

**Borough of Paramus
Mayor and Council Public Meeting
Council Chambers
May 25, 2021, 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 person and by Telephone:

Phone Number 866-390-1828
Participation Access Code: 8902290

Resolution No: 21-05-323: Notification of meetings as required by "The Open Public Meetings Act." Read by the Borough Clerk at 7:02 PM

PLEDGE OF ALLEGIANCE: led by NJ State Wrestling Champion Aaron Ayzerov

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

Absent: None

Councilman Vartolone is present via phone conference

PRESENTATION:

- a. Aaron Ayzerov - NJ Wrestling State Champion
Proclamation presented by Mayor LaBarbiera

PUBLIC HEARING: SUBMISSION OF A 2021 BERGEN COUNTY TRUST FUND GRANT APPLICATION

Mayor LaBarbiera opens to the public at 7:10 PM in regards to the above. No speakers.

COUNCIL MEMBERS REPORTS:

Councilwoman Weber Spring tree planting is under way. Memorials are being prepared for this weekend's ceremony. Garbage collection is canceled on Memorial Day. The next shredding event will be this summer. HVAC upgrades have been completed. DPW painted the Pool this season which saved the Borough over \$30,000. Sanitation began a shared service with South Hackensack.

Councilman Verile The Golf Course numbers are significantly up. Miniature Golf will be open on Friday. Mr. Roemer will be sending a letter for permission to hold the Roemer Run in October. The 4th of July will be on Saturday, July 3rd.

Councilman Vartolone no report.

Councilwoman Bellinger Some in person activities with social distancing have resumed at the Senior Center, and more will resume in June. Some Zoom activities will remain. There was never an official grand re-opening of the Senior Center due to Covid-19, and Councilwoman Bellinger hopes that something small can be done at some point. The center is completely different. The transition to new leadership in the Health Department has been seamless. Judy Migliaccio has helped tremendously with the transitions. Kudos to all involved.

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Councilman DiPiazza no report.

Councilwoman Tedesco-Santos The 4th of July Committee has done a great job transitioning everything to the new date. The Pool has opened registration and the schedule is opening this weekend. The walk through will be done tomorrow to ensure that everything is ready. With the new criteria handed down from the Governor, there will be a lot more leeway at the Pool than last year. The Board of Education had their meeting last night. They are closed on June 8th. The Recreation Department still has registration open for the summer playground and Fall sports. The Board of Education received grant and is now offering free summer school to students. This causes a huge financial burden on the Borough as we have already completed registration for the summer camp. The fees are non-refundable. Now parents want their kids to attend the free program instead. It is disappointing that the Board of Education did not work cohesively with the Borough and say something in advance. We have been advertising our program since November and have hired several new staff members to work it.

BOROUGH CLERK'S REPORT:

- b. Request received from Arcola Country Club to hold a 30 minute fireworks display on Friday, July 1, 2021. (rain date July 5, 2021) **Approved.**

Mayor LaBarbiera exits the meeting at 7:28 PM. Council President Tedesco-Santos chairs the meeting.

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. **7:29 PM**

Joe Cafone – Would like to know if recreational marijuana will be discussed tonight. Mr. Cafone will save his comments for when the Mayor returns.

Gail Horton – Ms. Horton distributes material to the Council. Ms. Horton has an ongoing issue with her property regarding a tree that fell on her fence and roof in 2019. There is an unsatisfactory view behind her home that used to be beautiful trees, which contributed to her decision to buy the home 33 years ago. Ms. Horton has requests regarding removal of a fence and re-planting of trees. Ms. Horton reads a letter she received from Borough Administrator Joseph D'Arco. Ms. Horton informs the Council of estimates she received from three companies to replace her fence, all of which are higher than the \$585 offered by the Borough. Mr. D'Arco responds. The Council discusses possible solutions including planting more trees and replacing a chain link fence. Ms. Horton would like to install a new vinyl fence.

Mayor LaBarbiera returns and resumes as chair at 7:46 PM.

Resident – Maria inaudible – neighbors with Gail Horton on Arcola Avenue. Resident is the last house on the dead-end. Resident has received letters in the past from the Borough regarding planting on Borough property. They have no backyard and are aware that the land belongs to the Borough. When the property was purchased they did not do a survey and thought their land was bigger. Mayor LaBarbiera suggests getting an appraisal for the small property behind her home to present the resident with the opportunity of purchasing it if they so choose. The property is of no use to the Borough. The resident is pleased.

