

**Borough of Paramus
Mayor and Council
Work Session
March 13, 2018, 6:00 P.M.
MINUTES**

6:00 P.M. OEM Presentation – Life Safety Building

Work Session – Caucus Room - Immediately following presentation

Resolution No: 18-03-190: Notification of meetings as required by “The Open Public Meetings Act.”
Read by Borough Clerk 7:09 PM

PLEDGE OF ALLEGIANCE: led by Veteran’s Affairs Officer Sam Casiello

ROLL CALL:

Present: Councilman Amato, Councilwoman Bellinger, Councilman DiPiazza, Councilwoman Tedesco-Santos, Councilman Verile, Councilwoman Weber, Mayor LaBarbiera

Also Present: Borough Administrator Joseph D’Arco, Borough Attorney Paul Kaufman, Borough Clerk Annemarie Krusznis, Deputy Borough Clerk Nicolette Riggi, Associate Borough Attorney Justin Santagata

Absent: None

BOROUGH CLERK’S REPORT:

A. Request received from BC The Magazine on behalf of 200 Club of Bergen County to hold their second annual Food & Wine Festival in the parking lot of Garden State Plaza on Saturday, September 15 from 12:00 to 5:00 pm and Sunday, September 16, 2018 from 1:00 to 6:00 pm.
Approved.

MATTERS FOR DISCUSSION:

a. Board of Health presentation – Marijuana

Chief Kenneth Ehrenberg and Health Officer Judy Migliaccio are present. Mrs. Migliaccio discusses a conference she attended and some of the points that were brought up – such as marijuana use by youths and kid friendly marijuana candy that could be mistaken for regular candy. She also discusses statistics in areas where recreational marijuana use is legal, such as school suspensions and missing work. Councilman DiPiazza inquires about state laws versus municipalities opposing marijuana use. Chief Ehrenberg explains that even in dry counties, if you can get “medical” marijuana for something as simple as a headache.

Chief Ehrenberg presents facts on what Paramus’s position on the subject should be. He states that marijuana generally is not good for you. Chief Ehrenberg expresses that regardless of the legality, the only way to prevent children from smoking marijuana and drinking alcohol is if their parents raise them not to do so. The Chief’s opinion is to take a “wait and see” method. Colorado wasn’t ready and they are probably not the best example to be looking at right now. They didn’t regulate correctly. They’re suffering a large number of overdoses because certain marijuana products like edible gummies are not marked correctly. They are taking steps now to start regulating. Chief Ehrenberg discusses that legalization will dry up some of the black market as long as New Jersey does not over-tax. If the tax is too high, the black market will still exist. Chief Ehrenberg talks about a pro to legalizing marijuana which is tax revenue. Also, by legalizing, it frees up police departments and courts to deal with problems like heroin use. Mayor LaBarbiera asks the Chief if legalizing marijuana will cause more usage, to which the Chief says

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absolutely. You will see people using for the first time in their lives just because it has become legal. Chief Ehrenberg discusses serious health effects of smoking marijuana, and also mentions that it is a gateway drug. Judy Migliaccio explains that they went into vape shops in Paramus and only one shop sold an e-cigarette to a minor. She explains that the importance of that is it is very easy to put THC in those e-cigarettes. Borough Attorney Paul Kaufman explains that the only thing the Borough can do if it's legalized is regulating the sale through zoning, because we can't prohibit the usage. Chief Ehrenberg points out a few more negatives on legalizing marijuana. Mayor LaBarbiera inquires about legal medical dispensaries & the Chief mentions that there is one in Montclair, NJ. Chief Ehrenberg and Judy Migliaccio are in agreement that we have to wait and see what the state legislation looks like.

Mayor LaBarbiera opens the meeting to the public for questions on this topic at 7:48 PM.

Sam Casiello – inquires about the THC levels in marijuana in relation to how addicting it is. He also inquires about vaping. Mr. Casiello expresses that he doesn't agree with the "wait and see" method and he believes it should be decided by referendum. Mayor LaBarbiera agrees that as a minimum a resolution should be passed urging the legislature.

Judith ? – Expresses she is very much against legalizing marijuana. She references the old slogan "the mind is a terrible thing to waste".

Hank ? – Shares an experience he had in Denver, Colorado regarding marijuana use. There were an astounding number of homeless people.

Timothy Holzmann – Expresses his opinion that we need to give it time and allow the legislature to figure it out before throwing us into it like Colorado. Mr. Holzmann believes we're not ready. He also believes we should urge neighboring towns to urge the legislature to wait as well. He agrees with Mr. Casiello regarding allowing the people to vote on it.

Councilman Verile inquires about putting this to a referendum. If the public votes in favor of it, are we then in a position where we can form an ordinance opposing it? Paul Kaufman explains.

Bill Holzmann – Points out that the schools handle vaping the same way they handle tobacco.

COUNCIL MEMBERS REPORTS:

Councilwoman Bellinger No report.

Councilwoman Tedesco-Santos Thank you to DPW & Shade Tree for their work during the recent winter storm. There were over 300 service requests and all locations have been assessed. Mayor LaBarbiera shares in thanking all the departments involved in cleanup after the storm.

