

Borough of Norwood  
Work Session Minutes  
April 26, 2017

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

Mayor Barsa called the meeting to order at 7:02 P.M.

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 Star Ledger.

Present at Roll Call:

Mayor	James Barsa
Councilman	Frank Marino
Councilwoman	Marianne Orecchio
Councilman	Thomas Brizzolara
Councilman	Joseph Ascolese
Councilman	John Rooney (7:10 PM)
Council President	Barry Scott

Also Present:

Borough Attorney	Andrew Fede
Borough Auditor	Steven Wielkotz
Borough Engineer	Evan Jacobs
Chief Financial Officer	Judith Curran
Chief of Police	Jeffrey Krapels
Construction Official	Paul Renaud
Special Conflict Attorney	Robert Regan

Mayor Barsa pointed out the fire exits.

**Public Hearing of Ordinance 17:05:**

Mayor Barsa stated he had before him an ordinance for Council action entitled:

CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)

It was moved by Mr. Brizzolara and seconded by Mr. Scott to open the meeting to the public for comments concerning this ordinance. No one wishing to be heard, it was moved by Mr. Scott and seconded by Mr. Brizzolara to close the meeting to the public.

It was moved by Mr. Brizzolara and seconded by Mrs. Orecchio to approve Ordinance 17:05. On the roll call vote:

Ayes: Marino, Orecchio, Brizzolara, Ascolese and Scott  
Nays: None  
Absent: Rooney

There being five (5) ayes and no nays, Ordinance 17:05 was approved and will take effect upon publication in the Record.

**Approval of Resolution 17:85 Authorizing the 2017 Municipal Budget to be read by title only**

Motion of approval was made by Mr. Brizzolara, seconded by Mrs. Orecchio and declared carried upon the affirmative vote of all Council Members present.

**Public Hearing of the 2017 Municipal Budget** upon the public portion of the meeting, the governing body will approve the 2017 Municipal Budget (Resolution 17:86)

Mayor Barsa asked for a motion to open the meeting to the public to address comments regarding the 2017 Municipal Budget. The motion was made by Mr. Brizzolara and seconded by Mrs. Orecchio with all Council Members present voting aye. No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Brizzolara and seconded by Mr. Ascolese. All Council Members present voted in favor of the motion.

Motion to adopt the 2017 Municipal Budget was made by Mr. Brizzolara and seconded by Mrs. Orecchio. Before roll call vote, Mr. Steven Wielkocz, Borough Auditor, explained that the budget is the same as was introduced four weeks ago. Appropriations are up 1.39% and the tax levy is ninety-nine hundredths of one percent or \$44.07 for the average assessed home. Mayor Barsa commended all involved with the preparation of the budget. On the roll call vote:

Ayes: Marino, Orecchio, Brizzolara, Ascolese and Scott  
Nays: None  
Absent: Rooney

There being five (5) ayes and no nays, the 2017 Municipal Budget was approved and is attached (Attachment "A").

**Presentation from Verizon regarding the installation of Small Cell Network Nodes in the Borough of Norwood to add coverage and capacity for better wireless service**

Mr. Larry Morgan from Tilson Technology explained that Verizon Wireless is looking to enhance their signals in areas where people tend to congregate since phones are now used more for data than for voice. He further explained that this would be accomplished by installing small nodes and a radio cabinet to the top of existing wooden poles. Poles having transformers will not be used. Since the poles are in the Borough right-of-way, the Borough's consent is needed. Mr. Morgan estimated that since the Borough is under three square miles with a population less than 6,000, under ten nodes would be needed and perhaps as little as three. He advised that this installation would not impact other carriers.

During discussion concern was raised that should other carriers ask for the same permission, they could not be denied. Mr. Fede recommended that the governing body authorize an agreement by resolution. He also recommended that he review the agreement to see that it lists specific locations as governing body consent should be site specific and not a blanket consent.

In conclusion, Mr. Brizzolara made the motion to authorize the Borough Attorney to move forward and work with Verizon in the preparation of an agreement to install nodes on existing telephone poles in the Borough right-of-way at specific sites. The motion was seconded by Mr. Scott. On the roll call vote:

Ayes: Orecchio, Brizzolara, Ascolese, Rooney and Scott  
Nays: Marino  
Absent: None

There being five (5) ayes and one (1) nay, the motion carried.

