have the opportunity to rebid the proposed project without being subjected to any "Project Labor Agreements" which exist, in order for the Borough to act in an appropriate and proper fiscal manner.

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R23-250**

MOTIONED BY:
SECONDED BY:

INTRODUCTION OF ORDINANCE 23-21

**AMENDMENT TO ORDINANCE 12-06 AN ORDINANCE MAKING THE
PROVISION FOR NEW JERSEY STATUTES ANNOTATED: TITLES 39 AND
59, AND MUNICIPAL ORDINANCES, APPLICABLE TO ALL WOODLAND
PARK BOARD OF EDUCATION PROPERTY, TO REGULATE THE USE OF
THE ROADWAYS, STREETS, DRIVEWAYS, PARKING LOTS AND FIELDS,
USED BY MOTOR VEHICLES ON THE SAID PROPERTY**

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 4th day of October 2023, 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 Mayor and Council Vote on Passage

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

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

Sandra Olivola, Municipal Clerk

September 20, 2023

Dated

**BOROUGH OF WOODLAND PARK
COUNTY OF PASSAIC, STATE OF NEW JERSEY
ORDINANCE 23-21**

**AN ORDINANCE AMENDING ORDINANCE 12-06 MAKING THE
PROVISION FOR NEW JERSEY STATUTES ANNOTATED: TITLES 39 AND
59, AND MUNICIPAL ORDINANCES, APPLICABLE TO ALL WOODLAND
PARK BOARD OF EDUCATION PROPERTY, TO REGULATE THE USE OF
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BE IT ORDAINED, by the Borough Council of the Borough of Woodland Park, in the County of Passaic and State of New Jersey, that this Ordinance No. 12-06 is hereby amended to add one (1) additional location which are covered by this Ordinance and to make amendments to Section 1.1, Parking, as follows:

The provision of Ordinance No. 12-06 is hereby amended to include the following locations:

1. Charles Olbon School-50 Lincoln Lane, Woodland Park, NJ 07424;
2. Beatrice Gilmore School-1075 McBride Avenue, Woodland Park, NJ 07424;
3. Memorial School-15 Memorial Drive, Woodland Park, NJ 07424;
4. Woodland Park Board of Education Office-853 McBride Avenue, Woodland Park, NJ 07424;
5. School #1, 665 McBride Avenue, Woodland Park, NJ 07424; and
6. Early Childhood Center (ECC), 377 Lackawanna Avenue, Woodland Park, NJ 07424

SECTION I

The Borough of Woodland Park Board of Education, a Municipal Entity established under N.J.S.A. 59:1-1 et. seq., has filed a written consent with the Borough of Woodland Park to have the provisions of N.J.S.A. Title 39 of the Revised Statutes of New Jersey and all Municipal Ordinances to be made applicable to the public and semi-public roads, streets, driveways and parking lots that are owned, maintained, leased and/or operated by the Woodland Park Board of Education in the Borough of Woodland Park, County of Passaic and the following regulations shall be enforceable:

1. **Parking:**

- A. All vehicles must park in designated parking areas only and between the lines provided. In addition, there shall be no parking in the following areas:
 - a) Fire Zones;
 - b) Drop Off/Pick Up Zones. No vehicle may be left unattended in such Zones; and
 - c) No parking in designated parking areas between the hours of 11:00 p.m. and 4:00 p.m. No overnight parking or parking during school hours without a permit. Teachers permit parking only during school hours.
 - d) Parking after school hours will be allowed for Borough and Board of Education events/activities – only. As such, general parking for the public will not be allowed at the locations identified in the preamble of this Ordinance
- B. No person shall stop or stand a vehicle in an area which is prohibited by a stop sign, or directive of a Borough of Woodland Park Police Officer, except in areas that allow for stopping or standing;

- C. Any person who violates any aspect of Title 39 or the Municipal Ordinances of the Borough of Woodland Park, will be subjected to all fines and penalties that are provided by the same, which shall include but not be limited to tickets, fines and the towing of their vehicle;
- D. Handicapped Parking – All handicapped parking stalls shall be 12 feet wide and signed with R7-8 (Reserved Parking sign and penalty plate), in the designated parking areas for persons who have been issued the Handicapped Parking Permits by the Division of Motor Vehicles. Any person who parks their vehicle in a designated handicapped parking area, and does not have the requisite handicapped parking permit issued by the New Jersey Department of Motor Vehicles, will be prosecuted in the same manner as provided by Title 39:1-1, et. seq.
- E. Reserved Parking: The parking lots are permitted to have “Reserved Parking” for various types of vehicles which must be properly identified, which shall be administered by a designee of the Woodland Park Board of Education; and
- F. Permit Parking: Employees of the Woodland Park Board of Education may park on Board of Education property with a valid parking permit during school hours only – through a permit process that shall be administered through the Woodland Park Board of Education.

2. **Through Streets, Stop and Yield Intersections:**

- A. Through Streets – Any person operating a motor vehicle within the confines of Board of Education property in the Borough of Woodland Park, who fails to yield, will be prosecuted in the same manner as provided in Title 39:1-1, et. seq. and Borough Municipal Ordinances, that are applicable.
- B. Stop Intersections – Any person operating a motor vehicle on property owned, operated or maintained by the Woodland Park Board of Education, will be prosecuted for failure to stop at any stop sign or like traffic control device, pursuant to the requisites of N.J.S.A. Title 39 and applicable Borough Ordinances.

3. **Speed Limits:**

The speed limits that are posted on property that is either owned, maintained, controlled or operated by the Woodland Park Board of Education will be enforced by the Woodland Park Police Department, through this ordinance, with the authority vested in them by Title 39 and the Municipal Ordinances of the Borough of Woodland Park. The speed limit for all traffic in the parking lots of the properties specified herein shall be 10 miles per hour. Regulatory and warning signs shall be erected and maintained to affect the above designated speed limits authorized by the New Jersey Department of Transportation.

4. **Tow-Away Zones:**

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, drop-off or pick-up areas, any grassy area, pedestrian walk-way, or present in any way a safety or traffic hazard may be removed by the towing of the said vehicle at the owner or operator’s expense, within the discretion of the Woodland Park Police Department, pursuant to Title 39 and the Woodland Park Borough Ordinances.

SECTION II

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

SECTION III

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

SECTION IV

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion(s) of the Ordinance.

SECTION V

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

Attest:

Approved:

Sandra Olivola, Municipal Clerk

Tracy Kallert, Acting Mayor

Introduced:

Adopted: