

Borough of Palisades Park
275 Broad Avenue
County of Bergen
State of New Jersey

Work Session
of the Mayor & Council
November 18, 2024

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Work Session of the Mayor and Council
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COUNCIL PRESIDENT JOHN MIN WILL CALL THE MEETING TO ORDER:

STATEMENT:

This is a Work Session of the Mayor and Council, and notice was given as follows:

1. Notice was filed January 4, 2024 with the Record & Newark Star-Ledger, both official newspapers of the Borough.
2. Notice was posted on the Bulletin Board at the Borough Hall and the Borough website at <https://mypalisadespark.com/>
3. Copy is preserved in the Clerk's Office.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:

Councilman Min announced that Mayor Kim had an emergency personal matter to attend, and as the council president he would run the meeting.

ROLL CALL:

Mayor Kim	Absent
Councilwoman Jang	Present
Councilman Kim	Present via Zoom
Councilwoman Lee	Present
Councilman Min	Present
Councilman Vietri	Absent
Councilwoman Won-Yoon	Present
Borough Attorney Scott Krumholz	Present
Borough Administrator Raymond Herr	Present

Councilman Min stated before the adoption of the meeting minutes, he wanted to clarify the consent agenda which had items to be pulled out. Borough Attorney Scott Krumholz clarified there was only one item that needed to be removed. Councilman Min specified Resolution 2024-284 would be removed from the consent agenda. Councilman Min asked Borough Attorney Scott Krumholz if he wanted to explain the reason. Scott Krumholz explained the borough was given an extension to the grant, so it would most likely be on the agenda for the December meeting. Councilman Min stated only Resolution 2024-284 would be removed because the borough requested an extension from the state, and they were waiting for the approval. As borough administrator Raymond Herr returned, Councilman Min continued on with the meeting.

ADOPTION OF MINUTES:

Work Session of the Mayor and Council:	October 21, 2024
Regular Meeting of the Mayor and Council:	October 28, 2024
Executive Session of the Mayor and Council:	October 28, 2024

A voice in the audience asked Borough Clerk Sophia Jang to speak up louder because the audience was having trouble hearing her. Borough Clerk Sophia Jang pulled the microphone closer, spoke into it, and asked if that was better. Councilman Min advised all councilmembers to take a look at the minutes, and if there were any questions to let either the borough clerk or borough administrator know.

INTRODUCTION:

ORDINANCE 2024-18 Creating Ordinance Chapter 169, Entitled "Lead- Based Paint Inspection." -New Ordinance

Councilman Min asked if there were any questions from any councilmembers but none arose. Councilman Min requested a motion to open the public session. Councilwoman Jang made a motion which was seconded by Councilman Min. All joined in favor, none opposed.

PUBLIC PARTICIPATION FOR ORDINANCE 2024-18:

Mr. Joseph Fallazzo came up and asked what this ordinance was going to entail. Mr. Fallazzo stated he worked for the school system and didn't know anything about the ordinance. Borough Attorney Scott Krumholz stated this ordinance tracked a state statute that was passed that required municipalities, and dwelling owners to have their homes inspected and certified that they are lead based paint free. The inspections were for rental units, and homes. Scott Krumholz then read off the definition of a dwelling unit which was a second family, or multi-rental dwelling. Mr. Joseph Fallazzo asked if this would include the schools. Scott Krumholz responded this would not include the schools. Mr. Joseph Fallazzo stated he knew there was 104-year-old lead-based paint in some of the schools that he worked for. Mr. Fallazzo specified there was a terrible amount of lead-based paint at Lindbergh School, and the only school that

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was lead-based paint free was the Early Childhood Center. Mr. Fallazzo pointed out that the borough was going to be banning lead-based paint in homes, but it was also important to pay attention to where all the kids were going to school every day. Mr. Fallazzo didn't understand that if this was a state statute, then why didn't it also cover schools. Borough Attorney Scott Krumholz requested Mr. Fallazzo to send an email to the borough clerk or the mayor. Mr. Fallazzo stated he would have his business administrator send them an email. Scott Krumholz asked Mr. Fallazzo to identify the schools, and the problems in the email. Mr. Fallazzo stated Lindbergh School was built in 1924, and the high school was built in 1966. Lead based paint was used as the primary paint for both these schools. Mr. Fallazzo asked if the borough was trying to ban something, then why not get rid of it entirely? Scott Krumholz thanked him, and responded that he had a good point. Councilman Min asked if there were any other questions.