Keri Green – 193 Hoover Court- clarifies comments made regarding the Board of Education summer school about registration and funding. Ms. Green continues that we should try to work together and believes the best way for the Borough to do this is be cooperative and speak respectfully of the two organizations.

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Joe Cafone – asks Mayor LaBarbiera about the recreational marijuana topic missing from the agenda. Mayor LaBarbiera advises that the reason this is on hold is because we are waiting for comments from the Planning Board.

MATTERS FOR DISCUSSION:

- a. **Sunday Permitted activities; Hyper-Wellness Cryotherapy** – Borough Attorney Daniel Lagana received an email from a business in town regarding whether or not they can operate on Sundays. It's a unique subject and therefore a grey area which needs guidance from the Mayor & Council. Mayor LaBarbiera asks Mr. Lagana's opinion on whether or not this leans towards medical. Mr. Lagana believes this does lean towards new age medical. Mayor LaBarbiera does not believe this is something that is intended to be restricted on Sundays.

ORDINANCES:

ORDINANCE ON INTRODUCTION:

ORDINANCE 2021-26: AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 419, VEHICLES AND TRAFFIC, ARTICLE VI, SCHEDULES, SUBSECTION 419-56, SCHEDULE XIV: PARKING PROHIBITED AT ALL TIMES OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PARAMUS

Motion: Councilwoman Tedesco-Santos Second: Councilwoman Weber
Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber
Nays: None
Abstain: None
Absent: None
Motion Carries 6-0

ORDINANCE ON FINAL:

ORDINANCE 2021-20: ORDINANCE AMENDING CHAPTER 157-3 CERTAIN LICENSE FEES OF PARAMUS CODE (ABC)

Motion: Councilwoman Tedesco-Santos Second: Councilwoman Bellinger
Explanation by Council President
Open to Public for Comment – None
Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber
Nays: None
Abstain: None
Absent: None
Motion Carries 6-0

ORDINANCE 2021-24: AN ORDINANCE TO AMEND ORDINANCE 2020-03 AND FIX THE SALARY, WAGE AND COMPENSATION OF CERTAIN PART-TIME EMPLOYEES OF THE BOROUGH OF PARAMUS

**Borough of Paramus
Mayor and Council Public Meeting
Council Chambers
May 25, 2021, 7:00 P.M.**

MINUTES

Motion: Councilwoman Tedesco-Santos Second: Councilwoman Bellinger

Explanation by Council President

Open to Public for Comment – None

Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber

Nays: None

Abstain: None

Absent: None

Motion Carries 6-0

ORDINANCE 2021-25: AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 363, SEWERS, ARTICLE VII, GOVERNING STORMWATER MANAGEMENT, SUBSECTION 363-36 THROUGH SUBSECTION 363-46.1 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PARAMUS

Motion: Councilwoman Tedesco-Santos Second: Councilwoman Weber

Explanation by Council President

Open to Public for Comment – None

Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber

Nays: None

Abstain: None

Absent: None

Motion Carries 6-0

NON-CONSENT: Council agrees to move all non-consent resolutions to the consent agenda.

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

RESOLUTIONS:

RESOLUTION NO 21-05-325: AUTHORIZING PAYMENT OF BILLS

RESOLUTION NO 21-05-326: RESOLUTION AUTHORIZING THE REDEMPTION OF A TAX SALE CERTIFICATE FOR BLOCK 6202 LOT 1 GREYMORR LLC

RESOLUTION NO 21-05-327: A RESOLUTION AUTHORIZING A REFUND TO THE FOLLOWING TAXPAYER DUE TO JUDGEMENT FOR 100% EXEMPTION

RESOLUTION NO 21-05-328: RESOLUTION AUTHORIZING THE RELEASE OF TREE PRESERVATION DEPOSIT FROM SHADE TREE ESCROW ACCOUNT T-22-56-286-850-802 TO THE FOLLOWING AS RECOMMENDED BY THE DIRECTOR OF THE SHADE TREE & PARKS COMMISSION (818 STELLA COURT)

RESOLUTION NO 21-05-329: RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR AVAK SERVICE STATION, 220 ROUTE 4 EAST, BLOCK 101, LOT 2 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2856)

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RESOLUTION NO 21-05-330: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW MONEY IN THE AMOUNT OF \$397.00 TO DYNASTY ELECTRICAL CONTRACTORS, LLC FOR BROOKFIELD PROPERTIES, 700 PARAMUS PARK AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-3052)

