

These minutes have not been approved and are subject to change or modification by the Mayor and Council at a public meeting.

AUGUST 21, 2008

Prior to the Council Meeting an Executive Session was held. Mayor Eustace called the meeting to order at 7:30 P.M. The Clerk made the following announcement: "On January 3, 2008 and as revised on May 1, 2008 and June 5, 2008, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2008, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, The Community News and The County Seat newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act."

Roll call showed the following members of the Governing Body present: Mayor Eustace, Councilpersons LaPietra Lapin, Savage, Rupp, Fleischmann, and Jengo. Also present: Borough Attorney William F. Rupp, Borough Clerk Jean M. Pelligra and Borough Administrator Thomas H. Richards. Councilperson McVey was absent.

The following comments were made on the agenda:

Councilperson LaPietra Lapin stated she had questions for closed session.

Councilperson Jengo stated she had items to discuss in closed session.

Councilperson Fleischmann questioned Resolution #137-08 regarding shared municipal services. He stated since the petition failed and it appears to be a dead issue, why are we doing a resolution.

Mayor Eustace stated it is not a dead issue. He stated we want to confirm to the residents that we want to continue to share services but not consolidate municipalities.

Attorney Rupp further explained the purported referendum and the wording of the petition that was circulated. He stated this is a non-binding referendum and is essentially a public opinion poll.

Councilperson LaPietra Lapin commented that we are reaffirming the sharing of services.

Councilperson Savage asked what the cost of a study would be to the borough. He also commented on the consolidation of local school districts. He requested that this issue be deferred for further discussion.

Borough Clerk Pelligra responded tomorrow is the deadline to submit the question in order to have it put on the November ballot.

Mayor Eustace responded he will be meeting with the Mayor of Rochelle Park as well as both school boards regarding consolidation of services.

Councilperson Fleischmann asked why we would place a question on the ballot asking citizens to comment on something we are already doing.

Mayor Eustace and Councilperson LaPietra Lapin responded that it reaffirms to our citizens what we are already doing.

Councilperson Savage stated he still supports paying an independent commission to run a study on the consolidation of the Maywood and Rochelle Park school districts.

Mayor Eustace responded.

Councilperson Savage noted a typographical error under "appointments".

Borough Clerk Pelligra stated she must bring the required form to the County tomorrow to be stamped in regarding Resolution #137-08.

Councilperson Fleischmann commented on the bill list. He stated he was unable to obtain information from the finance department when he questioned how things were booked on the list and when he asked to see copies of invoices that pertained to bills on the current bill list. He advised he was told CFO Cuccia would have to be called prior to this information being given out. He stated he will be voting "no" to the bill list this evening and will only vote "yes" for the payroll.

Borough Clerk Pelligra stated she had the purchase orders at this time.

Councilperson Fleischmann stated it is not helpful receiving the information he asked for at 7:45 pm. He stated as an elected official as well as the Finance Commissioner he expects to be able to get answers to questions from the finance department without a call to the CFO.

Administrator Richards responded and stated he would like to arrange a meeting between the CFO, Councilperson Fleischmann, Borough Clerk Pelligra, and Donna DeGregorio to discuss this procedure.

The following comments were made off the agenda:

Administrator Richards stated the Borough has received their state license to bill for daytime ambulance calls. He stated he and Commissioner Rupp were present at the volunteer first aid meeting and several questions were presented by the squad. He reported that he had a meeting with a representative from a billing company and asked the Lieutenant of the squad to be present so there would be no miscommunications regarding the billing procedure of the daytime calls. He stated the anticipated revenue after an eight percent fee to the billing company would be \$107,000.00. He stated this is based on a call volume of four hundred. He stated the billing company would obtain the necessary insurance information if the paid EMT's were unable to do so at the time of the call. He explained the billing procedure as it pertains to residents and non-residents. He stated we would need to obtain three quotes from billing firms. He stated rigs manned by volunteers would not be billing their patients.

Councilperson LaPietra Lapin asked what the squad's objections were to the billing.

Councilperson Rupp and Administrator Richards responded.

Administrator Richards stated he distributed a copy of the tax levy which he received this evening. He stated the 2008 tax rate is \$1.87.

Councilperson Jengo reported on the volleyball program and advised she had distributed information to the council regarding the proposed fee schedule discussed by Administrator Richards at the last meeting as well as the suggestions submitted by Michael Trainer, the volleyball program director. She asked if they can be told to move forward. Mayor Eustace stated yes.

Administrator Richards reported on a study done by Superintendent Russell regarding the heating and air conditioning costs at 15 Park Avenue. He stated that we have maintained our energy costs from last year considering the increases that have taken place. He reported on further energy saving measures that will be taking place in the borough building.

Administrator Richards stated there is \$32,000.00 remaining in the pool bond. He reported on pricing he had received for a new roof on the pool building. He reported on the damages done to the pool by vandals and stated after a reward was posted, a party was identified.

Mayor Eustace stated the Council needs to amend Ordinance #17-08 per the letter received from the Planning Board regarding the hours of operation prior to introduction at tonight's meeting.

Councilperson Rupp made a motion to change the hours of operation; seconded by Councilperson Jengo - All in favor.

Administrator Richards reported on the \$6,000 that was remaining from the pool playground grant and stated that after conversations with Joe Rogers of the state, we must return the funds and cannot use the monies for other purposes at the pool.

Councilperson Fleischmann questioned why additional playground equipment could not be purchased.

Administrator Richards and Mayor Eustace responded.

Councilperson Rupp made a motion to go into Closed Session; seconded by Councilperson LaPietra Lapin, and so carried by unanimous roll call vote.

BOROUGH OF MAYWOOD
Closed Session Resolution # 139-08

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Mayor and Council meet in closed session to discuss the following subject matter(s):

Litigation – Fall Down, DPW Grievance
Appointment of Employees

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest
- Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law
- Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege
- Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof
- Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

- Will return to open session after this meeting.
- Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 08-21-08 Time: 8:00 pm

Councilperson Rupp made a motion to return to the regular order of business; seconded by Councilperson Fleischmann; and so carried by unanimous roll call vote.

Councilperson Rupp moved the meeting be adjourned until 8:15 pm; seconded by Councilperson Fleischmann and so carried at 8:20 pm.

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AUGUST 21, 2008

Mayor Eustace called the meeting to order at 8:15 P.M. The Clerk made the following announcement: "On January 3, 2008 and as revised on May 1, 2008 and June 5, 2008, adequate notice of this meeting pursuant to the Open Public Meetings Act has been furnished by inclusion thereof in the Annual Schedule of Meetings for 2008, which has been posted on the bulletin board at Borough Hall, filed with the Borough Clerk, faxed to the Our Town, The Record, The Community News and The County Seat newspapers and distributed to all persons, if any, requesting copies of same pursuant to said Act."

Roll call showed the following members of the Governing Body present: Mayor Eustace, Councilpersons LaPietra Lapin, Savage, Rupp, Fleischmann, and Jengo. Also present: Borough Attorney William F. Rupp, Borough Clerk Jean M. Pelligra and Borough Administrator Thomas H. Richards. Councilperson McVey was absent.

Councilperson Savage made a motion to suspend the regular order of business for the purpose of a Proclamation; seconded by Councilperson Rupp - All in favor.

PROCLAMATIONS, PRESENTATIONS, ETC.

Mayor Eustace read a Proclamation proclaiming the Month of September 2008 as "National Ovarian Cancer Awareness Month"

Councilperson Rupp moved to go into a regular order of business; seconded by Councilperson Savage, and so carried by unanimous roll call vote.

APPROVAL OF MINUTES

Councilperson Fleischmann moved for approval of the July 10, 2008 Work Session and Closed Session minutes, and the July 17, 2008 Special Meeting minutes, Council Meeting minutes, and Closed Session minutes; seconded by Councilperson LaPietra Lapin, and so carried by unanimous roll call vote.

PUBLIC COMMENT ON SERVICES

Mayor Eustace opened the meeting to the public for any comments relative to a service within the Borough.

Mike Trainer – 37 Stelling Avenue – reported on problems on Stelling, Paterson and Fairmount Avenues regarding the recycling pick-up. He stated approximately one time per month recycling is completely missed, more specifically grass pick-up. He stated he contacts Lisa Schieli when this happens.

Mayor Eustace and Administrator Richards asked that Mr. Trainer contact either the DPW or the Administrator's office when there is a problem.

Councilperson Savage asked if Mr. Trainer's request to come back and pick up the missed recyclables was addressed in a timely fashion.

Mr. Trainer stated they do return if possible the same day.

Hearing no further comments, Mayor Eustace closed this portion of the meeting.

PRESENTATION OF BILLS AND CLAIMS AND REQUEST FOR PUBLIC COMMENT

The Clerk presented the bill resolution.

Mayor Eustace opened the meeting to the public for any comments or questions.

Hearing none, Mayor Eustace closed this portion of the meeting.

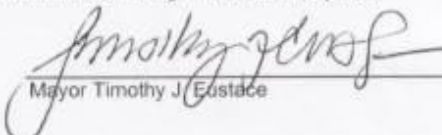
Councilperson LaPietra Lapin moved for approval, seconded by Councilperson Savage, and so carried by unanimous roll call vote with Councilperson Rupp not participating in bills payable to Ferrara, Turitz, Harraka, and Goldberg, PC and Councilperson Fleischmann abstaining.

BILL LIST AS OF 8/21/08

<u>DATE</u>	<u>VENDOR</u>	<u>CHECK #</u>	<u>AMOUNT</u>	<u>APPROPRIATION</u>
7/21/2008	NJ DEPT. OF HEALTH		\$37.80	DOG TRUST ACCOUNT
7/24/2008	CITY OF HACKENSACK		\$1,200.00	OTHER TRUSTS-4TH OF JULY
7/16/2008	DONNA SKINNER		\$235.00	OTHER TRUSTS-4TH OF JULY
7/16/2008	MAYWOOD INN		\$298.54	OTHER TRUSTS-4TH OF JULY
7/16/2008	PGR MARKETING		\$70.00	OTHER TRUSTS-4TH OF JULY
7/16/2008	WILLIAM JERLINSKI		\$234.49	OTHER TRUSTS-4TH OF JULY
8/1/2008	JOSEPH ESPOSITO		\$585.17	RECREATION TRUST
7/25/2008	LISA SCHIELI		\$20.83	RECREATION TRUST
7/24/2008	NEW JERSEY JACKALS		\$776.50	RECREATION TRUST
8/1/2008	L. DELICATE		\$10.00	RECYCLING TRUST
7/18/2008	PINTO SERVICE		\$3,025.00	RECYCLING TRUST
	TOTAL: 01 CURRENT		\$4,648,532.98	
	TOTAL: 04 CAPITAL		\$377,324.10	
	TOTAL: 05 SWIMPOOL		\$55,749.53	
	TOTAL: 12 ESCROW		\$27,123.44	

TOTAL BILL LIST:

Be it resolved , Mayor and Council are authorized to issue and sign warrants in payment of vouchers of \$5,115,223.38



Mayor Timothy J. Eustace

BOROUGH OF MAYWOOD

BILL LIST - 8/21/08

Vendor	Chk #	Amount	Description	Account
AAA EMERGENCY	0	472.71	190880, 190855, 190881	01-2010-26-2672-102
ACTION OFFICE	0	145.14	168232-0	01-2010-20-1452-258
ARRINS, HENRY III	0	1000.00	2008 NJ STATE FIREMEN'S	01-2010-26-2672-159
ALL AMERICAN FORD	0	30.12	93673	01-2010-26-3152-183
ALL AMERICAN FORD	0	285.33	95467	01-2010-26-3152-183
ANGELO'S PIZZERIA	0	243.50	805431, 805412, 805485	01-2010-26-2672-153
ATLANTIC BUSINESS	0	143.92	CHINO44470	01-2010-25-2402-057
ATLANTIC	0	765.00	17713	01-2010-26-3112-132
AUTOMOTIVE BRAKE	0	108.30	50946	01-2010-26-3152-071
AUTOMOTIVE BRAKE	0	54.90	51196, 81192	01-2010-26-3152-071
AUTOMOTIVE BRAKE	0	38.66	51730	01-2010-26-3152-071
AUTOMOTIVE BRAKE	0	228.39	80272, 50732	01-2010-26-3152-071
B & V SERVICE	0	470.00	#203, #208, 96 BRONCO	01-2010-26-2902-146
B.C. LAW & PUBLIC	0	35.00	08-018	01-2010-25-2402-139
BAGS PLUS LLC	0	38.90	12717	01-2010-26-3112-257
BEATTIE PADOVANO,	0	662.42	1048885, 1048888	01-2010-21-1802-125
BELMAR SPRING	0	21.00	45307063008	01-2010-26-2672-150
BELMAR SPRING	0	25.00	45307073108	01-2010-26-2672-150
BELMAR SPRING	0	216.25	45302063008	01-2010-26-3112-257
BERGEN COUNTY	0	24576.50	1/1/08 - 6/30/08 PUBLIC	01-2010-27-3300-204
BERGEN COUNTY	0	373252.00	3RD QTR. 2008 WASTEWATER	01-2010-31-4552-219
BERGEN MUN. EMP.	0	5178.00	AUGUST 2008	01-2010-23-1212-205
BERGEN MUN. EMP.	0	121464.00	AUGUST 2008	01-2010-23-2202-113
Borough of	729081	6066.22	PAYROLL DATE-7/30/08	01-2010-20-1001-204
Borough of	811081	5962.16	PAYROLL DATE-8/13/08	01-2010-20-1001-204
Borough of	729081	4122.51	PAYROLL DATE-7/30/08	01-2010-20-1201-011
Borough of	811081	4169.22	PAYROLL DATE-8/13/08	01-2010-20-1201-011
Borough of	729081	6235.41	PAYROLL DATE-7/30/08	01-2010-20-1451-204
Borough of	811081	5916.29	PAYROLL DATE-8/13/08	01-2010-20-1451-204
Borough of	729081	491.13	PAYROLL DATE-7/30/08	01-2010-20-1501-204
Borough of	811081	491.13	PAYROLL DATE-8/13/08	01-2010-20-1501-204
Borough of	811081	125.00	PAYROLL DATE-8/13/08	01-2010-21-1801-204
Borough of	729081	4409.86	PAYROLL DATE-7/30/08	01-2010-22-1951-204
Borough of	811081	3482.25	PAYROLL DATE-8/13/08	01-2010-22-1951-204
Borough of	729081	16116.56	PAYROLL DATE-7/30/08	01-2010-25-2401-091
Borough of	811081	4656.85	PAYROLL DATE-8/13/08	01-2010-25-2401-091
Borough of	729081	670.13	PAYROLL DATE-7/30/08	01-2010-25-2401-092
Borough of	811081	549.13	PAYROLL DATE-8/13/08	01-2010-25-2401-092
Borough of	729081	5329.13	PAYROLL DATE-7/30/08	01-2010-25-2401-093
Borough of	811081	5018.95	PAYROLL DATE-8/13/08	01-2010-25-2401-093
Borough of	729081	145.00	PAYROLL DATE-7/30/08	01-2010-25-2401-095
Borough of	729081	1296.30	PAYROLL DATE-7/30/08	01-2010-25-2401-098
Borough of	811081	1296.30	PAYROLL DATE-8/13/08	01-2010-25-2401-098
Borough of	729081	10359.48	PAYROLL DATE-7/30/08	01-2010-25-2401-170
Borough of	811081	15231.61	PAYROLL DATE-8/13/08	01-2010-25-2401-170
Borough of	729081	96951.79	PAYROLL DATE-7/30/08	01-2010-25-2401-204
Borough of	811081	95175.48	PAYROLL DATE-8/13/08	01-2010-25-2401-204
Borough of	729081	62.49	PAYROLL DATE-7/30/08	01-2010-25-2651-204
Borough of	811081	62.49	PAYROLL DATE-8/13/08	01-2010-25-2651-204
Borough of	729081	562.07	PAYROLL DATE-7/30/08	01-2010-25-2752-204
Borough of	811081	562.07	PAYROLL DATE-8/13/08	01-2010-25-2752-204
Borough of	729081	35360.92	PAYROLL DATE-7/30/08	01-2010-26-2901-204
Borough of	811081	34253.38	PAYROLL DATE-8/13/08	01-2010-26-2901-204
Borough of	729081	2774.21	PAYROLL DATE-7/30/08	01-2010-26-3151-204
Borough of	811081	1552.19	PAYROLL DATE-8/13/08	01-2010-26-3151-204
Borough of	729081	54.25	PAYROLL DATE-7/30/08	01-2010-27-3301-204
Borough of	729081	2617.65	PAYROLL DATE-7/30/08	01-2010-27-3303-204
Borough of	811081	2624.70	PAYROLL DATE-8/13/08	01-2010-27-3303-204
Borough of	729081	16841.70	PAYROLL DATE-7/30/08	01-2010-28-3701-204
Borough of	811081	15938.24	PAYROLL DATE-8/13/08	01-2010-28-3701-204
Borough of	729081	0.00	PAYROLL DATE-7/30/08	01-2010-29-3902-061
Borough of	729081	844.07	PAYROLL DATE-7/30/08	01-2010-29-3902-061
Borough of	729081	10536.16	PAYROLL DATE-7/30/08	01-2010-29-3902-061
Borough of	811081	0.00	PAYROLL DATE-8/13/08	01-2010-29-3902-061
Borough of	811081	867.63	PAYROLL DATE-8/13/08	01-2010-29-3902-061

Vendor	Chk #	Amount	Description	Account
Borough of	811081	10828.05	PAYROLL DATE-8/13/08	01-2010-29-3902-061
Borough of	729082	8996.44	PAYROLL DATE-7/30/08	01-2010-36-4722-247
Borough of	811082	8102.78	PAYROLL DATE-8/13/08	01-2010-36-4722-247
Borough of	729082	0.00	PAYROLL DATE-7/30/08	01-2010-36-4762-001
Borough of	729082	269.62	PAYROLL DATE-7/30/08	01-2010-36-4762-001
Borough of	811082	0.00	PAYROLL DATE-8/13/08	01-2010-36-4762-001
Borough of	811082	234.40	PAYROLL DATE-8/13/08	01-2010-36-4762-001
Borough of	729081	4427.19	PAYROLL DATE-7/30/08	01-2010-43-4901-304
Borough of	811081	4775.94	PAYROLL DATE-8/13/08	01-2010-43-4901-304
C. WINTERS SUPPLY	0	775.00	6805,36,37,38,39,75,76 &	01-2010-28-3752-092
C. WINTERS SUPPLY	0	0.00	7535, 7960	01-2010-28-3752-092
C. WINTERS SUPPLY	0	287.00	7535, 7960	01-2010-28-3752-092
CABLEVISION	0	59.95	JULY 2008	01-2010-25-2402-057
CALDARELLA,	0	434.95	MB3369	01-2010-20-3812-146
CANON BUSINESS	0	281.37	303440387,303375404,4001	01-2010-20-1002-059
CARRIER	0	2802.00	8001811902	01-2010-26-3112-132
CHIEF SUPPLY	0	74.96	170834	01-2010-25-2402-023
CHRIS & BUD	0	773.20	9723,10241,9412,9842,984	01-2010-28-3752-089
COMMERCIAL TIRE	0	2457.62	1010087,10099703,1009813,	01-2010-26-2902-146
COMMERCIAL TIRE	0	1055.00	1010128	01-2010-26-2902-146
COMMERCIAL TIRE	0	847.00	1010148, 1009965	01-2010-26-2902-146
COUNTY OF	0	649296.49	COUNTY TAX - DUE AUGUST	01-2085-00-0000-001
COUNTY OPEN SPACE	0	36819.00	OPEN SPACE TAX - DUE	01-2085-00-0000-001
CROSS MATCH	0	1991.00	1245	01-2010-25-2402-057
DELTA PRODUCTS	0	133.27	180799	01-2010-26-3152-147
DISCOUNT OFFICE	0	155.00	105238	01-2010-25-2612-097
DONALD	0	183.57	REIMBURSEMENT FOR PETTY	01-2010-26-3112-132
DUX PAINTS	0	1144.90	44618, 44622, 44719	01-2010-26-3112-257
DUX PAINTS	0	518.99	44753	01-2010-26-3112-257
FACTORY DIRECT	0	733.33	5001615	01-2010-26-3152-071
FAIRMOUNT COAL	0	91.61	97139, 97690	01-2010-26-2902-146
FELDMAN BROTHERS	0	41.30	647946	01-2010-26-3112-132
FERRAIOLI,	0	16000.00	12/31/07 AUDIT - BILLING	01-2010-20-3352-014
FERRAIOLI,	0	2500.00	2008 BUDGET-AMENDMENT &	01-2010-20-3352-014
FERRARA, TULITZ,	0	4949.62	87993-7/29/08 BILLING	01-2010-20-1552-028
FIGLIA ELECTRIC	0	828.75	6334, 6335	01-2010-26-3112-055
FIGLIA ELECTRIC	0	545.00	A6287	01-2010-26-3112-132
FIGLIA ELECTRIC	0	1146.25	A6250	01-2010-26-3112-132
FIRE FIGHTERS	0	307.00	20081976	01-2010-26-2672-211
FLERT SERVICES	0	1641.46	0017394580 (PARTIAL)	01-2010-31-4602-101
FLERT SERVICES	0	7185.78	0017394580 (PARTIAL)	01-2010-31-4602-101
FREMGEN'S POWER	0	97.00	33631	01-2010-28-3752-089
G & K SERVICES	0	403.08	128109543,3103313,311167	01-2010-26-3112-132
GATES COMPANY	0	1060.40	142952, 143082	01-2010-26-3112-096
OSETA JOSHI	0	190.79	REIMBURSEMENT-6/9-12,	01-2010-43-4902-078
GENERAL CODE	0	880.00	00113119	01-2010-20-1002-149
GRADE A PETROLEUM	0	1082.93	835040, 830915 , CREDIT	01-2010-31-4602-166
GTM	0	570.00	1004910	01-2010-25-2402-057
HACKENSACK AUTO	0	1500.00	0928 (BALANCE ON	01-2010-26-3152-071
HACKENSACK AUTO	0	210.13	0928 (BAL. ON P0800776),	01-2010-26-3152-071
HOME DEPOT INC.	0	99.00	6563405	01-2010-26-2902-256
HOME DEPOT INC.	0	83.94	8083684	01-2010-26-2902-256
I.D.M. MEDICAL	0	210.00	20861	01-2010-27-3302-141
I.D.M. MEDICAL	0	101.58	878738	01-2010-27-3302-141
INSTITUTE FOR	0	99.00	SEMINAR FOR CHARLIE	01-2010-26-3152-147
J. D'AMBROZIO	0	80.00	0006	01-2010-26-3112-132
J.E. ROGERS	0	288.00	3300	01-2010-26-2902-249
JASON Y. LIABAN	0	454.75	BODY ARMOR REIMBURSEMENT	01-2010-41-7132-168
JAX CAR WASH	0	100.00	12846	01-2010-26-2672-134
JAX CAR WASH	0	156.00	12284	01-2010-26-3152-183
JEAN M. BELLIGNA	0	60.00	REIMB.-CLERK'S	01-2010-20-1002-215
JET VAC INC.	0	62.00	C14619	01-2010-26-3152-071
JOHN A. EARL, INC.	0	188.62	1116678	01-2010-26-3112-257
JOSEPH IANNACONI	0	725.00	6/25, 7/2, 7/9, 7/16 &	01-2010-20-1452-078
KATHLEEN A.	16702	24.00	R.O.S.I. - CERTIFICATION	01-2010-20-1002-149
KODIAK TREE	0	1800.00	20890	01-2010-26-2902-146
LANGUAGE LINE	0	50.00	0110849-2008-06	01-2010-25-2402-057
MACO OFFICE	0	159.99	138113	01-2010-20-1002-149
MACO OFFICE	0	19.99	136881	01-2010-20-1202-229
MACO OFFICE	0	329.90	137868	01-2010-20-1202-229
MACO OFFICE	0	547.65	138393	01-2010-20-1202-229

Vendor	Chk #	Amount	Description	Account
MACO OFFICE	0	92.50	136378	01-2010-20-1452-258
MARIA REDA	0	540.00	6/25, 7/1, 7/15, 7/22 &	01-2010-20-1452-078
MARIANNE F.	0	600.00	6/18 & 6/25/08	01-2010-43-4952-999
MARIANNE F.	0	900.00	7/1, 7/16 & 7/30/08	01-2010-43-4952-999
MAYWOOD BOARD OF	0	2749833.00	JULY 2008, DEBT SERVICE	01-2070-00-0000-001
MAYWOOD HARDWARE	0	61.21	81779, 81665, 81945	01-2010-26-2672-102
MAYWOOD HARDWARE	0	425.96	8365-6/3 TO 6/29/08	01-2010-26-3112-257
MAYWOOD HARDWARE	0	264.09	881 - 7/1/08 TO 7/30/08	01-2010-26-3112-257
MAYWOOD	0	277.47	HQ05395626	01-2010-26-2672-153
MAYWOOD	0	28.28	037325, 397115	01-2010-28-3762-146
MAYWOOD	0	526.80	HQ01937859	01-2010-30-4203-118
MCNERNEY & ASSOC.	0	1500.00	BLOCK #2/LOT #-INV.	01-2010-20-1552-167
MERIT TROPHIES &	0	95.50	140319	01-2010-20-1212-011
MERIT TROPHIES &	0	77.00	140318	01-2010-26-2672-102
METRO HYDRAULIC	0	218.00	156406	01-2010-26-2902-146
METROPOLITAN	0	30.00	44893	01-2010-26-3152-071
METROPOLITAN	0	51.24	45161	01-2010-26-3152-071
MULVANEY, DANNY	0	26.93	REIMB. FOR ELECTRICAL	01-2010-26-2672-102
MUNICIPAL CAPITAL	0	72.00	SAVIN 7025 COPIER	01-2010-43-4902-130
MUNIDEX	0	62.50	985138	01-2030-20-1202-146
MUNIDEX	0	2000.00	985138	01-2030-20-1212-011
MUSICALLY YOURS	0	452.15	54739	01-2010-26-3112-257
McNANUS RENTALS,	0	120.00	230337, 232225	01-2010-28-3752-146
NATW	0	989.95	9209	01-2010-25-2402-063
NEGLIA	0	1875.00	JUNE 2008	01-2010-20-1652-162
NEGLIA	0	1875.00	JULY 2008	01-2010-20-1652-162
NJ DEPT. OF	0	1646.64	2ND QTR 2008 STATE	01-4010-00-0000-001
NJ STATE LEAGUE	0	55.00	33788D	01-2010-20-1002-149
NYCAL INDUSTRIES	0	69.76	580592	01-2010-26-3152-147
OUR TOWN	0	209.03	3151	01-2010-20-1202-229
PETTY CASH - C/O	0	250.00	FETTY CASH	01-2010-20-1002-149
PINTO SERVICE	0	18117.67	25050527	01-2010-26-3052-152
PINTO SERVICE	0	700.00	25050528	01-2010-26-3052-152
PITNEY BOWES,	0	173.00	2208054 JY08	01-2010-20-1002-133
PRECISION	0	249.02	33786	01-2010-26-2902-256
PRECISION	0	90.60	33005A	01-2010-26-2902-256
PROFESSIONAL	0	481.00	ACCIDENT &	01-2010-23-2152-126
PS& G	0	657.68	MAY 2008	01-2010-26-2902-279
PS& G	0	8990.50	MAY 2008	01-2010-26-3112-196
PS& G	0	606.22	MAY 2008	01-2010-28-3752-279
PS& G	0	7720.57	MAY 2008	01-2010-31-4352-071
R & R ELECTRONICS	0	65.95	40065	01-2010-25-2402-032
RAM BUSINESS	0	400.00	714	01-2010-25-2402-057
RAYELCO GENERATOR	0	238.00	46232	01-2010-26-3152-071
RAYELCO GENERATOR	0	133.95	45063	01-2010-26-3152-183
REALTY APPRAISAL	16701	9000.00	COMPLETION OF	01-3080-00-0000-
REALTY APPRAISAL	16701	0.00	COMPLETION OF	01-3080-00-0000-
REALTY APPRAISAL	16701	26800.00	COMPLETION OF	01-3080-00-0000-
RED WING SHOES,	0	231.24	23569, 33615	01-2010-26-2902-276
REGIONAL	0	159.85	90263	01-2010-25-2782-093
ROOT MCCARTHY	0	949.05	1,000,000 TAN	01-2010-20-1552-167
ROY DeYOUNG JR.	0	78.99	REIMB. - BOOT EXPENSE	01-2010-26-2902-276
SANITATION	0	755.10	23506	01-2010-26-3152-071
SHAW'S SECURITY &	0	135.00	26475	01-2010-26-3112-132
STANDARD	0	817.61	AUGUST 2008	01-2010-23-2202-069
STAPLES	0	712.61	3104565898	01-2010-25-2402-163
STATE OF NJ	722081	2378.94	M. CARTON-APRIL, MAY,	01-2010-23-2202-113
TEAMSTERS LOCAL	0	735.00	AUGUST 2008	01-2010-23-2202-074
TERRE CO.	0	147.17	74039	01-2010-28-3752-092
THE BOROUGH OF	0	3972.76	53085, 53642, 54427,	01-2010-26-2672-102
THE BOROUGH OF	0	2755.60	53382	01-2010-26-3152-071
THE BOROUGH OF	0	1782.06	53920	01-2010-26-3152-071
THE BOROUGH OF	0	1159.47	52523, 52871, 53123	01-2010-26-3152-183
THE BOROUGH OF	0	4788.81	DIESEL FUEL - APRIL 2008	01-2010-31-4622-101
THE BOROUGH OF	0	5943.71	DIESEL FUEL - MAY 2008	01-2010-31-4622-101
THE MAIN LOCK	0	7.00	86391	01-2010-26-3112-132
THE MAIN LOCK	0	10.80	86612	01-2010-26-3112-132
THOMAS H.	0	57.65	REIMB. 7/2/08	01-2010-20-1002-149
TRAFFIC CONTROL	0	299.50	0601655-IN	01-2010-25-2402-267
TREASURER, STATE	0	310.00	BURIAL PERMITS-2ND QTR.	01-4010-00-0000-002
TREASURER, STATE	0	325.00	MARRIAGE LICENSE-2ND	01-4010-00-0000-008

