Borough of Paramus
Mayor and Council Public Meeting
Work Session held in Caucus Room
June 23, 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

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

Work Session

Resolution No: 20-06-323: Notification of meetings as required by “The Open Public Meetings Act.” Read by Borough Clerk at 7:14 PM

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

Mayor LaBarbiera asks for a moment of silence for the victims of COVID-19 and gives his condolences to Councilwoman Bellinger on the death of her father in law.

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, Associate Borough Attorney Katie Mocco

Absent: Deputy Clerk Nicolette Riggi

*Councilmember Weber is present via phone conference*

MAYOR’S REPORT:

a. Proclamation: Gay Pride Month Read by Mayor LaBarbiera at 7:17 PM and adds we have been flying the Gay Pride flag since the beginning of June and it will continue to fly for the remainder of the month.

Public Hearing: 2020 BERGEN COUNTY TRUST FUND GRANT APPLICATION

Mayor LaBarbiera opens to the public for comment on the 2020 Bergen County Trust Fund Grant Application at 7:19 PM: None

BOROUGH CLERK’S REPORT:

a. Request received from Megabite Events to hold a Food Truck festival at the Garden State Plaza on Sunday July 12th, 2020 from 11AM – 7PM. Approved
b. Request received from Just Jersey Fest to change the date of their Food Truck Festival from July 19th, 2020 to July 12th, 2020 at the Paramus Park Mall and from a drive thru event to regular Food Truck event with social distancing. **Approved**

c. Request received from Yeshivat Noam to hold a small fireworks display on their property at 70 West Century Road on Thursday July 2nd, 2020 at 9 PM. **Approved and directed to coordinate with the Fire Department**

### COUNCIL MEMBERS REPORTS:

**Councilwoman Bellinger** The Health Department met last night and they have a vacancy. Councilwoman Bellinger continues to report on Covid 19 numbers. We have 1,054 total cases, 1,046 are closed and 8 remain open. 3 are in long term healthcare facilities. There are 171 deaths with 146 being from long term health care facilities. Health inspectors are busy helping to get the pool open and inspecting and monitoring the new guidelines for the opening of all businesses. Councilwoman Bellinger continues to thank the Health Department and all first responders for all they are doing.

**Councilwoman Tedesco-Santos** Fall registration for Recreation will open online Monday July 1st at 8 AM and there will be an early bird discount. The pool will be opening on July 1st to Paramus residents and out of town guests that were members last year only. Day and ten day passes will be sold first come first serve with two sessions. They will be following the Governors orders and discussion ensues.

**Councilman DiPiazza** Reports on Shade Tree numbers. Ken Raschen believes we should do the driveway program similar to the sidewalk program with a third party contractor and discussion ensues. Mayor LaBarbiera believes if a residents driveway is affected by a town tree it should be part of the replacement program. He continues if we have to go to a third party contractor it should be no different than the sidewalk program and discussion ensues. Councilman DiPiazza reports that the superintendent of the Board of Education has resigned and the assistant superintendent Shawn Adams has stepped in and wishes the Board of Education the best of luck.

**Councilman Vartolone** No Report

**Councilman Verile** The Golf Course has been sold out on a daily basis. The IT Department is working on resolving an issue the Golf Course has been having with phone calls and they are looking into getting a voice answering machine system. Councilman Verile inquires about the restaurant bid for the Golf Course and the Borough Administrator Joseph D’Arco answers its being working on and will be out soon. Mr. D’Arco continues that the problem with the phones at the golf course is a product of many golf courses being closed. Mr. D’Arco adds that we’ve been running out of golf carts due to people wanting to ride solo and explains the new golf cart fees and discussion ensues.

**Councilwoman Weber** Reports she heard of some complaints about trash being left out at some schools and that it has been taken care of.

