Borough of Paramus
Mayor and Council Public Meeting
Work Session held in Caucus Room
May 19, 2020, 7:00 P.M.
MINUTES

Any member of the public may email a question or matter of discussion to
boroclerk@paramusborough.org

The Public May Participate In The Mayor And Council Meeting By Telephone:

Phone Number 201-503-0338
Participation Access Code: 0338

The public will be asked to mute your phone until the public participation portion is open by
Mayor LaBarbiera.

Please visit the www.paramusborough.org for details and instructions.

Work Session

Resolution No: 20-05-266: Notification of meetings as required by “The Open Public Meetings
Act.” Read by the Borough Clerk at 7:06 PM

Mayor LaBarbiera welcomes Borough Administrator Joseph D’Arco back to the meeting after
recovering from COVID-19

PLEDGE OF ALLEGIANCE: Led by Borough Administrator Joseph D’Arco

ROLL CALL:

Present: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos,
Councilman Vartolone, Councilman Verile, Councilwoman Weber, Mayor LaBarbiera

Also Present: Borough Administrator Joseph D’Arco, Borough Clerk Annemarie Krusznis,
Borough Attorney Daniel Lagana, Deputy Borough Clerk Nicolette Riggi, Associate Borough
Attorney Katie Mocco

Absent: None

*Councilmembers DiPiazza, Vartolone & Weber are present via phone conference*

BOROUGH CLERK’S REPORT:

a. Millennium Strategies April 2020 grant report
b. Millennium Strategies COVID-19 funding report
c. Request received from Brookfield Properties, (Paramus Park Shopping Center) for the temporary use
   for Amazon to park 300 delivery vans in a remote parking lot in front of t2 Sears Drive during
   overnight hours. The temporary time period for parking will be from now through the end of January
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2021. There are approximately 500 spaces available in the parking area. Approved subject to 30 day notice to vacate.

d. REI Co-Op has cancelled their Trail Dog Adoption event scheduled for 5/16/2020 and Amazon shopping deals events, scheduled for 7/18/2020 8/15/2020 10/24/2020.

e. Request received from Digital Sound, Light and Video Inc. to hold a drive in Movie Theater in the parking lot of 49 E Midland Ave from July 2020 through October 2020 on Friday and Saturday. Defer to Borough Departments for approval. Zoning concern. Borough Attorney advises going past an 11 PM noise ordinance could be problematic with no plan in place. Formal plan to be submitted to Building Department.

f. Request received from Yavneh Academy to hold a graduation at the Garden State Plaza parking lot on Sunday, June 14th. Graduates will remain in their cars and the presentation will be held on screen. Approved subject to Police approval and property owner approval.

g. Request received from Urban Edge Properties to host an outdoor movie screening at the Bergen Town Center parking lot. Dates to be designated based on state executive orders and borough approval. More information.

h. Request received from MegaBite Events to hold a drive-in movie event in the parking lot at Garden State Plaza on several dates from July through October. More information.

i. Request received from Just Jersey Fest to hold a drive through food truck festival at the Paramus Park Mall parking lot on Sunday, June 14th from 11AM-7PM. More information.

COUNCIL MEMBERS REPORTS:

Councilwoman Bellinger as of today there are 941 residents who have tested positive for COVID-19. Majority of fatalities have been from long term care facilities (128 out of 150). Remove Resolution 20-05-278 from consent agenda.

Councilwoman Tedesco-Santos The Pool is permitted to open under the recent executive order issued by Governor Murphy with limited attendance. A plan will be formed based on what’s permitted. The Pool will hopefully be open in June. Recreation has nothing moving forward at this time.

Councilman Verile Rescue and Fire both had a drill coinciding with Hackensack Fire Department at Valley Hospital. It was well attended and successful.

Councilwoman Weber Environmental Commission held a virtual meeting. They are still working on bylaw revisions. They still need a Planning Board liaison. If anyone would like a sign thanking Valley Hospital Staff, they can be picked up at the Craft Center on Essex Road.

Councilman DiPiazza Virtual Library programs are available through the Library Facebook, Instagram and YouTube channel. Shade Tree is continuing to complete service requests and removals. There will be no spring planting due to COVID-19. A leaning tree on Farview Avenue has been removed. Remove 20-05-282 from the consent agenda.

