

**Borough of Paramus
Mayor and Council Public Meeting
Council Chambers
September 29, 2021, 7:00 P.M.
MINUTES**

Resolution No: 21-09-572: Notification of meetings as required by "The Open Public Meetings Act." Read by the Borough Clerk at 7:03 PM

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

Absent: None

Councilman Verile is present via phone conference

PROCLAMATION: - Read by Mayor LaBarbiera at 7:05 PM

- a. 2021 Fire Prevention Week

RESOLUTION No. 21-09-573: Closing the meeting of the Mayor and Council to the public. 7:07 pm

- b. Pending litigation – LaBarbiera v Borough of Paramus

Motion: Councilwoman Tedesco **Second:** Councilwoman Bellinger

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

Nays: None

Abstain: None

Absent: None

Motion carries 6-0

Open 7:25 PM.

BOROUGH CLERK'S REPORT:

- c. Request received from the Paramus Elks to hold a craft event on Sunday November 7th, 2021 from 9AM- 3PM at 200 Route 17N. **Approved**
- d. Request received from Just Jersey to hold a food truck festival at the Paramus Park mall on Sunday October 24th, 2021 from 11AM- 7PM **Approved**
- e. Request received from The Whiting-Turner Contracting Company to perform overnight work intermittently at NJ Route 4 and the Bergen Town Center from September 28th, 2021 through December 15th, 2021. **Approved**
- f. Request received from Dana Folcarelli, for permission to hold a block party on Mayfair Road, on October 9, 2021 from 1:00 pm to 9:00 pm between Mason Pl and Morningside Rd. **Approved**

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COUNCIL MEMBERS REPORTS:

Councilwoman Weber DPW continues to clean brooks and storm drains from Hurricane Ida. Sanitation collection is back to normal. Leaf collection begins in October.

Councilman Vartolone no report

Councilman Verile the Library planted a tree for Berkeley College 90th anniversary.

Councilwoman Bellinger The 75^h anniversary of the Woman's Club is October 28th.

Councilman DiPiazza inquires about any hiring issues with crossing guards. Mr. D'Arco advises that nothing has been reported.

Councilwoman Tedesco-Santos no report

MAYOR'S REPORT: met with residents on Mill Run regarding flooding from the recent storm. It's unfortunate because there is very little that can be done since the properties are located in flood plains. We will make best effort to provide maintenance to ponds and streams but again not much can be done.

Borough Attorney Dan Lagana advises that regarding flooding, ordinance amendments can be made for 3rd stories.

MATTERS FOR DISCUSSION:

- g. Adult-Use Cannabis – Daniel Lagana, Esq. – provides an update on guidelines issued from the state recently. Nothing has changed from a municipality standpoint. Municipalities will be allowed to weigh in on which applicants can come in and present to them. Mr. Lagana states that Little Falls, Bloomfield, Bergenfield and others have opted in for adult use.

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. 7:43 PM

Tom Locicero – 30 Alden Road – Mr. Locicero remembers in the past when all the streams were being dredged and believes this should be done again. Mr. Locicero is also present to speak about the towing rates. He explains that the other towns couldn't make it tonight but they are all in agreement that it's been quite some time since their rates have been raised. Similar letters have been sent in recent years and no response was provided. Mr. Locicero also believes that some items need to be added to the ordinance so they are allowed to charge for it. Mr. Locicero gives some examples. Mayor LaBarbiera points out that the application to be a licensed tower in town is optional and Mr. Locicero as well as the others apply voluntarily. They know the rates at the time of application. Mayor LaBarbiera doesn't see the necessity to raise the rates when there are 5 towing companies willingly applying to work in town. If there were no applicants, then raising the rates would be understandable. Mr. Locicero would like to be permitted to charge a convenience fee for accepting credit cards and uses the example that the Borough charges a similar convenience fee. The expenses for using credit cards are high and Mr. Locicero would like to recover some or most of it. Mr. Locicero identifies the item of the ordinance that states a tower must tow borough vehicles for free. He states that Paramus is the only town out of 18 that he tows for that requires this. Mayor LaBarbiera again states that this is all part of the application and applying is voluntary.