BILL LIST - 8/21/08

<u>Vendor</u>	<u>Chk #</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
A.B.C.E. POOL	0	1090.00	11587	04-2150-55-9414-002
BRAEN SUPPLY INC.	0	291.20	192088/1,192057/1	04-2150-55-3152-001
CIPELLI & SONS,	0	144581.89	2007 RESURF. VARIOUS	04-2150-55-9520-001
MAYWOOD HARDWARE	0	58.04	81138, 81187, 81195,	04-2150-55-9430-
NSGLIA	0	5554.34	MAYMUN04.013-6/9/08	04-2150-55-3152-001
NRGLIA	0	1584.50	MAYMUN06.011-JUNE 2008	04-2150-55-9480-001
NRGLIA	0	3602.58	MAYMUN07.010-MAY 2008	04-2150-55-9520-001
NRGLIA	0	16025.00	MAYMUN08.010	04-2150-55-9540-002
NRGLIA	0	12865.00	MAYMUN08.010	04-2150-55-9540-002
NRGLIA	0	2699.40	MAYMUN07.010	04-2150-55-9520-001
NRGLIA	0	10128.58	MAYMUN04.013	04-2150-55-3152-001
ROGUT MCCARTHY	0	471.27	4/1/08 - PREP. OF BOND	04-2150-55-9414-001
ROGUT MCCARTHY	0	471.27	4/1/08 - PREP. OF BOND	04-2150-55-9470-003
ROGUT MCCARTHY	0	471.27	4/1/08 - PREP. OF BOND	04-2150-55-9540-002
ROGUT MCCARTHY	0	471.27	4/1/08 - PREP. OF BOND	04-2150-55-9550-002
ROGUT MCCARTHY	0	471.27	4/1/08 - PREP. OF BOND	04-2150-55-9560-002
TERRE CO.	0	0.00	72341, 72528	04-2150-55-3152-001
TERRE CO.	0	1307.28	72341, 72528	04-2150-55-3152-001
THE BOROUGH OF	0	604.35	BIDS/SPECS,	04-2150-55-3152-001
ZUCCARO & SONS	0	174575.59	STREETSCAPES II-ENG.	04-2150-55-3152-001

Total Fund 04

Total Bill List:

377,324.10

<u>Vendor</u>	<u>Chk #</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
UNITED COMPUTER	0	168.75	11317	01-2010-20-1002-133
UNITED COMPUTER	0	371.25	11319	01-2010-20-1002-133
UNITED COMPUTER	0	756.25	22672	01-2010-20-1002-133
UNITED COMPUTER	0	31.25	21173	01-2030-20-1002-149
UNITED COMPUTER	0	606.25	21173	01-2090-20-1212-011
UNITED COMPUTER	0	275.00	21173	01-2050-20-1452-048
UNITED COMPUTER	0	308.00	21173	01-2030-22-1952-146
UNITED WATER NEW	0	28.27	5/6/08 BILLING	01-2010-26-2902-279
UNITED WATER NEW	0	264.33	5/6/08 BILLING	01-2010-26-3112-109
UNITED WATER NEW	0	389.45	5/6/08 BILLING	01-2010-28-3752-279
USA MOBILITY	0	135.37	R84070590	01-2010-25-2782-071
USHER PUBLISHING	0	342.50	N0714-1	01-2010-43-4902-062
USHER PUBLISHING	0	315.00	V0728-1	01-2010-43-4902-062
USHER PUBLISHING	0	78.00	V0805-1	01-2010-43-4902-062
V.E. RALPH &	0	347.95	160436	01-2010-27-3302-141
V.E. RALPH &	0	103.00	161010	01-2010-27-3302-141
VALTEK INC.	0	3465.30	9311296	01-1940-00-0000-
VALTEK INC.	0	50.00	800899	01-2010-26-2672-102
VALTEK INC.	0	1000.00	9311296	01-2010-26-2672-134
VERIZON	0	2721.32	7/2/08 BILLING	01-2010-26-3102-197
VERIZON WIRELESS	0	336.07	1882918816	01-2010-25-2402-057
VERIZON WIRELESS	0	358.88	1883792828	01-2010-25-2402-057
VERIZON WIRELESS	0	152.82	1889102212	01-2010-26-2672-150
VERIZON WIRELESS	0	301.74	180025	01-2010-26-3102-197
VERIZON WIRELESS	0	58.31	1883273012	01-2010-26-3102-197
VICTOR'S MAYWOOD	0	301.34	SCHOOL GUARD	01-2010-25-2402-146
WASTE MANAGEMENT	0	31624.02	0005296-1537-9	01-2010-26-3052-080
WEST PAYMENT	0	270.00	816001423	01-2010-43-4902-062
WEST PAYMENT	0	96.50	816370038	01-2010-43-4902-062
WEST PAYMENT	0	472.46	816182529, 815610493	01-2010-43-4902-062

Total Fund 01 Current Fund

Total Bill List:

4,648,532.98

BILL LIST - 8/21/08

<u>Vendor</u>	<u>Chk #</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
BELMAR SPRING	0	0.00	45312, 73935, 216318	05-2010-55-5020-005
BELMAR SPRING	0	193.03	45312, 73935, 216318	05-2010-55-5020-005
Borough of	729083	1657.50	PAYROLL DATE-7/30/08	05-2010-55-5010-002
Borough of	729083	2075.12	PAYROLL DATE-7/30/08	05-2010-55-5010-003
Borough of	729083	12077.44	PAYROLL DATE-7/30/08	05-2010-55-5010-004
Borough of	729083	2617.69	PAYROLL DATE-7/30/08	05-2010-55-5010-006
Borough of	729083	1221.34	PAYROLL DATE-7/30/08	05-2010-55-5410-001
Borough of	729083	0.00	PAYROLL DATE-7/30/08	05-2010-55-5420-001
Borough of	729083	67.88	PAYROLL DATE-7/30/08	05-2010-55-5420-001
Borough of	811083	129.08	PAYROLL DATE-8/13/08	05-2010-55-5010-001
Borough of	811083	1657.50	PAYROLL DATE-8/13/08	05-2010-55-5010-002
Borough of	811083	2075.12	PAYROLL DATE-8/13/08	05-2010-55-5010-003
Borough of	811083	10866.25	PAYROLL DATE-8/13/08	05-2010-55-5010-004
Borough of	811083	2475.38	PAYROLL DATE-8/13/08	05-2010-55-5010-006
Borough of	811083	300.00	PAYROLL DATE-8/13/08	05-2010-55-5010-007
Borough of	811083	1150.99	PAYROLL DATE-8/13/08	05-2010-55-5410-001
Borough of	811083	0.00	PAYROLL DATE-8/13/08	05-2010-55-5420-001
Borough of	811083	63.96	PAYROLL DATE-8/13/08	05-2010-55-5420-001
CARL'S PLUMBING & CHEM TEC CORP.	0	4000.00	2126P (PARTIAL)	05-2010-55-5020-010
CHEM TEC CORP.	0	130.00	228464, 229866	05-2010-55-5020-005
CHEM TEC CORP.	0	65.00	231003	05-2010-55-5020-005
FIGLIA ELECTRIC	0	495.00	A6256	05-2010-55-5020-005
GENERAL SEWER & HACKENBACK SUPPLY	0	250.00	4604	05-2010-55-5020-005
HACKENBACK SUPPLY	0	411.87	1106834, 1108528	05-2010-55-5020-003
JERSEY CHEMICAL	0	4371.12	38561, 38594, 38634,	05-2010-55-5020-002
JERSEY CHEMICAL	0	73.20	38624	05-2010-55-5020-002
MAYWOOD HARDWARE	0	55.72	82267	05-2010-55-5020-016
MAYWOOD SWIM TEAM	0	123.63	RSIMS, FOR STOP WATCHES	05-2010-55-5020-019
MASSOR ELECTRICAL	0	99.60	0103792-00	05-2010-55-5020-005
PSE & G	0	5042.28	JUNE & JULY 2008	05-2010-55-5020-004
SANI PURE FOOD	0	58.00	27054	05-2010-55-5020-005
SWIMMING ETC.	0	50.00	03858	05-2010-55-5020-020
TERESA GREENWALD	0	75.00	REFUND FOR SWIM LESSONS	05-2010-55-5020-011
TRAFFIC SAFETY,	0	935.00	0124345	05-2010-55-5020-016
UNITED WATER NEW	0	820.33	7/7/08 BILLING	05-2010-55-5020-018
ZEE MEDICAL, INC.	0	85.50	0113128909	05-2010-55-5020-005

