

AGENDA
BOROUGH OF NORWOOD
MAYOR AND COUNCIL
WORK/EXECUTIVE MEETING
DECEMBER 28, 2016
7:00 PM

MAYOR BARSA

COUNCILMAN MARINO

COUNCILMAN ASCOLESE

COUNCILWOMAN ORECCHIO

COUNCILMAN RAPAPORT

COUNCIL PRESIDENT BRIZZOLARA

COUNCILMAN SCOTT

Call to order

Flag Salute

Statement of Compliance: Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Law, P.L. 1975, Ch. 231, setting forth the time, date, place and purpose of this Public Meeting through a legal notice published in The Record and Star Ledger.

Roll Call of the Council:

Mayor Barsa _____

Councilman Marino _____

Councilwoman Orecchio _____

Council President Brizzolara _____

Councilman Ascolese _____

Councilman Rapaport _____

Councilman Scott _____

Mayor Barsa points out the Fire Exits

Items for Discussion:

- TD Bank Tax Appeal – Explanation from Helene Herbert, Special Conflict Counsel for the Borough. Adoption of Resolution 16:199 Memorializing Mayor and Council vote of November 30, 2016 to not approve the settlement
- Discussion regarding tabled Resolution 16:196 Authorizing the Execution of Developer's Agreement with Alliotts Construction Inc. Resolution
- Fire Department to discuss proposed Engineer Positions (2) within Fire Department
- Review of proposed Background Check Ordinance for Recreation Coaches
- Review of proposed Zoning Ordinance to Permit Temporary Sales Trailers
- Review of proposed Affordable Housing Development Fees and Trust Fund Ordinance
- Approval of Resolutions:

16:200 Requesting insertion of an Item of Revenue in the 2016 Budget –
 Body Armor Grant

16:201 Appointment of Brad Young as a Permanent Police Officer

- Borough Engineer Report
- Borough Attorney's Report
- Administrator's Report

General Public Comment:

Approval of Resolution 16:202 authorizing the governing body to convene into closed session to discuss personnel and legal issues. Formal action may be taken upon reconvening into open session.

Adjournment:

BOROUGH OF NORWOOD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16-96

OFFERED BY SECONDED BY

**RESOLUTION APPROVING AND AUTHORIZING
EXECUTION OF DEVELOPER'S AGREEMENT WITH
ALLIOTTS CONSTRUCTION, INC.**

WHEREAS, Alliotts Construction, Inc. ("Developer") filed an application with the Borough of Norwood Zoning Board of Adjustment ("Board") seeking approval of a subdivision and site plan with variances for the development of the property now or formerly known as 227 Railroad Avenue West, Block 93, Lots 14 and 15 on the Borough's tax map; and

WHEREAS, the proposed development is depicted on a minor subdivision plat dated February 18, 2016 prepared by the Developer's engineer and floor plans prepared by the Developer's architect; and

WHEREAS, the Board granted subdivision, site plan, and variance approval by a resolution dated August 4, 2016, conditioned on, among other things, execution of a developer agreement with the Borough; and

WHEREAS, an agreement between the Borough and the Developer has been prepared and approved by the Borough Attorney; and

WHEREAS, the Borough Council now approves and authorizes the execution of the developer agreement to effectuate the intent and purpose of the Board's approval.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Norwood authorizes the Mayor to execute and bind the Borough to a developer's agreement with the Developer, as provided by statute and in the form on file with the Borough Clerk.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

I hereby certify that the above is a true copy of a resolution passed by the Council of the

Borough of Norwood at the meeting held on.....20.....