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APPROVAL OF MINUTES

h. Mayor and Council Meeting Minutes- July 21, 2021

Motion: Councilwoman Bellinger

Second: Councilwoman Weber

Yeas: Councilwoman Bellinger, Councilman DiPiazza, Councilman Vartolone, Councilman Verile, Councilwoman Weber

Nays: None

Abstain: Councilwoman Tedesco-Santos

Absent: None

Motion carries 5-0-1

ORDINANCES:

ORDINANCE ON INTRODUCTION:

ORDINANCE 2021-42: BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF PARAMUS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$735,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Motion: Councilwoman Tedesco-Santos

Second: Councilwoman Bellinger

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 2021-40: AN ORDINANCE AMENDING THE 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 Tedesco-Santos

Second: Councilwoman Bellinger

Explanation by Council President

Open to Public for Comment: None

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

Nays: None

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Abstain: Councilman DiPiazza

Absent: None

Motion carries 5-0-1

ORDINANCE 2021-41: AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 6, ADMINISTRATIVE CODE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PARAMUS

Motion: Councilwoman Tedesco-Santos

Second: Councilwoman Bellinger

Explanation by Council President

Open to Public for Comment:

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

Nays: None

Abstain: None

Absent: None

Motion carries 6-0

A CONSENT AGENDA WILL BE ADOPTED FOR ITEM NUMBERS 15 AND 16

RESOLUTIONS:

RESOLUTION NO 21-09-574: AUTHORIZING PAYMENT OF BILLS

RESOLUTION NO 21-09-575: RESOLUTION TO ESTABLISH THE 2021 TEMPORARY CAPITAL BUDGET

RESOLUTION NO 21-09-576: RESOLUTION AMENDING RESOLUTION NO. 21-08-540 AND AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE BOROUGH OF PARAMUS, COUNTY OF BERGEN, STATE OF NEW JERSEY, NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO *N.J.S.A. 40A:12-1 et seq.*

RESOLUTION NO 21-09-577: RESOLUTION AUTHORIZING COMMERCIAL TAX APPEAL ATTORNEY TO SETTLE 2018 THROUGH 2020 TAX APPEALS CAPTIONED: 15 East Midland LLC v. Borough of Paramus Docket Numbers: 003972-2018, 005332-2019 G&I IX East Midland LLC v. Borough of Paramus Docket Number: 007477-2020

RESOLUTION NO 21-09-578: RESOLUTION AUTHORIZING COMMERCIAL TAX APPEAL ATTORNEY TO SETTLE 2020 & 2021 TAX APPEALS CAPTIONED: 501S17, LLC v. Borough of Paramus Docket Nos.: 008266-2020; 008459-2021 Premises: 501 Route 17 (Block 5107, Lot 3)

RESOLUTION NO 21-09-579: 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 (TAMER BUILDERS LLC)

RESOLUTION NO 21-09-580: RESOLUTION AUTHORIZING THE RELEASE OF TREE PRESERVATION DEPOSIT FROM SHADE TREE TRUST ACCOUNT #1-03-56-286-851-802 TO THE FOLLOWING AS RECOMMENDED BY THE DIRECTOR OF THE SHADE TREE & PARKS COMMISSION (KARIM KARIM)

RESOLUTION NO 21-09-581: 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 (GELIN CONCORD LLC)

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RESOLUTION NO 21-09-582: 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 (TAMER BUILDERS LLC)

RESOLUTION NO 21-09-583: 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 (EFFY BARMOSHE)

RESOLUTION NO 21-09-584: A RESOLUTION ACCEPTING PROPOSAL SUBMITTED BY BOSWELL ENGINEERING IN THE AMOUNT OF \$58,200.00 FOR ENGINEERING DESIGN AND INSPECTION SERVICES FOR PETRUSKA PARK IMPROVEMENTS