Councilman Vartolone No report. Mr. Vartolone would like late additions to the agenda be placed on the non-consent agenda.
MAYOR'S REPORT: Mayor LaBarbiera thanks first responders. Borough Hall is fully staffed and all services are operational at 100 percent. We will be thinking about how to open Borough Hall to the public in the upcoming time. The Board of Education and high school principal did a great job thinking outside the box to provide seniors with a graduation this year. The Pool will open in June. Businesses have begun curbside pickup.

Councilwoman Tedesco-Santos exited the meeting at 7:32 PM

ADMINISTRATOR'S REPORT: Items on administrator agenda are pending. Met with Department Heads over pending items. There is a meeting coming up with Shade Tree & DPW about mulch as many residents are calling regarding it.

Councilwoman Tedesco-Santos entered the meeting at 7:33 PM

Recreation is talking to the Pool relative to some programs for children at the Pool. The Recreation Director presented a company producing masks that has Paramus Strong logo on them. We are going to look into selling them and donated the proceeds to a charity.

Mayor LaBarbiera advises that the budget will be tricky this year like many other municipalities. We have incurred many expenses due to COVID-19 and we will have to be smart going forward. We must eliminate wasteful spending and ensure that tax dollars are spent appropriately.

MATTERS FOR DISCUSSION:

APPROVAL OF MINUTES

a. Mayor and Council Closed Session Minutes – April 21, 2020
   Motion: Councilwoman Bellinger                Second: Councilman Verile
   Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos,
   Councilman Vartolone, Councilman Verile, Councilwoman Weber
   Nays: None
   Motion carries 6-0.

b. Mayor and Council Meeting Minutes – May 5, 2020
   Motion: Councilwoman Bellinger                Second: Councilwoman Tedesco-Santos
   Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos,
   Councilman Vartolone, Councilman Verile, Councilwoman Weber
   Nays: None
   Motion carries 6-0.

c. Mayor and Council Closed Session Minutes – May 5, 2020
   Motion: Councilwoman Bellinger                Second: Councilwoman Tedesco-Santos
   Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos,
   Councilman Vartolone, Councilman Verile, Councilwoman Weber
   Nays: None
   Motion carries 6-0.
PUBLIC COMMENTS: Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda. Comments will be made at the public portion of tonight’s Public Meeting in the Council Chambers. 7:37 PM

Ralph Amato – Mr. Amato offers Mayor LaBarbiera condolences on the loss of his brother. Mr. Amato welcomes Mr. D’Arco back. Mr. Amato wants to point out that there have been tremendous losses from long term care facilities and many have been his friends. He can’t believe what they have suffered at these facilities and is deeply concerned and saddened. Best wishes to everyone.

Jean Hegg – Has concerns regarding the drive in movie requests. The Police Department is already over worked and this would cause more work. Ms. Hegg is concerned with the opening of the Pool, specifically live saving measures such as CPR during COVID-19. Further training will be required of lifeguards. Are we prepared? Councilwoman Tedesco-Santos responds that the commission is still trying to set this in place before the Pool can open. Ms. Hegg advises that the PD and Rescue squads are at long term facilities daily and would like to know if ambulances are being sufficiently cleaned afterwards. Ms. Hegg would like to know if the facilities are incurring any of the cleaning expenses. Ms. Hegg inquires about a purchase on the bills list for baseball equipment. Mayor LaBarbiera advises that this was most likely something ordered previously and the equipment will be used next year.

Michael Blitzstein – inquires about the hiring of police officers as it pertains to the Mayor’s son. Mr. Blitzstein believes all 10 candidates should be hired and that it isn’t fair to hold back the hiring because of nepotism when there is not a nepotism ordinance on the books. Mr. Blitzstein believes that if you meet the requirements you should be hired and it is nice to have hometown people working in town. Councilwoman Bellinger agrees with Mr. Blitzstein. Councilman Verile points out that in his tenure as Councilman there have been several hires of family members of councilmembers. There should be no problem if the person is qualified and it has never been a problem before. Mr. Blitzstein believes this is politically driven and that is wrong.

Ralph Amato – Mr. Amato believes there is no legal basis to not hiring the 10 candidates for police officer. They are all qualified and there is no anti-nepotism ordinance in place. He believes it is discriminatory to prevent hiring based off political affiliations.