Councilman DiPiazza Environmental Commission is changing the date of Pride in Paramus day to October. They aren't sure of a specific date but it will be some time in the Fall.

Councilman Amato Thank you to the DPW & Shade Tree for their work during the storm. Mr. Amato discusses the work done at the Golf Course by Borough employees. Almost all of it was done in house. The ice cream facility at the Golf Course will be open by summer.

Councilman Verile Rescue is doing thermal image training. They are also checking out the Hampton Hotel to do their elevator safety review. March 24th is the Easter Egg Hunt at Petruska Park. Fourth of July committee has a meeting coming up.

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Councilwoman Weber The Historic Commission still has no chairman. They would like to know why there are no historic designations on the newest borough map. Substance Abuse had a presentation by Jimmy Teehan and John Devine from the Paramus Police Department.

MAYOR'S REPORT: Mayor LaBarbiera wants to thank Shade Tree & DPW for their work during the storm. He also wants to thank certain businesses in town such as Gold's Gym who always offers their showers when people have no power. Mayor LaBarbiera also wants to commend the Garden State Plaza for terminating the lease with a tenant who illegally sold vapes to minors. Bob Cowper, assistant director of Recreation is leaving the Borough for a new job. Best of luck to Mr. Cowper. The Borough is very appreciative of his services. The Paramus Police Department for the first time ever is going to have a Junior Police Academy. The Children's Health Foundation had a great basketball event last weekend. OEM gave a great presentation tonight about emergency preparedness. They have great dedication unlike any other community. Mayor LaBarbiera commends the three Paramus wrestlers who were in the state wrestling tournaments in Atlantic City last weekend. The Mayor expresses disappointment in the use of social media as far as misrepresentation.

ADMINISTRATOR'S REPORT: We're waiting on the date for the Besen Bridge dedication. The contractor for the sidewalks is starting up again on the 19th. Mayor LaBarbiera states that many residents have expressed issues with their driveways after sidewalk repair. Councilwoman Tedesco-Santos shares that Shade Tree has no problem fixing driveways as long as residents are okay with it being only the front portion. They are not going to redo someone's entire driveway. Mayor LaBarbiera states there will have to be a release detailing those terms. Mr. Kaufman's office will draft a release form.

The Senior Center is being designed now by the architect. Comments and suggestions from senior citizens are being sent to the architect. The equipment is in for the ADA playground but we have to wait until the snow stops. Five of the Borough welcome signs are already funded and sponsored. Two have been delivered. Some of the old signs are going to Borough parks. The borough employs a high number of people who are active in the National Guard and Reserves. The budget is well in progress. The Clerk's Office is redoing an application for mobile vendors. Applications from several departments are being consolidated to resolve issues.

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 above. Comments will be made at the public portion of tonight's Public Meeting in the Council Chambers.

Mayor LaBarbiera opens to the public at 8:30 PM

Bill Hozmann – Kudos to all the departments for storm cleanup.

Roy Hegg – Borough website calendars have a disconnect. Not all departments use the same calendar, they all have their own. All borough events should be on one calendar.

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ORDINANCES:

ORDINANCE ON FINAL:

ORDINANCE 18-05: AN ORDINANCE TO AMEND ORDINANCE 16-05 CHAPTER 121 OF THE CODE OF THE BOROUGH OF PARAMUS TITLED "SALARIES AND COMPENSATION" – PARAMUS EMPLOYEES ASSOCIATION

Motion: Councilwoman Tedesco-Santos

Second: Councilwoman Weber

Open to public for comment – none

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

Nays: None

Motion carries 6-0

ORDINANCE 18-06: ORDINANCE AMENDING CHAPTER 10-2(A) AND 47-35 OF THE PARAMUS CODE TO INCREASE EMERGENCY RESPONSE STIPENDS

Motion: Councilwoman Tedesco-Santos

Second: Councilwoman Weber

Open to public for comment – none

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

Nays: None

Motion carries 6-0

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

RESOLUTIONS:

RESOLUTION NO 18-03-192: AUTHORIZING PAYMENT OF BILLS

RESOLUTION NO 18-03-193 : RESOLUTION AUTHORIZING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

RESOLUTION NO 18-03-194: RESOLUTION AUTHORIZING COMMERCIAL TAX APPEAL ATTORNEY TO SETTLE TAX APPEAL FOR TAX YEAR 2016 CAPTIONED AS: Carlson Family Foundation Inc. v. Borough of Paramus 001039-2016

RESOLUTION NO 18-03-195: RESOLUTION AUTHORIZING COMMERCIAL TAX APPEAL ATTORNEY TO SETTLE TAX APPEAL FOR TAX YEAR 2015-2017 CAPTIONED AS: Crestpoint Management LLC v. Borough of Paramus 007950-2015; 003229-2016; 003379-2017

RESOLUTION NO 18-03-196: RESOLUTION AUTHORIZING COMMERCIAL TAX APPEAL ATTORNEY TO SETTLE TAX APPEAL FOR TAX YEAR 2015-2017 CAPTIONED AS: Prestige Bergen JAG LLC v. Borough of Paramus 007940-2015; 003238-2016; 003716-2017