**Items for Discussion:**

521 Livingston Street LLC – Mr. Robert Regan, Special Conflict Counsel for the application of 521 Livingston Street LLC, outlined the municipal process for overseeing a development project. He explained that the Construction Official must know the terms and conditions of the Board's resolution, whether Planning or Zoning, and Developer's Agreement. Once the Developer's Agreement is signed and permits issued, the Construction Official can consult with the Borough Engineer who oversees the project. The governing body has the right to ask the Construction Official to give the status of any construction project and provide a monthly report.

Mr. Regan continued that 521 Livingston Street LLC is a Zoning Board of Adjustment application and a conflict engineer, Maser Consulting, was assigned the application. He explained that although there was a conflict between the applicant and the conflict engineer, the matter was resolved and the applicant will not file an appeal with the Bergen County Construction Board of Appeals. Mr. Regan noted that 525 Livingston Street LLC is the owner of both lots and that all taxes are current and the tax lien has been discharged.

Mr. Regan explained there is a Developer's Agreement in existence that was executed several years ago and the question was raised whether not another was needed. Upon investigation, it was ascertained that the bond posted in the amount of \$1,719,000.00 relating to this agreement is in force and since there are no additional municipal improvements required, it was deemed that another agreement was not necessary. A building permit was issued on the set of plans approved by the Zoning Board of Adjustment six years ago. It was noted that the existing building partially constructed is 521 Livingston Street and the other undeveloped section is 523 Livingston Street.

Mr. Robert Travers, 130 Summit Street, identified himself as the principal of 525 Livingston Street LLC. He advised that the target date for completion of 521 Livingston Street is July 1, 2017 and June 1, 2017 is the target date for pouring concrete for 523 Livingston Street estimated to be completed within 18 months.

Mr. Travers explained that 523 Livingston Street will have forty-two age restricted apartments above retail space.

Following further discussion, Mayor Barsa asked that Mr. Renaud provide the governing body with monthly updates at every Work Session.

Capital Budget for 2017 – Mr. Rooney explained that upon review of the Borough's debt with the Chief Financial Officer, the Borough will be in a better position in 2018 since two Bond Anticipation Notes are due to be released. It was noted that radios and a pickup truck were eliminated in this year's capital, and although the purchase of the new fire truck was approved in the 2017 budget, it would not be delivered until late 2018. Mrs. McMackin explained that \$500,000 is available for road repaving but a list is not available at this time. The Borough can avail itself of County cooperative pricing once asphalt amounts are estimated. The Borough would not have to go out to bid and Neglia Engineering could oversee the project.

In discussing the purchase of the fire truck, Mrs. McMackin advised that the Fire Department would have to provide the full cost for a bond ordinance to be introduced in June for adoption in July.

Mr. Rooney questioned whether the cost of the roof replacement for Borough Hall was included in the capital budget and Mrs. McMackin advised there is an ordinance already in place for this improvement.

Bergen County Open Space Trust Fund Application for 2017 – During discussion the following suggestions were proposed:

- Widening of pathway from Livingston Street to Piermont Road for pedestrians and cyclists. Chief Krapels explained that cyclists would be prohibited from riding on the walkway and the Borough Engineer advised that this would be a DOT grant and not an open space grant.
- Band Shell to be positioned on the left side of the monument
- Placement of decorative lights along the walking path
- Shuffleboard courts – Mrs. McMackin reminded that due to lack of interest, the grant received for them in the past was turned back to the County due to lack of interest by the Seniors.
- Purchase and installation of a portable ice skating rink

There was discussion regarding the lack of lighting outside Borough Hall. The suggestion was made to investigate the installation of mercury vapor lights for report at the next Work Session.

Review ordinance for reimbursement for Spill Incidents (Hazardous Materials) – During discussion, it was questioned whether reimbursement could be received for Fire Department personnel since they are volunteers. Mr. Fede advised that he would look into some other samples for report back to the Council at the next Work Session.