Mark Pinajian – PBA President - would like to advise the Governing Body that the Police Department’s position to hire 10 new officers remains the same. The message is consistent that the highest ranked members should be hired. Mr. Pinajian asks the Governing Body to hire the new officers and keep politics separate.
Tom Locicero – Mr. Locicero brings up a past conflict of interest that was settled by the DCA. He suggests hiring the 9 police officers and referring this to the DCA to find out if the hiring of the Mayor’s son is a conflict of interest. If the DCA doesn’t find a conflict of interest then we would have no choice but to hire the son of an elected official. Associate Borough Attorney Katie Mocco advises that the situation Mr. Locicero is referring to from the past was when a private business was involved. This situation is an employment decision and there is an ordinance that speaks directly to this. Ms. Mocco advises Mr. Locicero that the current ordinances are what apply. Ms. Mocco also advises Mr. Locicero that there is no conflict of interest or potential conflict for which to request DCA help as Mayor LaBarbiera has recused himself on the issue. Mr. Locicero is not saying that the candidate is not qualified. Councilwoman Bellinger points out that if we are not questioning his qualification, then we are only questioning his familial relation which is illegal based on Borough ordinances.

Mr. Locicero has been calling about the junkyard in violation of borough ordinances on Route 17 south by Farview Avenue. There are people in there stripping cars and junking them. He has made several calls to Quality of Life and isn’t getting anywhere.

Bill Holzmann – appreciates what the Council and PD are doing to support the children and students in the schools and is looking forward to what is planned for this year’s graduation.

Roy Hegg – inquires about Shade Tree driveway program. Councilman DiPiazza responds and assures Mr. Hegg that the commission is being proactive about it.

ORDINANCES:

ORDINANCE ON INTRODUCTION:

ORDINANCE 2020-11: SIGNAGE AND FACADES (REPEALING AND REPLACING CHAPTER 367 AND ARTICLE XXXII 429-192 ET SEQ.)

Motion: Councilwoman Bellinger Second: Councilwoman Tedesco-Santos
Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber
Nays: None
Motion carries 6-0.
ORDINANCE ON FINAL:

ORDINANCE 2020-08: AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR NURSERY PROPERTIES IN THE BOROUGH OF PARAMUS (BLOCK 7002, LOT 1.QQ; BLOCK 7701, LOT 3.Q; BLOCK 7701, LOT 4; BLOCK 7701, LOT 2 (2.Q); BLOCK 7003, LOT 1.QQ; BLOCK 7101, LOT 4.QQ (4.Q); BLOCK 2701, LOT 12; BLOCK 2801, LOT 1; BLOCK 4701, LOT 9.01) IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW

Motion: Councilwoman Bellinger  Second: Councilwoman Tedesco-Santos

Explanation by Council President

Open to public for comment on Ordinance 2020-08: Tom Locicero – inquires about the limit put on the number of units per acre on the nurseries. Mayor LaBarbiera advises that the limits were part of the Fair Share Housing settlement agreement and the limit is 8 units per acre. Mr. Locicero references the new master plan and believes this is contrary. Mayor LaBarbiera advises him how this actually protects residential areas. Mr. Locicero doesn’t believe residents in one family homes surrounding these nurseries are going to appreciate this. Ms. Mocco advises Mr. Locicero that there is no way around this.

Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber
Nays: None

Motion carries 6-0.

Councilwoman Tedesco-Santos references a reservation of rights letter from the insurance carrier regarding their right to not protect the Borough due to violation of law regarding 20-05-282. Councilwoman Tedesco-Santos hopes the Council can vote tonight and mitigate any risk. Councilwoman Bellinger agrees and hopes that the Council can agree tonight. We need to protect the Borough from the liability and by law we cannot vote on less than the 10 candidates.

Mayor LaBarbiera has recused himself and stepped down from the dais.