RESOLUTION NO 21-05-331: RESOLUTION AUTHORIZING THE RELEASE OF A CASH BOND FOR HAXHIU, BLOCK 3805, LOT 1, AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-3114)

RESOLUTION NO 21-05-332: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW MONEY IN THE AMOUNT OF \$3641.69 TO SHUKUROFF AND SONS US LLC FOR BLOCK 6017, LOT 14 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2907)

RESOLUTION NO 21-05-333: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW MONEY IN THE AMOUNT OF \$310.50 TO VETERINARY EMERGENCY GROUP FOR BLOCK 2502, LOT 13 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-3036)

RESOLUTION NO 21-05-334: RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE CASH BOND FOR CITY PROPERTY USA NJ, LLC, BLOCK 5107, LOT 2, AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2670)

RESOLUTION NO 21-05-335: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW MONEY IN THE AMOUNT OF \$750.70 TO BERARDO HOMES, LLC FOR BLOCK 4207, LOT 20 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2418)

RESOLUTION NO 21-05-336: RESOLUTION AUTHORIZING THE RELEASE OF BONDS FOR DCH HONDA, BLOCK 106, LOT 5, AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2358)

RESOLUTION NO 21-05-337: AUTHORIZING THE 2021-2022 RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSES

RESOLUTION NO 21-05-338: RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS – RESIDENTIAL SERVICES COVID-19 RESPONSE

RESOLUTION NO 21-05-339: RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PARAMUS AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH TORI BRETT LLC WITH RESPECT TO THE REDEVELOPMENT OF REDEVELOPMENT AREA 3 (BLOCK 4808, LOT 6.Q and 6.QQ ON TAX MAP OF THE BOROUGH OF PARAMUS)

RESOLUTION NO 21-05-340: A RESOLUTION AUTHORIZING THE AWARD OF THE 2021 4TH OF JULY FIREWORKS TO INTERNATIONAL FIREWORKS MFG., CO., INC

RESOLUTION NO 21-05-341: RESOLUTION AUTHORIZING THE SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF PARAMUS AND THE TOWNSHIP OF SOUTH HACKENSACK FOR THE COLLECTION AND DISPOSAL OF RECYCLABLE MATERIALS

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Council Chambers
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RESOLUTION NO 21-05-342: RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AN AGREEMENT WITH THE GEORGE WASHINGTON MIDDLE SCHOOL OF RIDGEWOOD FOR USE OF THE PARAMUS MUNICIPAL POOL IN ACCORDANCE TO THE ATTACHED SCHEDULE FOR A RENTAL FEE OF \$2,520.00

RESOLUTION NO 21-05-343: RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENT WITH RIDGEWOOD YMCA SWIM TEAM FOR USE OF THE PARAMUS MUNICIPAL POOL IN ACCORDANCE TO THE ATTACHED SCHEDULE FOR A RENTAL FEE OF \$14,000.00

RESOLUTION NO 21-05-344: RESOLUTION AUTHORIZING THE MAYOR AND THE BOROUGH CLERK TO SIGN AN AGREEMENT BETWEEN THE BOROUGH OF PARAMUS AND BERGEN COUNTY UTILITIES AUTHORITY (BCUA) FOR SOLID WASTE DISPOSAL

RESOLUTION NO 21-05-345: A RESOLUTION RESCINDING RESOLUTION 21-05-312 AND AUTHORIZING THE APPOINTMENT OF THE FOLLOWING SEASONAL EMPLOYEES TO THE PARAMUS MUNICIPAL POOL 2021 SUMMER STAFF

RESOLUTION NO 21-05-346: A RESOLUTION AUTHORIZING THE APPOINTMENT OF THE FOLLOWING SEASONAL EMPLOYEES TO THE PARAMUS GOLF COURSE

RESOLUTION NO 21-05-347: A RESOLUTION AUTHORIZING THE APPOINTMENT OF THE FOLLOWING SEASONAL POSITIONS FOR PARAMUS RECREATION 2021 SUMMER STAFF

RESOLUTION NO 21-05-348: RESOLUTION AUTHORIZING THE APPOINTMENT OF VICTOR ZAPATA-HENAO TO THE POSITION OF GREENSMAN STEP 1 FOR THE PARAMUS GOLF COURSE AT A SALARY OF \$34,460.57 ANNUALLY

