

Borough of Norwood
Work Session
May 13, 2009

The Work/Executive Meeting of the Mayor and Council of the Borough of Norwood was held on the above date.

Mayor Barsa called the meeting to order at 7:00 PM.

Mayor Barsa stated:

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 Press Journal.

PRESENT AT ROLL CALL:

Mayor	James Barsa
Councilman	Tom Brizzolara
Councilwoman	Marianne Orecchio
Council President	Barry Scott
Councilman	Allen Rapaport

ABSENT:

Councilman	Edward Condoleo
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Mayor Barsa asked for a motion to approve Resolution 09:83 authorizing the Mayor and Council to proceed in Closed Session for the purpose of interviewing candidates for Special Labor Counsel for Police Negotiations and Arbitration. The motion was made by Mr. Rapaport, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

Mayor Barsa reconvened the meeting at 8:10 PM and asked for a motion to approve Resolution 09:84 authorizing the payment of bills and vouchers in the amount of \$2,539,428.73. The motion was made by Mr. Rapaport, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

Mayor Barsa explained that Ordinance 09:05 adjusts the salary and compensation for the positions of Tax Collector, Chief Financial Officer, Planning Board Secretary and Zoning Board of Adjustment Secretary.

Motion introducing Ordinance 09:05 entitled "AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX SALARIES, WAGES, AND COMPENSATION OF CERTAIN OFFICIALS, OFFICERS AND EMPLOYEES OF THE BOROUGH OF NORWOOD, COUNTY OF BERGEN, AND STATE OF NEW JERSEY" AND SETTING FORTH THE METHOD OF PAYING SALARIES AND ANY OTHER ORDINANCES AMENDING SAID ORDINANCE", was made by Mr. Scott, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

Mayor Barsa advised that the Public Hearing on this Ordinance will be on Wednesday, June 3, 2009.

Items for Discussion:

Council Replacement – At this time, Mayor Barsa reminded that Mr. Anthony Guercio resigned as Councilman on May 5, 2009. He advised that the Borough owes Mr. Guercio a debt of gratitude for his many years of dedicated service and that he would be missed.

Mayor Barsa explained that according to the Municipal Vacancy Law, the Republican Party submitted the following three names to fill Mr. Guercio's vacancy: Maria McDonald, Frank Marino and John Nicolai. Council President Scott voiced his opinion that although the three individuals are highly qualified, during this financial crisis, someone with financial experience would be most beneficial to the Borough. Therefore, motion to appoint Mr. John Nicolai as Councilman was made by Mr. Scott, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

The Oath of Office was administered to Mr. Nicolai with his wife and daughters at his side. Councilman Nicolai explained that he understood the important task ahead and that he was looking forward to working with the knowledgeable and professional members of the governing body. He continued that he considers himself blessed to have his wife, children and family in support of him. The audience offered a round of applause.

At this time, Mayor Barsa congratulated Alice Comer, who was in the audience, on her recent election to the Northern Valley High School Board of Education.

Proposed Ordinance 09:03 amending recreation fees for use of fields – Mayor Barsa advised that he discussed the proposed ordinance with the Director of Recreation, Anthony Plescia. Mr. Plescia explained to him that Firemen, and Ambulance Corps members are included on the roster for softball and baseball teams and voiced his opinion that volunteers should not be charged for the use of the fields. If the Borough charged the Whalers, a team composed of Swim Club members, the approximate \$1275 a year to use the fields, the Borough in turn could be charged for the use of the Norwood Swim Club by the participants of the Summer Recreation Camp. This would be \$10 per session per child for a four week period or approximately \$1,600.00 for the approximate 40 campers. The Borough would realize \$750 for the use of the fields by the High School Baseball team for ten games. However, the High School in turn would probably bill the Borough \$2,400.00 per year for the use of the gym for indoor soccer which fee is currently waived.

Following a lengthy discussion it was the consensus of the Council that the Recreation Committee can make recommendations to the Mayor and Council for the waiver of fees for organizations other than those sponsored by the Recreation Committee with final approval given by the governing body. Motion was made by Mr. Rapaport and seconded by Mr. Scott that the Borough Attorney be authorized to amend the proposed ordinance to contain language that a \$250.00 clean-up deposit would be required for those groups who have not left the fields in good order with the possibility that the permit would be rescinded.

The cost of the field lights was discussed and the possibility of using solar panels. Mrs. McMackin explained that this was investigated and it was learned that the audit could cost up to \$10,000.00.

At this time, Council President Scott referred to the 2009 Historic Preservation Commendation Award that was presented to the Borough by Bergen County Executive Dennis McNerny and the Board of Chosen Freeholders for the preservation of the Haring Cemetery. Mr. Scott explained that this award was the result of the efforts of Judith and Ed Lamp and thanked Judith Lamp who was in the audience.

Ordinance amendments proposed by the Planning Board re off-street parking requirements and regulation of parking on High Street – Mr. Fede referred to his letter dated April 24, 2009. He explained that there is a conflict in the off-street parking requirements in the zoning and site plan ordinances. The site plan ordinance calls for one parking space for each 2 ½ seats and the zoning ordinance requires one space for every five seats. The Borough Engineer has recommended the requirement of one space for every three seats. Mr. Fede was asked to research the parking ordinances in other towns.