Total Fund 05 POOL OPERATING

Total Bill List: 55,749.53

BILL LIST - 8/21/08

<u>Vendor</u>	<u>Chk #</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>
BEATTIE PADOVANO,	0	210.00	1047567	12-9288-00-9268-
BEATTIE PADOVANO,	0	410.00	1048887	12-9288-00-9280-
BEATTIE PADOVANO,	0	460.00	1045196	12-9289-00-9289-
BEATTIE PADOVANO,	0	120.00	1048884	12-9289-00-9289-
BEATTIE PADOVANO,	0	265.17	1047562	12-9289-00-9289-
FERRARA, TURITE,	0	0.00	88391-5/30/08 BILLING	12-9282-00-9282-
FERRARA, TURITE,	0	185.50	88391-5/30/08 BILLING	12-9282-00-9282-
MAYWOOD RETAIL	0	5239.37	BALANCE OF ESCROW	12-9117-00-9117-
NSGLIA	0	3155.00	MAYWSPLO6.013-6/20 &	12-9282-00-9282-
NSGLIA	0	6081.28	MAYWSPLO5.010-6/9/08	12-9282-00-9282-
NSGLIA	0	330.00	MAYWSPLO8.010-6/9/08	12-9162-00-9162-
NSGLIA	0	8477.12	MAYWSPLO5.010-APRIL 2008	12-9282-00-9282-
NSGLIA	0	270.00	MAYTRF07.010	12-9282-00-9282-

Total Fund 12 ESCROW-OTHER TRUSTS

Total Bill List: 27,123.44

PUBLIC HEARING ON PENDING ORDINANCES - ADOPTION OF ORDINANCES
RECEIPT OF BIDS

NONE

RESIGNATIONS - ACCEPTANCE OF THE FOLLOWING

NONE

APPOINTMENTS - APPROVAL OF THE FOLLOWING

1. Doris Barnhardt, Kathleen Nebel and Adrienne Williams as members of the Senior Citizens Advisory Committee effective August 21, 2008 for a term expiring on December 31, 2008.
2. Carlos Gomez as a full time Department of Public Works Roadman effective August 7, 2008, at an annual salary of \$37,978.00 in accordance with the current salary ordinance.
3. Chris Meffen and Roy Brunston as full time Department of Public Works Roadmen effective August 21, 2008 at an annual salary of \$37,978.00 in accordance with the current salary ordinance.
4. Cynthia Howard as Administrative Assistant effective August 19, 2008 at an annual salary of \$30,000.00.

Councilperson LaPietra Lapin moved the appointments, seconded by Councilperson Rupp, and so carried by unanimous roll call vote with Councilperson Jengo voting yes to appointments one, two and three and no to four.

COUNCIL APPROVAL OF THE FOLLOWING

1. From Engin Fezjula requesting permission for a leave of absence from the Department of Public Works from September 2, 2008 through October 3, 2008 returning to work on October 6, 2008. He is requesting September 12 through October 3, 2008 as unpaid leave time.
2. From Ray Bauer, Principal Memorial School, requesting permission to use the t-ball diamond, field areas and the bordered off street on the north side of West Fairmount Avenue next to Memorial School as needed during the regular school day for outdoor Physical Education classes and during supervised lunch recess as part of Memorial School's regular day activities.
3. From the Maywood Library requesting permission to hang a banner announcing programs across Maywood Avenue from August 25, 2008 through September 14, 2008.

Councilperson LaPietra Lapin questioned if approval request number one would leave the DPW down one person.

Councilperson Savage responded.

Councilperson Jengo moved for approval, seconded by Councilperson Savage, and so carried by unanimous roll call vote.

RESOLUTIONS BY TITLE - CONSIDERATION OF THE FOLLOWING

RESOLUTION # 71-08
RESOLUTION AUTHORIZING EXECUTION OF DEVELOPERS AGREEMENT
WITH CUMBERLAND FARMS, INC.

WHEREAS, Cumberland Farms, Inc., 777 Dedham Street, Canton, Ma (hereinafter “applicant”) as the Owner of Block 124, Lot 1, as said lot appears on the current Tax Assessment Map of the Borough of Maywood, more commonly known as 239 New Jersey State Highway Route 17 North, Maywood, New Jersey (hereinafter “Premises”) has made application to the Planning Board of the Borough of Maywood (hereinafter referred to as "Board"), for Preliminary and Final Site Plan Approval with Variances in connection with the proposed continued use of the premises as a gas/fuel station with a new, reconfigured accessory convenience store; and

WHEREAS, Preliminary and Final Site Plan Approval with Variances was granted to the Developer on November 8, 2005, as memorialized by resolution of the Board dated February 14, 2006 (the “Resolution”); and

WHEREAS, the Board extended said approval through February 14, 2009, pursuant to a resolution adopted on February 12, 2008, and memorialized on February 26, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, County of Bergen, New Jersey, that the Mayor is hereby authorized and directed to execute, and the Borough Clerk to attest, a Developers Agreement between the Borough of Maywood and Cumberland Farms, Inc. to carry out the foregoing purposes, a copy of which is on file in the office of the Borough Clerk and is available for inspection, subject to and conditioned upon the payment of all escrow fees, the submission of an adequate performance guarantee, and submission of the required insurance certificates naming the Borough of Maywood, the Planning Board and their officer, agents and employees as additional insureds as their interests may appear, all of a form approved by the Borough Attorney.

RESOLUTION # 135-08

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND PAYMENT
CERTIFICATE #2 FOR 2007 RESURFACING VARIOUS ROADS**

WHEREAS, sealed bids were received on October 30, 2007, for the 2007 resurfacing of various roads in accordance with specifications therefor, following public advertisement thereof as required by law; and

WHEREAS, pursuant to Resolution 176-07, the Mayor and Council accepted the bid of Cifelli & Son General Contractors, 4 Coppola Street, Nutley, NJ 07110 for the 2007 Paving of Various Streets Project for the Base Bid and Alternate (s) A through E, for the total sum of \$183,597.00; and

WHEREAS, the Borough Engineer has submitted Change Order # 1 to the Mayor and Council for approval which adds Supplemental items 1F-Maintenance, 2F-Milling, 3F-hot mix asphalt surface course, 4F-reset castings, 5F-reset water valve boxes, 6F-traffic stripes, 7F-traffic markings and 8F-key out and pave intersections for cost increases in the sum of \$65,611.39, and a reduction of items 2A, 2C, 2D and 2E-

Milling; 3A, 3B, 3C, 3D and 3E-Hot mix asphalt; 4, 4A, 4B, 4C and 4E-reset castings; 5 and 5E-reset water valves; 6 and 6B-traffic stripes; and 7A, 7B, 7C, 7D and 7E -traffic markings for a cost reduction of \$50,039.85, resulting in a net change order of \$15,571.54, representing an increase of 8.48% of the original contract price for a total contract price of \$199,167.54; and

WHEREAS, the Borough Engineer has also certified payment Certificate No. 2 in the sum of \$144,581.89; and

WHEREAS, the Contractor has submitted certified payroll records;

NOW, THEREFOR, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey that

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, Change Order No. 1 to the contract between the Borough of Maywood and Cifelli & Son General Contractors in the sum of \$15,571.54, representing an increase of 8.48% of the original contract price for a total contract price of \$199,167.54; and

BE IT FURTHER RESOLVED that the Mayor and Council authorize the payment Certificate No. 2 in the sum of \$144,581.89; and

A certificate of availability of funds, signed by the Borough's Chief Financial Officer, is on file in the office of the Borough Clerk, certifying that sufficient funds for this purpose are available under Ordinance 25-07.