RESOLUTION NO 21-05-349: RESOLUTION AUTHORIZING THE APPOINTMENT OF GINA WEBB-METZ TO THE POSITION OF ON-CALL LIBRARIAN FOR THE PARAMUS PUBLIC LIBRARY AT A SALARY OF \$31.10 PER HOUR

RESOLUTION NO 21-05-350: RESOLUTION ACKNOWLEDGING THE TRANSFER OF JOSEPH A. CLOSTERMAN FROM THE POSITION OF LIEUTENANT FOR THE PARAMUS EMERGENCY MEDICAL SERVICES TO EMT STEP 4 FOR THE PARAMUS EMERGENCY MEDICAL SERVICES AT A SALARY OF \$21.88 PER HOUR

RESOLUTION NO 21-05-351: RESOLUTION AUTHORIZING THE SEPARATION OF DUSTIN WRIGHT FROM THE PARAMUS DEPARTMENT OF PUBLIC WORKS

RESOLUTION NO 21-05-352: RESOLUTION ACKNOWLEDGING THE RESIGNATION OF JOHN HERRMANN FROM THE POSITION OF PT 911 TELECOMMUNICATIONS OPERATOR 3 GRADE 5 FOR THE PARAMUS POLICE DEPARTMENT

RESOLUTION NO 21-05-353: A RESOLUTION AUTHORIZING THE TERMINATION OF ARNALDO NUNEZ FROM THE PARAMUS DPW- SANITATION-RECYCLING DIVISION

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Mayor and Council Public Meeting
Council Chambers
May 25, 2021, 7:00 P.M.
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RESOLUTION NO 21-05-354: A RESOLUTION AUTHORIZING THE TERMINATION OF JUSTIN OLIVO FROM THE PARAMUS DPW- SANITATION-RECYCLING DIVISION

RESOLUTION NO 21-05-355: RESOLUTION AUTHORIZING THE PERSON TO PERSON PLACE TO PLACE TRANSFER OF LIQUOR LICENSE No. 0246-33-007-007 FROM WESTFIELD PARAMUS HOLDINGS LLC 6 TO EDDIE V'S HOLDINGS LLC 6 d.b.a. EDDIE V's AND SEASON 52

RESOLUTION NO 21-05-356: RESOLUTION OF THE BOROUGH OF PARAMUS AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE, RECREATION, FLOOD PLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (BERGEN COUNTY TRUST FUND) GRANT APPLICATION

RESOLUTION NO 21-05-357 EMERGENCY TEMPORARY RESOLUTION - PRIOR TO ADOPTION OF THE BUDGET N.J.S. 40A:4-20

RESOLUTION NO 21-05-358 –RESOLUTION AUTHORIZING MONTANA CONSTRUCTION CORP., INC., TO PERFORM EMERGENCY WORK TO THE EXISTING SANITARY SEWER PIPE LOCATED ON PROSPECT STREET WITHIN THE BOROUGH LIMITS

Mayor LaBarbiera asks for a motion for the consent agenda with the additional Resolutions Nos. 21-05-355, 21-05-356 and 21-05-357 added from non-consent including added Resolution No. 21-05-358

Motion: Councilwoman Tedesco-Santos

Second: Councilman Verile

Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber

Nays: None

Abstain: None

Absent: None

Motion Carries 6-0

ADMINISTRATOR'S REPORT: Mr. D'Acro discusses that the Joint Insurance Fund NEL has produced its new employee handbook and that it's very close to the one we currently have. He adds that they also sent a volunteer employee handbook that we don't currently have and that it will be essential and a requirement to have one by our insurance policies. Mr. D'Acro says they have been sent to Mr. Lagana's office. Mr. D'Acro adds that the Borough was awarded a \$105,000 grant for the Trinity Court road improvement and that all our capital projects are submitted to our grant writers.

RESOLUTION No. 21-05-324: Closing the meeting of the Mayor and Council to the public. 8:39 PM

b. Pending litigation: sign ordinance

Motion: Councilwoman Bellinger Second: Councilwoman Tedesco-Santos

Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Vartolone, Councilman Verile, Councilwoman Weber

Nays: None

Abstain: None

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Absent: None
Motion Carries 6-0.

ADJOURNMENT: 8:45 PM

APPROVED: SEPTEMBER 14, 2021

RESPECTFULLY SUBMITTED:
ANNEMARIE KRUSZNIS RMC
BOROUGH CLERK