### MAYORS’S REPORT: Mayor LaBarbiera asks Borough Administrator Joseph D’Arco to speak with Quality of Life and believes the enforcement of the plastic bag Ordinance was probably relaxed during the Covid pandemic and it’s time businesses begin to comply. Mayor LaBarbiera continues to congratulate the class of 2020. Mayor LaBarbiera speaks about the Solider Hill Development and says that he has been receiving many letters from residents on this and is now preparing a letter to those residents. He continues to summarize the Solider Hill Development problem and discussion ensues. Mayor LaBarbiera adds we share the same concerns with everyone
about seeing this project be developed and that the Borough has fought for over a decade. It is now before the Planning Board for site plan approval and adds he will be more than happy to talk or meet with any residents about this. Mayor La Barbiera addresses a statement made by the Paramus Republican Council members in regards to the Memorial Day Parade, laying blame at him and other Council members. He continues that he’s disappointed that they sought a social media forum to complain that they were offended that they were not invited to a Memorial Day parade, instead of discussing it at a Council meeting. Mayor La Barbiera proceeds to ask Councilman DiPiazza and Councilwoman Weber numerous questions about invitations to events and discussion ensues. Mayor La Barbiera summarizes neither he or the Council has ever personally invited people to any events and asks for a full retraction of those statements.

ADMINISTRATOR’S REPORT: Mr. D’Arco reports he’s having a meeting with the OEM staff on Covid-19 to start planning the opening Borough Hall. He continues that the introduction budget is on tonight’s meeting and that he met with the budget committee.

Councilman DiPiazza asks Mr. D’Arco about the Resolution for the Cancellation of Recreation Trust Reserves. Mr. D’Arco explains the cuts we had to make in order to get this budget at least introduced tonight and to the State. Councilman DiPiazza inquires about taking from the trusts to which Sheryl Luna, CFO, explains. Councilwoman Bellinger inquires about the people who deferred their mortgages and what happens to their tax payment and Sheryl Luna, CFO, responds we don’t know yet.

MATTTERS FOR DISCUSSION:

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

Borough Attorney Daniel Lagana discusses the Planning Board comments and they have issued a letter indicating some of the changes that they made. Stu Liebman is on the phone to discuss. Mayor LaBarbiera explains that Mr. Liebman made a presentation making recommendations to the Council at a previous meeting that the Council sent off to the Planning Board supporting all the recommend changes of the signage. It was then sent back to the Council without including any of the changes and Mr. Lagana explains what the Planning Board did agree with. Mr. Liebman explains what wasn’t recommended by the Planning Board and discussion ensues. Mayor LaBarbiera asks Mr. Lagana to coordinate with Mr. Liebman to modify the Ordinance. Mr. Lagana confirms the modification is according to the recommendations made by the Planning Board in addition to the recommendations made by Mr. Liebman in September 2019. All the Council is in agreement.

APPROVAL OF MINUTES

a. Mayor and Council Meeting 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 19, 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

Mayor LaBarbiera opens to the public for comment at 8:16 PM

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.

Mark Distler 713 Gettyburg Place- Thanks Mayor and Council and the DPW for the shredding day. Mr. Distler continues he was upset to learn that there was no vote and that the ten qualified police applicants weren't given employment and continues to read an article he found online on nepotism. Mr. Distler continues to read a letter he wrote and asks that we work on bipartisan support for the good of our community. Mayor LaBarbiera thanks Mr. Distler for his 30 years of police service.

Sally Locicero 30 Alden Road - Inquires about research she had done on minutes and questions an Ordinance that was passed in August 2019 where the requirements for Police officers were changed and discussion ensues. Ms. Locicero asks since one of the ten officer candidates filed a lawsuit and we need more police officers why don't the three Democratic Council members agree to hire just the nine candidates. Mayor LaBarbiera refers to the Borough Attorney. Associate Borough Attorney Katie Mocco answers that hiring the nine and not the ten and targeting one would compromise the Boroughs position in the litigation and discussion ensues. Ms. Locicero continues that she's made several complaints about a junkyard operating on Route 17 South and no one answers her and something tragic is going to happen. Mr. D'Arco answers that a complaint has been filed and it will be followed up on.

Nick Matahen 66 Primrose Lane Thanks the Mayor and Council for the paving of his street and all the good work

Mark Casiello 43 Heather Lane Wishes everyone a Happy Father Day and wants to thank everyone that served.