Marscha Schore wanted to know if this was going to also affect one- and two-family houses. Ms. Schore also asked if the borough was performing the inspections, or if the residents were required to do them on their own. Borough Attorney Scott Krumholz stated the way that the ordinance was drafted, the town did not have a certifiable lead-based paint inspector at the time. They were looking into possibly a shared service agreement with another town but at that point in time, it was the responsibility of the dwelling owner to hire an inspector to perform the inspection. If the homeowners wanted, they also could have received a lead-based paint certification which would immunize them from any further testing requirements. Ms. Schore asked if there was something that had to be presented to the town to show that their residence had been inspected. Scott Krumholz responded once an inspector was hired, they would then provide the home owner with documentation upon completion to provide the borough.

Mr. Fallazzo asked if home owners found lead-based paint, did it have to be removed. Borough Attorney Scott Krumholz responded if lead-based paint was found then it did have to be removed. Mr. Fallazzo asked if councilmembers knew what the cost would be to home owners to get the lead-based paint removed. He specified this was a lot of work which included stripping walls, tearing up floor boards, along with thousands and thousands of dollars of additional work all to be paid by homeowners. He explained his home was built in 1945 in Palisades Park, and he could guarantee there was lead based paint in his home. He explained he had recently sold his home, and in less than two months it would be knocked down so it didn't matter to him but to other home owners in town who did have lead-based paint in their homes, it would cost them a lot of money to get it removed and replaced. Mr. Fallazzo expressed that the cost the borough would be putting on homeowners could potentially cause them to lose their homes. Scott Krumholz explained this was a state legislation which required the town to put this ordinance in place. Mr. Fallazzo asked if the paint was found, would it have to be removed. Scott Krumholz responded that was what the state required, and was what the borough would follow. Mr. Fallazzo stated the whole state would be going crazy with this new legislation. Scott Krumholz asked him to repeat himself and Mr. Fallazzo did. Scott Krumholz explained this was not just an ordinance for Palisades Park. Mr. Fallazzo stated he understood. Councilwoman Lee wanted clarification on if this ordinance was only for units that were offered for renting. Councilwoman Lee stated that homeowners were not renting out their homes. Scott Krumholz explained when a house was sold, it was necessary to get this inspection done, but that she may have been correct. Marscha Schore asked everyone to speak up because the audience in the back couldn't hear them. Scott Krumholz clarified that Councilwoman Lee was correct and the ordinance was only for rental units. Councilwoman Lee told Mr. Fallazzo that he should have been ok. Councilman Min asked if there were any other questions from the public.

Councilman Min requested a motion to close the public participation session and return to the work session. Councilwoman Jang made a motion which was seconded by Councilman Min. All joined in favor, none opposed.

2nd READING/PUBLIC HEARING:

ORDINANCE 2024-16 Bond Ordinance for Authorization for Various Capital Improvement

Councilman Min asked if any councilmembers had any questions. Councilwoman Won-Yoon stated she asked at the last meeting to have the details provided on the improvement, and she never received anything. Borough Administrator Raymond Herr stated he thought the Chief Financial Officer Roy Riggitano sent it out to Councilwoman Won-Yoon. Raymond Herr asked if she received anything. Councilwoman Won-Yoon stated none of the council received anything. Raymond Herr responded both the chief financial officer and the deputy chief financial officer were not available that night, but he would speak with them the next day to make sure councilmembers received the information. Councilman Min asked Raymond Herr to make sure this was done. Raymond Herr responded he thought this was done already. Councilwoman Jang asked if there was any way they could find out the total amount of the bond not including interest or annual payments. Raymond Herr stated the bond amount was for \$1,240,000 which was in the packet. Councilman Min stated that was the price for this project. Councilwoman Jang stated she wanted to know the total bond amount for the whole borough which she wasn't able to figure

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out. Councilman Min stated she was asking a separate question than what was on the agenda so she would be better off asking the chief financial officer. Councilman Min asked Raymond Herr to make sure he distributed all the information on the capital improvements by the next meeting the following week.