Review draft ordinance amending Chapter 233 of the Code titled “Zoning” regarding permitted encroachments – Mr. Ascolese explained that a zoning issue arose regarding the homes built on the D’Ercole Farms subdivision pertaining to front yard walkways. According to the present ordinance, front walkways can only extend from the front steps or entrance to the sidewalk or to the street. Since most of the streets in Norwood do not have sidewalks, front walkways usually extend from front steps or the entrance to the driveway. Also, the width of a front walkway cannot exceed three feet. Therefore, most of the front walkways installed or being installed at the

D’Ercole Farm subdivision will not comply with the present ordinance. As such, the Planning Board adopted a resolution to address this inconsistency until this ordinance changing the three-foot requirement for a sidewalk to five feet and placement either to the driveway or sidewalk is adopted so that Certificates of Occupancy can be granted. It was the consensus of the Council that this ordinance would be introduced at the May 10, 2017 Public Meeting.

Borough Engineer Report – Mr. Evans reported as follows from his report (Attachment “B”):

Mohawk Avenue Vacation: A desktop feasibility study was prepared and will be discussed at the May 24, 2017 Work Session.

Sinkhole on Broadway at Rivervale Avenue: Bergen County Road Department is still in the process of investigating the reason for this occurrence.

Construction Site Fencing: Contractors and homeowners will be educated on OSHA and UCC regulations regarding temporary fencing when application is made for permits.

Ordinance Amending Chapter 233 titled “Zoning” regarding permitted encroachments: As previously discussed this ordinance will be introduced at the May 10, 2017 Public Meeting.

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

Administrator Report – Mrs. McMackin reported as follows:

Memorial Day Parade: The American Legion will be sponsoring the May 29<sup>th</sup> Memorial Day Parade with line up beginning at 10:45 AM on Summit Street in front of Norwood Public School for startup at 11:00 AM.

Jewish Family & Children’s Services of Northern New Jersey: Permission has been requested for them to ride through the Borough during their annual Wheels for Meals fundraiser on Sunday, June 11, 2017. Accordingly, motion of approval was made by Mr. Rooney, seconded by Mr. Ascolese and declared carried upon the affirmative vote of all Council Members present.

Shared Services Agreement: Chief Krapels requested the Borough enter into a shared services agreement with the County of Bergen for emergency equipment. Mrs. McMackin requested approval to place a resolution of authorization on the

May 10, 2017 Public Meeting agenda. Motion of approval was made by Mr. Ascolese and seconded by Mr. Rooney. All Council members present voted in the affirmative.

At this time, Mr. Brizzolara asked that Mr. Salerno's complaint regarding the landscaping issues at the former Holy Name School be followed up.

### **Open to the Public for Comment**

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

Mr. Jim Driscoll, 235 Livingston Street, identified himself as a thirty-five year resident and questioned what is going on at the former Cost Cutters site. Mayor Barsa explained that the former owner of the property chose not to move forward with the development and now the new principal, Mr. Robert Travers, will proceed as described earlier this evening.

Alan Rapaport, 844 Hemlock Court, explained that he is a member of the Bergen County Open Space Committee and voiced his opinion that lighting for the municipal building would be a good application. He also informed that the County has ordered eight more band shelters. Mr. Rapaport referred to the previous discussion regarding 521 Livingston Street LLC and advised he would like to see the report from Maser Consulting, the conflict engineer, to confirm that the development can move forward. He recommended that neighboring towns be contacted to learn how they deal with hazardous spills. Mr. Rapaport voiced his opinion that bollard lighting should be explored for Borough Hall.

Murray Bass, 331 Piermont Road, referred to the new construction on Railroad Avenue and voiced his opinion that the site is unsafe. Mr. Renaud advised that he would investigate tomorrow and that in his absence the OSHA hotline can always be called to register a complaint.

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

### **Closed Session**

Approval of Resolution 16:87 authorizing the Governing Body to convene into closed session to discuss personnel was made by Mr. Ascolese and seconded by Mr. Brizzolara. All Council Members present voted in the affirmative. Formal action may be taken upon returning to open session.

Mayor Barsa reconvened the meeting at 9:30 PM and asked for a motion to adjourn.

### **Adjournment**

Motion to adjourn was made by Mr. Scott, seconded by Mr. Ascolese and declared carried upon the affirmative vote of all Council Members present.

Respectfully submitted,

Lorraine L. McMackin, RMC, CMC  
Administrator/Clerk