ORDINANCES:

ORDINANCE ON INTRODUCTION:

ORDINANCE 2020-14: AN ORDINANCE AUTHORIZING THE ACQUISITION BY PURCHASE OF AN EASEMENT INTEREST IN A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS, AND LOCATED AT, 242 MIDLAND AVENUE AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE BOROUGH OF PARAMUS AS BLOCK 5704, LOT 9

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 2020-15: CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

ORDINANCE 2020-16: AN ORDINANCE TO AMEND ORDINANCE 18-02 CHAPTER 121 OF THE CODE OF THE BOROUGH OF PARAMUS TITLED "SALARIES AND COMPENSATION"

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 2020-17: ORDINANCE APPROVING APPLICATION FOR FINANCIAL AGREEMENT

Motion: Councilwoman Bellinger    Second: Councilwoman Tedesco-Santos
Yeas: Councilwoman Bellinger, Councilwoman Tedesco-Santos, Councilman Verile, Councilwoman Weber
Nays: Councilman DiPiazza, Councilman Vartolone
Motion carries 4-2

ORDINANCE 2020-18: AN ORDINANCE AUTHORIZING THE ACQUISITION BY PURCHASE OF FEE TITLE TO A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS, AND LOCATED AT, 286 PARAMUS ROAD AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE BOROUGH OF PARAMUS AS BLOCK 2203, LOT 1

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:

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Brief description by Councilwoman Bellinger

Mayor LaBarbiera opens to the public for comment on Ordinance No. 2020-12: None

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 2020-13: AN ORDINANCE AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF AN EASEMENT INTEREST IN A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS, AND LOCATED AT, 422 FOREST AVENUE AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE BOROUGH OF PARAMUS AS BLOCK 5707, LOT 11

Brief description by Councilwoman Bellinger

Mayor LaBarbiera opens to public for comment on Ordinance No. 2020-13: None

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

Mayor and Council move Resolutions No. 20-06-352 and Resolution No. 20-06-353 from Non-Consent to Consent

NON-CONSENT:

RESOLUTION NO 20-06-325: RESOLUTION AUTHORIZING CY2020 BUDGET TO BE READ BY TITLE ONLY

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

RESOLUTION NO 20-06-326: RESOLUTION FOR CANCELLATION OF RECREATION TRUST RESERVES

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
RESOLUTION NO 20-06-327: GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED
STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Consideration of
Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

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

RESOLUTION NO 20-06-328: MUNICIPAL BUDGET OF THE BOROUGH OF PARAMUS, COUNTY OF BERGEN
FOR THE FISCAL YEAR 2020

Motion: Councilwoman Bellinger    Second: Councilman Verile
Yeas: Councilwoman Bellinger, Councilwoman Tedesco-Santos, Councilman Verile, Mayor LaBarbiera
Nays: Councilman DiPiazza, Councilman Vartolone, Councilwoman Weber
Motion carries 4-3

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

RESOLUTIONS:

RESOLUTION NO 20-06-329: AUTHORIZING PAYMENT OF BILLS

RESOLUTION NO 20-06-330: RESOLUTION NO 20-06- RESOLUTION AUTHORIZING COMMERCIAL TAX
APPEAL ATTORNEY TO SETTLE 2015-2019 TAX APPEALS CAPTIONED: Home Depot USA, Inc. v. Borough of
005436-2015; 007524-2018; 005157-2016; and 003893-2017

RESOLUTION NO 20-06-331: A RESOLUTION AUTHORIZING A REFUND TO THE FOLLOWING TAXPAYERS
DUE TO TAX COURT APPEALS (Glass Paramus LLC)

RESOLUTION NO 20-06-332: RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE BOND
FOR 175 PARAMUS ROAD REAL ESTATE, LLC (CARE ONE, LLC), BLOCK 1601, LOTS 2, 3, 4 AND 5 AS
RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2152)

RESOLUTION NO 20-06-333: RESOLUTION AUTHORIZING THE RELEASE OF A CASH PERFORMANCE BOND
FOR PATEL, BLOCK 307, LOT 24, AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2973)

RESOLUTION NO 20-06-334: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW
MONEY IN THE AMOUNT OF $411.00 TO RGM BUILDERS FOR BLOCK 2603–LOT 4 AS RECOMMENDED BY
THE BOROUGH ENGINEER (PAES-2893)
RESOLUTION NO 20-06-335: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW MONEY IN THE AMOUNT OF $119.50 TO GELIN CONCORD, LLC FOR BLOCK 4608– LOT 26 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2642)

RESOLUTION NO 20-06-336: RESOLUTION AUTHORIZING THE RELEASE OF ENGINEERING ESCROW MONEY IN THE AMOUNT OF $216.50 TO GELIN CONCORD, LLC FOR BLOCK 3705– LOT 22 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2851)

