

Work Session  
Mayor and Council  
July 11, 2013

A Work Session of the Mayor and Council was called to order at 7:35 p.m. by Mayor Barra who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following individuals answered roll call: Council members LaMonica, McSwiggan, Strauch, White and Mayor Barra. Mr. Bernstein and Mrs. Wilczynski were absent. Mrs. McCarthy and Mr. Bole were also present.

*Public Comments*

Mayor Barra opened the meeting to the public for comments.

Ms. Erin Tryon of Brookside Avenue asked how ADA compliant the new playground at Crestwood is.

Mayor Barra responded that it is his understanding that the playground is completely ADA compliant and it meets up-to-date safety standards. He said Councilwoman Wilczynski is the person who headed up this project but she was not present this evening.

Ms. Tryon said she was at the playground earlier today and it is not possible to get a wheelchair up to it. Her brother who is in a wheelchair could not use any of the equipment.

Mrs. White asked Ms. Tryon to leave her phone number with the Municipal Clerk so that Mrs. Wilczynski could get in touch with her.

Ms. Tryon said the State requires 25% of playground equipment to be ADA compliant.

Mr. Angelo Congello of Hamilton Street in Allendale was present to discuss a property maintenance issue at 200 West Crescent Avenue that has existed since 2010.

Mr. Congello said he would like a copy of the minutes from the June 27<sup>th</sup> Council meeting as well as the minutes from tonight's meeting.

Mr. Congello said he took photos at 9 a.m. yesterday morning. He showed pictures of debris, beer cans and garbage. He stated that although the front yard of the property is mowed, the back and side yards have not been mowed. He said he feels frustrated because this is an ongoing situation and because the code is not being enforced. Mr. Congello requested a copy of the code.

Mr. Barra said he was at the property under discussion and he did not find the grass on the property to be a foot high.

Mr. Congello asked why the owner is able to treat his property as abandoned. He commented that if the code does not allow the Council to enforce the maintenance of an abandoned house, then the code should be changed.

Mr. Congello said he is trying to rent his house but people are not interested in it because of the condition of the property next door.

Mr. Barra said the front yard of the property was mowed, probably by the owner's attorney or the bank. The back yard was not mowed but it is less than ten inches high which is not in violation of the ordinance. If it is not mowed in the next few days however, it will be cleaned up by a company hired by the Borough. The Borough will continue to have the property cleaned up whenever it is in violation of the code.

In September the Borough paid \$1500 to clean up the property and remove dead trees. In April of 2013, an additional \$2000 was spent to take down the trees that had fallen during Sandy and were never removed. The owner of the property is believed to be in Mexico and his attorney has indicated that the bank is in the process of foreclosing on the house. Mayor Barra said he hopes that when the property is resold the bank will get a buyer who will fix up the home. Mr. Wittekind has confirmed to the Mayor that he can and will send a landscaper in to cut the lawn and clean up the debris that is on the property. Mr. Barra said no further action is needed by Mr. Congello.

Mr. Congello said that in 2005 the code was changed to allow Black Millwork to begin working at 6:30 a.m. and he would like to see changes made to this part of the code if that is necessary. He would like for the code to state that an owner can be fined for the condition of his property.

Mr. Strauch said he has walked the perimeter of the property two days ago. He agreed that the Borough will have a contractor clean up the property.

Mr. Barra said fines are put in the codes but it is up to the Judge to decide what the amount of the fine will be. He cannot exceed what is in the code, however. Generally the Judge starts out low and works his way to a higher amount if he sees that the party is not cooperating. He agreed that the code can be and is changed when it is appropriate.

Mr. Congello said he received a letter from Mr. Wittekind in June of 2013 regarding sump pumps. That letter indicates that upon conviction a violator will be subject to a fine of \$1000 in addition to \$100 a day for non-compliance.

Mr. Barra said once again, this issue is subject to the Judge's decision on what the fine will be. Mayor Barra said the sump pump issue includes warnings, inspections and an amnesty which other issues don't have.

Mr. Strauch will follow up on this issue.

Ms. Nickie Lisella was present to discuss the farmers market. She said the farmers market is in “full swing” and they have a banner advertising it which they place on the Coldwell Banker lawn every weekend. The Chamber would like permission to leave the banner up until the duration of the farmers market is over. Hopefully that will result in increased sales for the vendors.

Mayor Barra said he and Councilwoman Wilczynski met with Ms. Lisella a few days ago. Mrs. Wilczynski recommended that keeping the banner in place should be allowed. The Council wants to be as supportive of the farmers market as possible.

Ms. Lisella also indicated an interest in posting information about the farmers market on the sign in front of the Borough Hall. Mr. Barra recommended she speak to the Library Director to schedule the use of the sign in conjunction with the needs of the Library.

On a motion by Mrs. White, seconded by Mr. Strauch, the Council adjourned to Regular Session at 8:12 p.m.

Respectfully submitted,

Gwen McCarthy  
Municipal Clerk