Councilman Min requested a motion to open to the public. Councilwoman Jang made a motion which was seconded by Councilwoman Won-Yoon. All joined in favor, none opposed.

PUBLIC PARTICIPATION FOR ORDINANCE 2024-16:

No one participated for the public participation. Councilman Min requested a motion to close the public participation session and return to the work session. Councilwoman Jang made a motion which was seconded by Councilwoman Won-Yoon. All joined in favor, none opposed.

Councilwoman Lee asked before moving on to the consent agenda, if it was necessary to do the second reading of an ordinance introduced at the last meeting. Borough Clerk Sophia Jang clarified it was a work session so it was only a discussion. Councilwoman Lee asked if the rest of the council remembered doing the first reading of the ADU Ordinance at the special meeting. Scott Krumholz explained at the special meeting there was a vote, they did have the ability to vote at the work session but there was nothing on the agenda to be voted on. Councilwoman Lee asked if the ADU Ordinance should have been added to the agenda. Scott Krumholz explained that there was a certain amount of time that had to pass before a second reading could be done, and it hadn't been long enough. Councilwoman Lee asked if it would be on the agenda for January. Scott Krumholz responded it would be on the agenda for December. Councilwoman Lee thanked him for the clarification.

DISCUSSION (ITEMS FOR CONSENT AGENDA):

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|---------------------|--|
| RESOLUTION 2024-271 | Claims |
| RESOLUTION 2024-272 | Authorization of Borough of Palisades Park to Enter into Agreement with Borough of Fairview (Re: Provisional Authorization and Designation of an Acting Municipal Court Administrator) |
| RESOLUTION 2024-273 | Adoption of Civil Rights Resolution as Mandated by JIF as part of the Employment Practices Liability Compliance Program |
| RESOLUTION 2024-274 | Authorization of Recreation's Christmas Tree Lighting Event on December 7, 2024 |
| RESOLUTION 2024-275 | Authorization to pay marriage performance (LC #2024-118, LC#2024-119) |
| RESOLUTION 2024-276 | Authorizing Investigation and Complaints Against Employees for Overpayment |
| RESOLUTION 2024-277 | Acceptance of Resignation (Re: R. Herr) |
| RESOLUTION 2024-278 | Hiring of Borough Administrator (Re: R. Stern) |
| RESOLUTION 2024-279 | Hiring of Police Officer (Re: M. Larrea) |
| RESOLUTION 2024-280 | Authorizing to Advertise for the hiring of Part-Time Borough Maintenance/Janitorial Employee |
| RESOLUTION 2024-281 | Authorizing the Borough Clerk to Advertise for Bids for Improvements to the Palisades Park Swim Club |
| RESOLUTION 2024-282 | Authorizing Planning Board to undertake a Study of an Area in need of Redevelopment |
| RESOLUTION 2024-283 | Approving Builder Remedy Summary Term Sheet |
| RESOLUTION 2024-284 | Award Contract for the Central Boulevard Improvements Project 02 |
| RESOLUTION 2024-285 | Authorization to Enter Into a Shared Services Agreement with the County of Bergen for Information Technology Services |
| RESOLUTION 2024-286 | Authorization to Enter Into a Shared Services Agreement with the County of Bergen for Internet Services |

DISCUSSION:

Councilman Min asked except for Resolution 2024-284, if there were any questions from the rest of the council for any items on the consent agenda.

RESOLUTION 2024-271 Claims

Councilman Min asked if councilmembers had any questions related to claims, but none arose. Councilman Min advised if there were any questions, that the borough administrator would note them and bring them to the chief financial officer considering there was no one present from the finance department to explain anything at the meeting. Councilman Min also stated that councilmembers could email Chief Financial Officer Roy Riggitano directly. Councilman Min advised all councilmembers to read through the full packet.

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RESOLUTION 2024-276 Authorizing Investigation and Complaints Against Employees for Overpayment

Councilwoman Jang asked what Resolution 2024-276 was about. Councilman Min asked Borough Attorney Scott Krumholz if he could answer her question. Scott Krumholz stated based upon recent guidance, it looked like the boroughs policy and practice when it came to paying certain salary items such as vacation, and sick time may have been problematic and inaccurate. Therefore, the borough had to investigate that and seek reimbursement. Councilwoman Jang asked how the borough was going to investigate. Scott Krumholz explained through the chief financial officer, the law firm Scott Krumholz was with, and also, if necessary, an extra set of eyes to review. Councilwoman Jang asked if there were actual overpayments spotted. Scott Krumholz responded there were some red flags. Councilwoman Won-Yoon asked if councilmembers would receive the details on the overpayments. Scott Krumholz agreed.