RESOLUTION NO 20-06-337: RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE AND RELEASE OF SOIL MOVEMENT CASH BOND FOR CARLSON FAMILY FOUNDATION, BLOCK 4301, LOT 5 AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2904)

RESOLUTION NO 20-06-338: RESOLUTION AUTHORIZING THE PARTIAL RELEASE OF A CASH PERFORMANCE BOND FOR J&R CIGARS, BLOCK 2504, LOT 13, AS RECOMMENDED BY THE BOROUGH ENGINEER (PAES-2976)

RESOLUTION NO 20-06-339: AUTHORIZING THE 2020-2021 RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSES

RESOLUTION NO 20-06-340: RESOLUTION AUTHORIZING DUPLICATE TAX SALE CERTIFICATE

RESOLUTION NO 20-06-341: A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

RESOLUTION NO 20-06-342: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

RESOLUTION NO 20-06-343: 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 20-06-344: RESOLUTION AUTHORIZING THE APPOINTMENT OF WILLIAM SPICER TO THE POSITION OF SEASONAL CASHIER STEP 1 FOR THE PARAMUS GOLF COURSE AT A SALARY OF $11.00 PER HOUR

RESOLUTION NO 20-06-345: RESOLUTION AUTHORIZING THE APPOINTMENT OF MICHELLE ARTUSO TO THE POSITION OF MINI GOLF CASHIER STEP 1 FOR THE PARAMUS GOLF COURSE AT A SALARY OF $11.00 PER HOUR

RESOLUTION NO 20-06-346: RESOLUTION AUTHORIZING THE APPOINTMENT OF LAUREN ANZALONE TO THE POSITION OF POOL SNACK BAR STAFF STEP 1 FOR THE PARAMUS MUNICIPAL POOL AT A SALARY OF $11.00 PER HOUR

RESOLUTION NO 20-06-347: A RESOLUTION AUTHORIZING THE APPOINTMENT OF THE FOLLOWING SEASONAL POSITIONS FOR PARAMUS RECREATION 2020 SUMMER STAFF
RESOLUTION NO 20-06-348:  A RESOLUTION ACCEPTING THE FOLLOWING AS MEMBERS OF THE PARAMUS FIRE DEPARTMENT

RESOLUTION NO 20-06-349:  A RESOLUTION AUTHORIZING THE DEMOTION OF JOSEPH RENDINE TO MINI GOLF CASHIER STEP 1 FOR THE PARAMUS GOLF COURSE AT A SALARY OF $11.00 PER HOUR

RESOLUTION NO 20-06-350:  PULLED PRIOR TO MEETING

RESOLUTION NO 20-06-351:  RESOLUTION AUTHORIZING THE SEPARATION OF THE FOLLOWING MEMBERS OF THE PARAMUS FIRE DEPARTMENT

RESOLUTION NO 20-06-352:  RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF PARAMUS AUTHORIZING AND DIRECTING THE BOROUGH’S SPECIAL PLANNER TO PREPARE A REDEVELOPMENT PLAN FOR IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW FOR REDEVELOPMENT AREA 2

RESOLUTION NO 20-06-353:  AUTHORIZING THE PERSON TO PERSON TRANSFER OF LIQUOR LICENSE NO. 0246-33-009-006 LOCATED AT A1-4 GARDEN STATE PLAZA, PARAMUS, NJ TRANSFER TO WESTFIELD PARAMUS HOLDINGS, LLC 8

APPLICATIONS:

SOLICITOR

Deja Craig 2020-SL-12

RAFFLE

PFO Our Lady of the Visitation Academy File # 799
PBA Local 221- Civic Organization File # 800

Mayor LaBarbiera asks for a motion for the approval of the consent agenda with the additions of Resolution No. 20-06 -352 and Resolution No. 20-06-353 that were previously on non consent

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

Mayor LaBarbiera  opens to the public at 8:40 PM- None

Mayor LaBarbiera asks for a motion to go into closed to discuss DPW fees and pending litigation

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

RESOLUTION No. 20-06-324: Closing the meeting of the Mayor and Council to the public.

  a. DPW fees
  b. Pending Litigation

ADJOURNMENT: 9:04 PM

APPROVED: SEPTEMBER 8, 2020

RESPECTFULLY SUBMITTED:
Annemarie Krusznis RMC
Borough Clerk