SEAL

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Borough Clerk

BOROUGH OF NORWOOD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:199

OFFERED BY SECONDED BY

RESOLUTION REGARDING PENDING TAX APPEALS OF
TD BANK SUCCESSOR BY MERGER TO COMMERCE BANK

WHEREAS, TD Bank Successor by Merger to Commerce Bank filed tax appeals in 2012 to 2015 for the property known as Block 100, Lot 15, 435 Livingston Street, and the Borough's Alternate Tax Attorney, Appraiser and Tax Assessor recommend that the appeals not be settled and on November 30, 2016 the Mayor and Council did not approve the following terms:

2012 to 2015 Original Assessments	\$1,718,000
2013 Tax Court Judgment	\$1,400,000
2014 Tax Court Judgment	\$1,445,000
2015 Tax Court Judgment	\$1,550,000

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Norwood that:

- No settlement in regard to the above-referenced tax appeals is approved in accordance with the terms set forth above and the Borough Attorney and Tax Assessor are not authorized and are not directed to execute any and all documents necessary to effectuate this settlement.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

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Borough Clerk

BOROUGH OF NORWOOD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16-200

OFFERED BY SECONDED BY

REQUESTING INSERTION OF AN ITEM OF REVENUE IN 2016 BUDGET
BODY ARMOR GRANT - \$1,783.18

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Norwood in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum \$1,783.18 as a result of a check in this amount having been received by the Borough of Norwood from the State of New Jersey for Body Armor.

BE IT FURTHER RESOLVED, that the like sum of \$1,783.18 be appropriated under the caption:

Revenue: Body Armor Grant - 2016
Appropriations: Body Armor Grant - 2016

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

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BOROUGH OF NORWOOD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16:201

OFFERED BY SECONDED BY

APPOINTMENT OF PATROLMAN BRAD YOUNG AS PERMANENT
POLICE OFFICER IN THE NORWOOD POLICE DEPARTMENT

WHEREAS, Patrolman Brad Young was appointed a probationary police officer with the Norwood Police Department on January 1, 2016; and

WHEREAS, Patrolman Young has completed twelve months of probation; and

WHEREAS, Patrolman Young has performed his duties faithfully, impartially, and justly since joining the Norwood Police Department; and

WHEREAS, Patrolman Young gets along with his fellow officers and superiors and is a valuable asset to the Norwood Police Department; and

WHEREAS, Chief Krapels has recommended that the Mayor and Council appoint Patrolman Young for permanent appointment to the Norwood Police Department.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Norwood, County of Bergen and State of New Jersey that Patrolman Brad Young is hereby appointed a permanent member of the Norwood Police Department.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

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BOROUGH OF NORWOOD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16-202

OFFERED BY SECONDED BY

PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC

WHEREAS, the Open Public Meeting Act, NJSA10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Mayor and Council of the Borough of Norwood to discuss in a session not open to the public certain matters relating to the item or items authorized by NJSA 10:4-12 (b) and designated below:

_____ 1. Matters which, by express provision of Federal Law, or State statute, or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meeting Act.

_____ 2. Matters where the release of information would impair a right to receive funds from the Government of the United States.

_____ 3. Matters involving individual privacy: any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational training, social service, medical, health custodial, child protection, rehabilitations, legal defense, welfare, housing relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless, the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing the same be disclosed publicly.

_____ 4. Matters relating to collective bargaining agreements or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiations of the terms and conditions thereof with employees or representatives of employees of the public body.

_____ 5. Matters relating to the purchase, lease or acquisition of real property or the investment of public funds, the setting of bank rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

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BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 16-202

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_____ 6. Matter relating to public safety and property; any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

 x 7. Matters relating to litigation, negotiations, and the attorney-client privilege: Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

 x 8. Matters relating to employment: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotions or disciplining of any specific prospective public officer or employee or current public officer or employees employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

_____ 9. Matters relating to the potential imposition of a penalty; any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bear's responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Norwood, assembled in public session on December 28, 2016 at 7:00 p.m. in the Borough Hall, 455 Broadway, Norwood, NJ, for the discussion of matters relating to the specific items designated above; and

BE IT FURTHER RESOLVED, that the matters so discussed will be disclosed to the public as soon as possible and to the extent that disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

Member	Aye	Nay	Abstain	Absent
MARINO				
ORECCHIO				
BRIZZOLARA				
ASCOLESE				
RAPAPORT				
SCOTT				
MAYOR (tie)				

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