RESOLUTION # 136-08

**RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT OF ARBITRATION HEARING
RESPECTING JOHN BUSKIEWICZ**

WHEREAS, John Buskiewicz, is an employee within the Department of Public Works of the Borough of Maywood; and

WHEREAS, pursuant to a Notice of Charges and Hearing dated July 16, 2007, Mr. Buskiewicz was charged with a violation of Section 52-10 of the Code of the Borough of Maywood; and

WHEREAS, a hearing before the Mayor and Council was held on July 26, 2007; and

WHEREAS, following such hearing, the Mayor and Council adopted a memorializing resolution affirming, in part, and dismissing, in part, said Notice of Charges and imposing discipline; and

WHEREAS, the D.P.W. union, Teamsters Local Union No. 97, thereafter filed a grievance from such decision of the Mayor and Council, which was submitted to arbitration pursuant to the terms of the collective negotiation agreement between the Borough of Maywood and Teamster Local Union No. 97; and

WHEREAS, the parties have reached a mutually agreeable resolution of such dispute;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MAYWOOD, BERGEN COUNTY, NEW JERSEY, that the Mayor and Council hereby authorize the execution of a settlement agreement between the Borough of Maywood and Teamsters Local Union No. 97 respecting the grievance and arbitration filed on behalf of John Buskiewicz, a copy of which is on file in the office of the Borough Clerk and is available for public inspection.

RESOLUTION # 137-08

RESOLUTION REQUESTING THE CLERK OF THE COUNTY OF BERGEN TO PRINT UPON THE OFFICIAL BALLOT A NON-BINDING REFERENDUM ON THE QUESTION OF SHARED MUNICIPAL SERVICES

WHEREAS, a petition had been circulated within the Borough of Maywood and submitted to the Borough Clerk purportedly pursuant to the Municipal Consolidation Act (*N.J.S.A. 40:43-66.35 et seq.*) to place on the general election ballot in November, 2008, the following public question: “Shall a joint municipal consolidation study commission be formed to study the feasibility of consolidating the Borough of Maywood and the Township of Rochelle Park into a single new municipality, to study the question of the form of government under which such new municipality should be governed, to study the feasibility of consolidating the local school districts of the aforesaid municipalities, and to make recommendations thereon; or, in the alternative, to make recommendations on the consolidation of certain municipal services?”; and

WHEREAS, pursuant to *N.J.S.A. 40:43-66.40*, the Borough Clerk of the Borough of Maywood ascertained and determined that such petition was insufficient for lack of the requisite number of valid signatures; and

WHEREAS, said petition failed to refer to the Municipal Consolidation Act, failed to make any reference to placing any public question on the November ballot, failed to state the duties or functions of a joint municipal consolidation study commission, failed to state the actual wording of the public question to be placed on the ballot, omitted any reference that any such study would include the consolidation of the Borough of Maywood and the Township of Rochelle Park into a single municipality, erroneously stated that the petition was directed to the New Jersey State Department of Community Affairs, and incorrectly implied that the only purpose of the study commission was to study sharing services; and

WHEREAS, the Mayor and Council find that the petition was purposefully designed and worded to mislead and confuse the voters of the Borough of Maywood; and

WHEREAS, to ascertain the actual sentiment of the legal voters of the Borough of Maywood, the Mayor and Council of the Borough of Maywood find that it would be appropriate to place a non-binding referendum on the question of continuing shared services with the Township of Rochelle Park and other municipalities within the County of Bergen on the November general election ballot pursuant to *N.J.S.A. 19:37-1 et seq.*;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, pursuant to the provisions of *N.J.S.A. 19:37-1 et seq.*, that the Clerk of the County of Bergen is hereby requested to print upon the official ballots to be used at the general election scheduled for November 4, 2008, the following non-binding referendum proposition:

“Shall the Mayor and Council of the Borough of Maywood continue to explore, and where appropriate, implement shared municipal services with the Township of Rochelle Park and other municipalities within the County of Bergen?”

RESOLUTION # 138-08
RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE FOR
BLOCK 78 LOT 14 TO FERNWOOD FUNDING

WHEREAS, Fernwood Funding, LLC on December 15, 2004, purchased Tax Sale Certificate # 2-2003 on property known as 561 Elm Street, Block 78 Lot 14 and has paid subsequent taxes and interest; and

WHEREAS, the Tax Sale Certificate has been redeemed for \$24,903.24 effective August 21, 2008 with a premium due to the lien holder in the amount of \$9,200.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council that the Tax Collector be authorized to issue a refund check drawn to the current account, Commerce Bank in the amount of \$34,103.24.

Fernwood Funding, LLC
92 Main Avenue
Wallington, NJ 07057

Mayor Eustace opened the meeting to the public for any comments or questions relative to the foregoing resolutions.

Hearing none, Mayor Eustace closed this portion of the meeting.

Councilperson Jengo moved for adoption, seconded by Councilperson Rupp, and so carried by unanimous roll call vote with Councilperson Savage voting no to Resolution #137-08.

INTRODUCTION OF ORDINANCES

ORDINANCE # 17-08

AN ORDINANCE DESIGNATING BLOCK 124, LOT 6.01 AS SHOWN ON THE TAX MAP OF
THE BOROUGH OF MAYWOOD TO BE WITHIN THE RC RESTRICTED COMMERCIAL
ZONING BUSINESS, AMENDING SCHEDULE B-2 AND ADDING SECTION 209-35D TO THE
MUNICIPAL LAND USE ORDINANCE OF THE BOROUGH OF MAYWOOD, BEING
CHAPTER 209 OF THE CODE OF THE BOROUGH OF MAYWOOD, AND AMENDING
SECTION 263-2 OF CHAPTER 263 OF THE CODE OF THE BOROUGH OF MAYWOOD
RESPECTING LIMITATIONS ON THE HOURS OF OPERATION OF RETAIL BUSINESSES
WITHIN THE BOROUGH OF MAYWOOD

WHEREAS, the most recent Master Plan for the Borough of Maywood was adopted on or about April 22, 2003; and

WHEREAS, following notice and publication in accordance with the Municipal Land Use Law (N.J.S.A. 40: 55D-1 *et seq.*) the Planning Board of the Borough of Maywood amended the existing Land Use and Historic Preservation Plan element of the Master Plan to include the property shown and designated on the current Tax Map of the Borough of Maywood as Block 124, Lot 6.01 in the RC Restricted Commercial Business Zone, subject to a limitation of hours of commercial business operation; and

WHEREAS, Block 124, Lot 6.01 was previously granted a use variance to permit retail / commercial use; and

WHEREAS, a further review of the Zoning Map and Zoning Ordinance indicates that Block 124, Lot 6.01, as shown on the Tax Map of the Borough of Maywood, although designated for RC Restricted Commercial Use under the amended Master Plan and permitted by use variance for commercial business use is currently zoned for A-1 One Family Residential use; and

WHEREAS, the Mayor and Council find that it would be in furtherance of and would effectuate the Master Plan of the Borough of Maywood to rezone Block 124, Lot 6.01 as part of the RC Restricted Commercial Business District and that such a rezoning would be consistent with the predominant land use existing on Block 124, Lot 6.01 and as permitted by use variance granted by the Maywood Planning Board and would be consistent with the adjoining land uses along Essex Street within the adjacent municipalities of the Borough of Lodi, the Township of Rochelle Park and the City of Hackensack; and

WHEREAS, most of the parcels within the existing RC Restricted Commercial Business Zone of the Borough of Maywood abut properties utilized for residential purposes within the A-1 One Family Residential Zone and A-2 One and Two Family Residential Zone; and

WHEREAS, in an effort to maintain a proper balance between the use of residential properties and commercial business uses within the RC Zone, a limitation of permitted hours of operation shall be required throughout the RC Zone; and

WHEREAS, Section 263-2 currently establishes a limitation of hours of operation of any retail-business use in the A-1 Residential Zone; and

WHEREAS, the Mayor and Council find that the establishment of a limitation of the permitted hours of operation of commercial business uses permitted and/or existing within the RC Zone with certain exceptions will promote the appropriate use and development of lands within the Borough of Maywood in a manner which will promote the public health, safety, moral and general welfare of the citizens of the Borough of Maywood and will not result in a limitation of any commercial business operation currently existing within the RC Zone and will not conflict with the development and general welfare of neighboring municipalities, Bergen County or the State as a whole.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, as follows:

Section 1. Schedule B-2 of the Municipal Land Use Ordinance of the Borough of Maywood, being Chapter 209 of the Code of the Borough of Maywood, is hereby amended to add thereto the following location to the RC Restricted Commercial Business Zone:

"Block 124, Lot 6.01"

Section 2. Section 263-2, "Hours of Operation," of Chapter 263, "Retail Business," of the Code of the Borough of Maywood is hereby amended to read as follows

"Section 263-2 Hours of Operation

- A. It shall be unlawful for any person, firm or corporation to open any retail business to the public or in any way operate or conduct a retail business between the hours of 11:00 p.m. to 6:00 a.m.
- B. The limitation of Subsection A applies to retail businesses in the A-1 and A-2 Residential Zones and also applies to all uses within the RC Zone with the exception of government offices and facilities, restaurants, tavern/bar uses and banking uses limited to the operation of ATM, automatic teller machines, as established in the Zoning Ordinance and the Borough's Zoning Map."

Section 3. Section 209-35 of the Maywood Land Use Ordinance of the Borough of Maywood, being Chapter 209 of the Code of the Borough of Maywood, is hereby amended to add thereto subsection D as follows:

"D. Permitted Hours of Operation.
It shall be unlawful for any person, firm or corporation to

open any retail business to the public or in any way operate or conduct a retail business between the hours of 11:00 p.m. and 6:00 a.m. with the following exceptions:

1. Restaurants
2. Tavern / bar establishments where the sale of alcoholic beverages are served primarily for onsite consumption pursuant to license.
3. Banking uses limited to the operation of ATM, automatic teller machines.
4. Government offices and facilities”

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

Section 4. The Borough Clerk is hereby directed to provide notice of the hearing to be held on this ordinance pursuant to the provisions of N.J.S.A. 40:55D-62.1, as well as providing notice thereof and a copy of said ordinance to the Clerks of adjoining municipalities, to the Planning Board of the County of Bergen, and to the Planning Board of the Borough of Maywood, as required by law.

Section 5. This ordinance shall take effect immediately upon final passage and publication as required by law and upon filing of a copy therewith with the Bergen County Planning Board.

Councilperson Fleischmann moved for introduction; seconded by Councilperson Jengo, and so carried by unanimous roll call vote.

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that Ordinances #17-08, pass on first reading and that said Ordinances will be further considered for final passage at a meeting of the Mayor and Council to be held on October 16, 2008 at 8:15 pm at the Borough Hall, 15 Park Avenue, Maywood, New Jersey at which time and place all persons interested therein will be given an opportunity to be heard concerning the same, and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

COMMITTEE REPORTS

Councilperson LaPietra Lapin reported on the following:

1. She reported on National Night Out held on August 5th, 2008, and thanked Officer Mary Tutschek for coordinating the event. She stated she did a great job getting the public out to the event and having all emergency services participate.
2. She stated our new Parking Enforcement Officer William McNeill has begun patrolling West Pleasant Avenue.
3. She stated Officer Jason Liaban is still in training but that ends this week and he will be patrolling solo next week.
4. She stated the police department and park ranger are doing extra evening patrols at the Maywood Pool.

Councilperson Savage reported on the following:

1. He stated he had no policy issues relating to the Department of Public Works to report.

Councilperson Rupp reported on the following:

1. He stated there will be a SID meeting next Thursday at 8:00 pm to be held at Administrator Richard's home. He reported discussions will be held on acquisition of land and a gum removal machine and stated official action may be taken.
2. He reported on the library meeting stating discussions were held regarding additions to the library with funding from the Hackbarth Foundation.
3. He stated a "Smart Room" will be opening downstairs in the Library that will be available to community organizations for training, etc.
4. He reported there will be a concert held at the Library on Sunday, September 14, 2008 at 2:00 pm highlighting the talents of three pianists on the Library's new Steinway Piano. He stated admission is free and light beverages will be served.

Councilperson Fleischmann reported on the following:

1. He stated he met with several consultants regarding Coaches Field in order to get recommendations for improvements to the field. He stated proposals are to be submitted prior to the September 4, 2008 work session.
2. He stated prior to the September 4, 2008 work session he will be meeting with CFO Cuccia regarding the salary ordinance. He stated he has requested the CFO to submit a report illustrating exactly what the salary ordinance increases will cost the Borough for this year.
3. He asked CFO Cuccia to check if there are monies available for security cameras.
4. He reported on the information received from the County Board of Taxation regarding the Borough's final tax levy.

Councilperson Jengo reported on the following:

1. She stated the summer camp and swim team programs have ended for this season and reported everyone was pleased with their success. She commended the counselors and coaches on a job well done.
2. She reported on the County Senior Picnic to be held on September 10th at Van Saun Park. She stated our seniors will have use of our borough bus for transportation to and from the picnic.
3. She stated they are working on winter recreation programs including after-school club programs as well as dance programs. She stated the Rotary will be supporting some of the programs.
4. She stated all are welcome to participate in the recreation committee meetings and offer their suggestions for programs and events.
5. She thanked everyone who participated and volunteered during the summer programs.

Administrator Richards reported on the following:

1. He reported on vandalism that had taken place during the summer. He stated vandalism at the park is down due to the success of the park ranger program. He spoke of the vandalism that occurred at the pool three weeks ago. He stated the individual who caused the damage has been identified and will be paying back the monies as well as doing community service. He stated we want to send a message that the Borough will not tolerate such vandalism. He reported there has been some minor vandalism on West Pleasant Avenue to planters and bollards.
2. He stated everyone has "kudos" for the Street Scape II project on West Pleasant Avenue.
3. He stated he has ordered planters for the turn around areas. He stated the planters weight 880 pounds without soil or flowers. He stated he ordered one additional planter as a spare.
4. He stated the municipality has received its license from the State Division of Health and Senior Services to bill for daytime ambulance calls. He stated this money will help to offset the costs of the permanent daytime EMT's. He stated he anticipates revenue of over \$100,000.00.
5. He reported that the GEM car to be used by the parking enforcement officer will be delivered within 8-10 days.
6. He stated parking signs have been ordered for the side streets and indicated that both the GEM car and the signs will be paid for out of the parking adjudication fund at no cost to the taxpayer.

Mayor Eustace reported on the following:

1. He reported that the former Mayor and present Council President advised him that in his absence residents continually commented on how much they enjoyed this year's Fourth of July week of festivities.
2. He thanked everyone involved for a great job during the entire Fourth of July week and stated we should be proud to live in a community like Maywood.

Councilperson Jengo stated we had a donation jug at the recent street festival and a resident who could not locate it at the fair came into the borough with a donation.

3. He stated he became President of the Chamber of Commerce almost 20 years ago and he has pictures of what West Pleasant Avenue looked like then compared to now. He reported we have been through four mayors during the course of the Street Scapes project, adding, the last detail we need to work on is getting people to drive slower around the turnabouts. He thanked everyone who has been involved especially the current council that pushed the most for the completion of the project. He stated he is very proud to see Street Scapes completed and the people of Maywood enjoying the avenue.

MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)

Mayor Eustace opened the meeting to the public for any comments.

John Brown – 41 Stelling Avenue – Questioned Ordinance #17-08. He asked if restaurants and taverns not serving liquor have more restrictive hours than restaurants and taverns who do sell liquor.

Mayor Eustace and Attorney Rupp responded.

Hearing no further comments, Mayor Eustace closed this portion of the meeting.

Mayor Eustace asked for a moment of silence for the men and women serving in harms' way.

ADJOURNMENT

Councilperson Rupp moved the meeting be adjourned; seconded by Councilperson LaPietra Lapin and so carried at 9:10 pm.

Borough Clerk