NON-CONSENT:

RESOLUTION NO 20-05-278: A RESOLUTION AUTHORIZING THE APPOINTMENT OF THE FOLLOWING SEASONAL EMPLOYEES TO THE PARAMUS MUNICIPAL POOL 2020 SUMMER STAFF

Motion: Councilwoman Tedesco-Santos  Second: Councilman Verile
Yeas: Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber
Nays: None
Abstain: Councilwoman Bellinger

Motion carries 5-0-1
RESOLUTION NO 20-05-282: RESOLUTION AUTHORIZING THE ISSUANCE OF CONDITIONAL OFFERS OF EMPLOYMENT TO THE TEN (10) POLICE CANDIDATES AS PRESENTED BY THE BOROUGH'S POLICE COMMITTEE

Motion: Councilwoman Bellinger  Second: Councilwoman Tedesco-Santos
Yeas: Councilwoman Bellinger, Councilwoman Tedesco-Santos, Councilman Verile,
Nays: Councilman DiPiazza, Councilman Vartolone, Councilwoman Weber
Motion fails.

Mayor LaBarbiera resumes as chair of the meeting.

A CONSENT AGENDA WILL BE ADOPTED FOR ITEM NUMBERS 14 AND 15

RESOLUTIONS:

RESOLUTION NO 20-05-268: AUTHORIZING PAYMENT OF BILLS

RESOLUTION NO 20-05-269: RESOLUTION AUTHORIZING THE BOROUGH OF PARAMUS THROUGH THE PARAMUS POLICE DEPARTMENT TO FILE AN APPLICATION TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM TO ENABLE SAID DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

RESOLUTION NO 20-05-270: A RESOLUTION ACCEPTING PROPOSAL SUBMITTED BY BOSWELL ENGINEERING IN THE AMOUNT OF $160,000.00 FOR THE INTERSECTION IMPROVEMENTS FOREST AVENUE AND MIDLAND AVENUE PROJECT

RESOLUTION NO 20-05-271: A RESOLUTION AUTHORIZING A REFUND TO THE FOLLOWING TAXPAYER DUE TO SUB-DIVISIONS ON CHURCHILL CT. (Paramus Road Investment LLC)

RESOLUTION NO 20-05-272: A RESOLUTION AUTHORIZING A REFUND TO THE FOLLOWING TAXPAYER DUE TO PAYMENT FROM TITLE COMPANY AND HOMEOWNER (Estate of Mary Alonso)

RESOLUTION NO 20-05-273: RESOLUTION AUTHORIZING SERVPRO TO CONDUCT CLEANING AND DECONTAMINATION SERVICES TO ALL MUNICIPAL BUILDINGS IN THE BOROUGH OF PARAMUS

RESOLUTION NO 20-05-274: RESOLUTION AUTHORIZING THE DONATION OF A VEHICLE TO THE SOUTH HACKENSACK POLICE DEPARTMENT

RESOLUTION NO 20-05-275: RESOLUTION AUTHORIZING A SICK TIME PAYOUT IN THE AMOUNT OF $29,048.24 TO THOMAS E. GILES

RESOLUTION NO 20-05-276: RESOLUTION AUTHORIZING THE STEP-UP OF AMIT VAIDYA TO TRAFFIC OFFICERS STEP 8 FOR THE PARAMUS POLICE DEPARTMENT – TRAFFIC DIVISION AT A SALARY OF $127,590.975 PER YEAR
RESOLUTION NO 20-05-277: RESOLUTION AUTHORIZING THE APPOINTMENT OF COLIN CUDINA TO THE POSITION OF SEASONAL MAINTENANCE STEP 2 FOR THE PARAMUS GOLF COURSE- FIELD DIVISION AT A SALARY OF $11.85 PER HOUR

RESOLUTION NO 20-05-279: A RESOLUTION AUTHORIZING THE RESIGNATION OF THE FOLLOWING SEASONAL EMPLOYEES FROM THE PARAMUS MUNICIPAL POOL

RESOLUTION NO 20-05-280: A RESOLUTION AUTHORIZING THE TERMINATION OF VICTOR ZAPATA-HENAO FROM THE PARAMUS GOLF COURSE

RESOLUTION NO 20-05-281: A RESOLUTION AUTHORIZING THE TERMINATION OF JAMES DUFFY FROM THE PARAMUS GOLF COURSE

APPLICATIONS:

Motion to Approve Consent Agenda as amended

Motion: Councilwoman Bellinger    Second: Councilwoman Tedesco-Santos
Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber
Nays: None
Motion carries 6-0.

Open to public for comment at 8:33 PM – None

ADJOURNMENT: 8:33 PM

APPROVED: JUNE 23, 2020

RESPECTFULLY SUBMITTED:

ANNEMARIE KRUSZNIS RMC
BOROUGH CLERK