Mr. Fede advised that there are a number of ways the governing body could deal with the Planning Board's request to regulate parking on High Street, i.e. restricting parking to residents and visitors with the use of a permit; limit street parking during certain hours, one hour parking during certain hours, no parking during certain hours. Mr. Fede explained that the governing body should be made aware that this is a very controversial issue with court determination being that the streets belong to the people. Chief Krapels was asked to submit his recommendations to the Council for further discussion.

Update on proposed ordinance re background checks – Mayor Barsa advised that some members of the Recreation Committee have serious concerns regarding this issue and that individuals may be reluctant to volunteer for coaching positions. Following a brief discussion, Mayor Barsa asked that the drafted ordinance be re-circulated for further discussion. Mr. Fede reminded that any recommended modifications could be made to the draft.

Leaf Compost Concession Contract - Mr. Fede explained that he amended the Leaf Compost Concession Contract with Tobar Excavating, Inc. providing that as of April 6, 2009 the Borough will be paid \$4.00 per yard of screened topsoil that Tobar sells from the facility. He further explained that he prepared a Resolution (09:85) authorizing the execution of this amended contract that could be approved this evening. Therefore, motion of approval was made by Mr. Scott, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

At this time, Mr. Rapaport voiced his opinion that the Borough must be given the authority to audit the contractor's books and Mr. Brizzolara added that a way must be devised so the Borough can verify the amount that is sold.

It was the consensus of the Council that Mr. Fede be authorized to revise the Request for Proposals to include language requiring that those submitting proposals be made to explain how their financial data will be verified and that the Borough will be permitted to audit the contractor's books and records.

Land Swap proposal for lots owned by William Tiner and Northwoods Land Development Company - This matter will be discussed at the May 27, 2009 Work Session.

2009 Budget – Mayor Barsa advised that due to the absence of the Finance Chair, Mr. Condoleo, discussion would resume at the next Work Session. Mr. Brizzolara voiced concern that deliberations on the budget are not proceeding in a timely fashion with decisions still needing to be made. Mr. Scott recommended that all put their ideas in writing for discussion at the May 27, 2009 Work Session.

Interlocal Services Agreement for Construction Office – Mr. Rapaport explained that figures are still being awaited from the Chief Financial Officer and that all three towns are working for a July 1 start-up.

Borough Attorney Report - Mr. Fede advised he had nothing further to report.

Administrator Report Mrs. McMackin announced that the Open Space Trust Fund Grant application is due July 27, 2009 and asked that all consider projects for discussion at the May 27, 2009 Work Session.

General Public Comment:

Motion to open the meeting to the public was made by Mrs. Orecchio, seconded by Mr. Scott and declared carried upon the affirmative vote of all Council Members present.

Murray Bass, 331 Piermont Road, identified himself as President of the Board of Health and thanked the Mayor and Council, Administrator/Clerk and Deputy Clerk for helping to handle situations that arose during the Board's reorganization. He advised that the Board of Health office is up and running, open five days per week and on duty 24-7. Mr. Bass extended his congratulations to John Nicolai for his appointment to Council.

George Hertzberg, 24 Carter Street, congratulated John Nicolai on his installation and thanked anyone who are volunteers or paid employees providing service to the Borough residents. Regarding field usage, he suggested that a small board be placed by each of the fields so that those individuals using them can post their permit for all to see. He encouraged the President of the Board of Health to publish their rules and regulations so that citizens can also monitor the various establishments. Mr. Hertzberg agreed that the books of the contractor operating the compost facility should be audited.

No one else wishing to be heard, a motion to close the meeting to the public was made by Mr. Brizzolara, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

At 9:50 PM, Mayor Barsa asked for a motion to approve Resolution 09:86 authorizing the governing body to proceed in Closed Session for matters relating to collective bargaining agreements, litigation, negotiations and employment. The motion was made by Mr. Rapaport, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

Mayor Barsa resumed the meeting at 10:05 PM. Motion was made by Mr. Scott to appoint Douglas Doyle and Louis Rainone from the firm of DeCotiis, Fitzpatrick, Cole & Wisler, LLP as Special Labor Counsel for PBA Negotiations, medication and Arbitration at an hourly rate of \$120.00 per hour. The motion was seconded by Mrs. Orecchio. On the roll call vote:

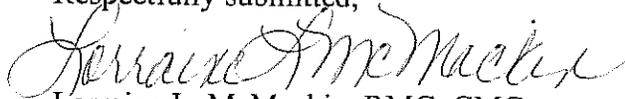
Brizzolara	- no	Nicolai	- abstain
Orecchio	- yes	Condoleo	- absent
Scott	- yes	Rapaport	- no

There being a tie vote with two nays and two ayes, Mayor Barsa broke the tie by voting yes and the motion carried.

Adjournment:

Motion to adjourn at 10:06 PM was made by Mr. Scott, seconded by Mrs. Orecchio with all Council Members present voting aye.

Respectfully submitted,



Lorraine L. McMackin, RMC, CMC
Administrator/Clerk