RESOLUTION NO 18-03-197: RESOLUTION AUTHORIZING COMMERCIAL TAX APPEAL ATTORNEY TO SETTLE TAX APPEAL FOR TAX YEAR 2015-2017 CAPTIONED AS: Gross Realty Associates, LLC v. Borough of Paramus 001274-2015; 000219-2016; 001053-2017

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RESOLUTION NO 18-03-198: RESOLUTION AUTHORIZING A REFUND OF A COAH FEE IN THE AMOUNT OF \$2,000.00 FOR 537 SPRING VALLEY ROAD BLOCK 6614 LOT 8

RESOLUTION NO 18-03-199: RESOLUTION AUTHORIZING A REFUND OF A COAH FEE IN THE AMOUNT OF \$2,500.00 FOR 256 WEDGEWOOD DRIVE BLOCK 3706 LOT 22

RESOLUTION NO 18-03-200: RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF PARAMUS AND CIRCUS PLACE, LLC FOR AN EVENT WITH PARAMUS RECREATION

RESOLUTION NO 18-03-201: RESOLUTION ACKNOWLEDGING THE RESIGNATION OF RICHARD MCCREA FROM THE POSITION OF SPECIAL POLICE OFFICER-CLASS 1 FOR THE PARAMUS POLICE DEPARTMENT-TRAFFIC DIVISION

RESOLUTION NO 18-03-202: RESOLUTION AUTHORIZING THE SEPARATION OF CASSIDY VANDERWEIT FROM THE PARAMUS SHADE TREE AND PARKS

RESOLUTION NO 18-03-203: A RESOLUTION AUTHORIZING THE APPOINTMENT OF MICHAEL A. TORRES TO THE POSITION OF EMT FOR THE PARAMUS EMERGENCY MEDICAL SERVICES AT A SALARY OF \$16.79 PER HOUR

RESOLUTION NO 18-03-204: RESOLUTION AUTHORIZING THE SEPARATION OF SEASONAL EMPLOYEES FROM THE PARAMUS LIBRARY

RESOLUTION NO 18-03-205: RESOLUTION ACKNOWLEDGING THE RESIGNATION OF ANITA NAPOLITANO FROM THE POSITION OF PAGE FOR THE PARAMUS LIBRARY

RESOLUTION NO 18-03-206: A RESOLUTION TO MODIFY THE PROMOTIONS OF CERTAIN EMPLOYEES OF THE PARAMUS POLICE DEPARTMENT FROM ACTING POSITIONS TO PERMANENT POSITIONS

RESOLUTION NO 18-03-207: RESOLUTION APPROVING SETTLEMENT

RESOLUTION NO 18-03-208: RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD TO EXAMINE WHETHER CERTAIN LAND DESIGNATED AS LOT 5 IN BLOCK 601 ON THE TAX MAP OF THE BOROUGH OF PARAMUS SHOULD BE A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5

RESOLUTION NO 18-03-209: RESOLUTION AMENDING THE LIST OF PROFESSIONAL SERVICE CONTRACTS AWARDED TO INCLUDE DAVID BOLE AS RESIDENTIAL REAL ESTATE ATTORNEY FOR THE YEAR 2018

APPLICATIONS:

PEDDLER

Clark Parkhurst	2018-PL-4
Brenda Picone	2018-PL-5
Brian Rosen	2018-PL-7

SOLICITOR

Gurpreet Singh	2018-SL-16
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Gage Dalis DeAngelis	2018-SL-17
Zoe Siegel	2018-SL-18
Ricky Savinon	2018-SL-19
Dylan Miksis	2018-SL-20
Leighton Ray Todd III	2018-SL-21
Greg Carofine	2018-SL-22
John Swift	2018-SL-23

SOLICITOR

Michael Kowalski	2018-SL-24
Christopher R. Stern	2018-SL-25
Shaun Murphy	2018-SL-26

GOLD/SILVER

Ferit Cankurt	2017-GS-22
Ferit Cankurt	2018-GS-16

MOTION PICTURE THEATRE

American Multi-Cinema, Inc.	2018-1-T
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RAFFLE

Hackensack University Medical Center	File No. 686
Daughters of Miriam Foundation	File No. 687

Approval of Consent Agenda

Motion: Councilwoman Tedesco-Santos

Second: Councilwoman Bellinger

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

Nays: None

Motion carries 6-0

RESOLUTION No. 18-03-191: Closing the meeting of the Mayor and Council to the public.

- b. Affordable Housing – Litigation**
- c. Oster – Litigation**
- d. Maywood Interlocal**
- e. Personnel**

Closed 8:46 PM

Motion: Councilman Amato

Second: Councilman Verile

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

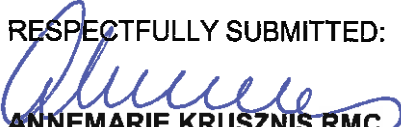
Nays: None

Motion carries 6-0

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ADJOURNMENT:

RESPECTFULLY SUBMITTED:



**ANNEMARIE KRUSZNIS RMC
BOROUGH CLERK**