RESOLUTION 2024-280 Authorizing to Advertise for the hiring of Part-Time Borough Maintenance/Janitorial Employee

Councilwoman Jang stated she believed there were two people already employed for the maintenance of the borough. Councilwoman Jang asked if there were any changes to the employment status of these two individuals that worked very diligently in making sure the borough was cleaned. Scott Krumholz asked if they worked for the DPW, or borough hall. Raymond Herr and Councilwoman Jang both stated that they worked for borough hall. Scott Krumholz asked Raymond Herr if he knew the answer to Councilwoman Jang's original question on the employment status of both these individuals. Raymond Herr stated one of the individuals worked part time, and the other individual he couldn't speak of unless they went into a close session. Councilwoman Jang asked if they needed someone urgent to fill the vacancy. Scott Krumholz stated that was correct. Councilwoman Jang thanked him for the clarification.

RESOLUTION 2024-285 Authorization to Enter Into a Shared Services Agreement with the County of Bergen for Information Technology Services

RESOLUTION 2024-286 Authorization to Enter Into a Shared Services Agreement with the County of Bergen for Internet Services

Councilwoman Won-Yoon stated there should have been two more IT related resolutions which was not on the agenda. Councilwoman Won-Yoon asked if these resolutions would be on the agenda for the regular meeting. Susan Brauer shouted out for councilmembers to speak up, and stated the audience was having a hard time hearing everyone. Councilwoman Won-Yoon repeated there were two resolutions that were supposed to be on the agenda related to IT services, and they were not. Councilwoman Won-Yoon guessed it would be added to the regular meeting agenda. Borough Attorney Scott Krumholz responded they should speak about this after the meeting. Scott Krumholz stated he received Councilwoman Won-Yoon's emails with the proposals, but there was a lot and they were not clear. Councilwoman Won-Yoon stated she would explain. Scott Krumholz responded he needed Councilwoman Won-Yoon to explain, and if they could get it on the agenda for the following week, they would but he might have needed more time to look into it.

Councilman Min requested a motion to open to the public. Councilwoman Jang made a motion which was seconded by Councilwoman Won-Yoon. All joined in favor, none opposed.

PUBLIC PARTICIPATION:

Susan Brauer questioned Resolution 2024-274. Susan Brauer stated December 7th was Pearl Harbor Day which was the day Japan attacked Pearl Harbor and entered into a war. Ms. Brauer explained veterans were not thrilled about this, and wanted to know if the borough could have the Christmas tree lighting on Sunday, December 8th. Susan Brauer stated she briefly spoke to the recreation committee who assured her they would talk about it, but they first needed to hear from the council. Susan Brauer commented someone should have looked at a calendar and decided it wasn't the best day to do it. Susan Brauer asked Scott Krumholz if he understood what she was saying. Scott Krumholz responded yes, and that her point was made.

Robin Katz stated there was no mention of when the menorah lighting would take place. There was the Christmas tree lighting that was set to take place but no menorah lighting. Ms. Katz explained that Christmas and Hannukah started at the same time that year, and it was almost like two for the price of one, and could be put together.

Councilman Min asked if there were any other questions, but none arose. Councilman Min requested a motion to close the public participation session and return to the work session. Councilwoman Won-Yoon made a motion which was seconded by Councilwoman Jang. All joined in favor, none opposed.

COUNCIL REPORTS:

Councilwoman Lee had nothing to report.

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Councilwoman Jang stated she would give a full report at the regular meeting.

Councilman Kim had nothing to report.

Councilman Min stated he would give his report at the regular meeting.

Councilwoman Won-Yoon had nothing to report.

ADJOURNMENT:

Councilman Min requested a motion to adjourn the meeting. Councilwoman Jang made a motion which was seconded by Councilwoman Won-Yoon. All joined in favor, none opposed.

Attest



Sophia H. Jang, RMC
Borough Clerk