RESOLUTION NO 21-09-585: A RESOLUTION ACCEPTING PROPOSAL SUBMITTED BY BOSWELL ENGINEERING IN THE AMOUNT OF \$84,000.00 FOR ENGINEERING DESIGN AND INSPECTION SERVICES FOR 2020 & 2021 NJDOT LOCAL AID PROJECT FOR MIDLAND AVE IMPROVEMENTS

RESOLUTION NO 21-09-586: A RESOLUTION OF THE BOROUGH OF PARAMUS, BERGEN COUNTY, NEW JERSEY, AUTHORIZING THE PLACEMENT BY THE NEW JERSEY STATE VETERANS CHAMBER OF COMMERCE AND THE MU BETA PHI MILITARY FRATERNITY OF A DROP BOX CONTAINER ON BOROUGH PROPERTY AT A SUITABLE LOCATION TO BE DETERMINED BY THE BOROUGH

RESOLUTION NO 21-09-587: RESOLUTION AUTHORIZING THE APPOINTMENT OF RYAN MEGLIO TO THE POSITION OF PART TIME PARK MAINTENANCE STEP 1 FOR THE PARAMUS RECREATION DEPARTMENT AT A SALARY OF \$15.01 PER HOUR

RESOLUTION NO 21-09-588: RESOLUTION AUTHORIZING THE APPOINTMENT OF KAREN ANDERSON TO THE POSITION OF SPECIAL NEEDS ASSISTANT STEP 1 FOR THE PARAMUS RECREATION DEPARTMENT AT A SALARY OF \$19.00 PER HOUR

RESOLUTION NO 21-09-589: RESOLUTION AUTHORIZING THE APPOINTMENT OF LUKE DINICOLO TO THE POSITION OF SPECIAL NEEDS ASSISTANT STEP 1 FOR THE PARAMUS RECREATION DEPARTMENT AT A SALARY OF \$19.00 PER HOUR

RESOLUTION NO 21-09-590: RESOLUTION ACKNOWLEDGING THE RESIGNATION OF ZACHARY STELTER FROM THE POSITION OF BUILDING MAINTENANCE FOR THE PARAMUS POLICE DEPARTMENT- TRAFFIC DIVISION

RESOLUTION NO 21-09-591: RESOLUTION ACKNOWLEDGING THE RESIGNATION OF ROBERT F. FESCOE JR. FROM THE POSITION OF EMT FOR THE PARAMUS EMERGENCY MEDICAL SERVICES

RESOLUTION NO 21-09-592: A RESOLUTION AUTHORIZING THE TERMINATION OF BIANCA CONN FROM THE PARAMUS MUNICIPAL COURT

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RESOLUTION NO 21-09-593: RESOLUTION AUTHORIZING THE APPOINTMENT OF KIMBERLY REDMOND TO THE POSITION OF LIBRARY ASSISTANT STEP 1 FOR THE PARAMUS LIBRARY AT A SALARY OF \$15.51 PER HOUR

RESOLUTION NO 21-09-594: RESOLUTION APPROVING AMUSEMENT BUSINESS APPLICATION FOR HUMDINGERS

RESOLUTION NO 21-09-595: RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PARAMUS AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT WITH PARAMUS TOLL 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 21-09-596: A RESOLUTION AUTHORIZING THE RESIGNATION OF THE FOLLOWING PART TIME RECORD'S CLERKS FROM THE PARAMUS POLICE DEPARTMENT-RECORDS BUREAU

APPLICATIONS:

MECHANICAL AMUSEMENT DEVICE

Monster Mini Golf	2021-M-156 through 183
Humdingers	2021-M-089 through 155

RAFFLE

PTA Ridge Ranch School	File # 840
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Approval of Consent Agenda as Amended

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

ADJOURNMENT: 8:26 PM

APPROVED: OCTOBER 26, 2021

RESPECTFULLY SUBMITTED:
Annemarie Krusznis, RMC
Borough Clerk