

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
October 4, 2010**

CALL TO ORDER.

This meeting, in accordance with the Open Public Meetings Law, P. L. 1975, C. 231, was announced at the Reorganization Meeting held on January 4, 2010 in the Municipal Building. Notice of this meeting has been posted, and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia called the roll. Councilman Bader, Baum, Camella, and Hoffman were present. Councilmen Glaser and Rosenblatt were absent. Attorney Madaio and Borough Clerk Sciara were also present. Administrator Sandve was absent.

PLEDGE OF ALLEGIANCE.

All present recited the Pledge of Allegiance led by Mayor LaPaglia.

PUBLIC HEARING

Ordinance 10-06

- A. Clerk offers Proof of Publication.
- B. Ordinance is read by title only

**Be it Resolved, that the Ordinance entitled
"An Ordinance Amending and Supplementing Ordinance No. 326-1 of the Borough of Woodcliff
Lake and More Specifically Section _____ Thereof entitled Mid-Block Crosswalks"**

- C. Motion to open the meeting to the public was made by Mr. Bader, second by Mr. Camella and approved unanimously by voice call vote.

Hearing no comments from the public, a motion to close the meeting to the public was made by Mr. Bader, second by Mr. Camella and approved unanimously by voice call vote.

- D. Adoption.

**Be it Resolved, that the Ordinance entitled
"An Ordinance Amending and Supplementing Ordinance No. 326-1 of the Borough of Woodcliff
Lake and More Specifically Section _____ Thereof entitled Mid-Block Crosswalks"**

introduced at a Regular Meeting of the Mayor and Council held on September 20, 2010 and published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and made part of this Resolution and shall be passed on second and final reading, and the Borough Clerk is authorized to advertise the same according to law.

ROLL CALL:

Introduce: Mr. Bader
Second: Mr. Camella
Ayes: Mr. Baum, Mr. Hoffman, Mr. Camella, Mr. Bader
Nays: None
Absent: Mr. Glaser, Mr. Rosenblatt
Abstain: None

PUBLIC HEARING

In accordance with the rules and regulations of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("County Trust Fund"), the Mayor and Council of the borough of Woodcliff Lake will be conducting a public hearing to discuss their desire to further the public interest by obtaining a matching grant of \$40,600 from the County Trust Fund to fund the following project: Westervelt-Lydecker House Rehabilitation as part of a regularly scheduled public meeting in Borough Hall, 188 Pascack Road, Woodcliff Lake, NJ on October 4, 2010 at 8:00 p.m. as soon thereafter as the matter can be reached. (The Record, September 24, 2010)

This public hearing is required by the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund. This grant money is not earmarked for the construction of the toddler park or the passive walkways. The purpose of this matching grant is for structural improvements to the Westervelt-Lydecker House. Mr. Baum asked what the ultimate goal for the use of this property is. Mayor LaPaglia explained the historical problems with the use of this property.

Motion to open the meeting to the public was made by Mr. Bader, second by Mr. Camella and approved unanimously by voice call vote.

Josephine Higgins, 10 Pond Road asked if the Borough was still using the engineering firm from Morristown, NJ. Mayor LaPaglia stated that the firm from Morristown was used in the application phase only and the engineering for the structural improvements was being performed by Rick Eichenlaub, a local engineer.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a **Meeting of the Mayor and Council on September 7, 2010** copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mr. Camella
Second: Mr. Bader
Ayes: Mr. Hoffman, Mr. Bader, Mr. Camella
Nays: None
Abstain: None
Absent: Mr. Glaser, Mr. Rosenblatt
Ineligible: Mr. Baum

RESOLVED, that the Minutes of a **special meeting of the Mayor and Council on September**

20, 2010 copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mr. Camella
Second: Mr. Bader
Ayes: Mr. Hoffman, Mr. Bader, Mr. Camella
Nays: None
Abstain: None
Absent: Mr. Glaser, Mr. Rosenblatt
Ineligible: Mr. Baum

RESOLVED, that the Minutes of a **regular Meeting of the Mayor and Council on September 20, 2010** copies of which have been received by all Councilpersons, are hereby approved as presented.

THESE MINUTES HAVE BEEN PULLED BY COUNCILMAN BADER.

MAYOR'S REPORT

Mayor LaPaglia reported on the retirement party held for Ed Barboni on September 30, 2010 at the Fire House. Mr. Barboni retired after 38 years and 3 months as the DPW Superintendent. Guests from Ed's family, Borough employees, elected officials, residents and representatives from several other municipalities were present.

A special school board election on the PVRHSD school funding formula was held on September 28, 2010 for the four towns who send students to the PVRHSD. The Mayor pointed out that Woodcliff Lake had a record turnout for this vote (36.6%) as compared to usual school board elections (15-20%). The Mayor is hopeful that Montvale will continue to support our efforts to achieve a more equitable school funding formula.

The Mayor commented that the Borough and the Police Department are finalizing a tentative labor contract agreement. There was a memo of understanding agreed upon by both parties. The final contract is being drawn up by the labor attorney and will be presented to the Council for their approval. The Mayor personally thanked Administrator Sandve, Mr. Glaser, and residents Gerry Meisel and Dana Cassell for their work.

A firm has been selected to perform the town-wide revaluation FY2012. The last revaluation was performed in 2003 and there has been a significant change in property values in the last 7-8 years, stated Mayor LaPaglia.

ADMINISTRATOR'S REPORT

Due to the absence of the Borough Administrator, there was no report.

ENGINEER'S REPORT

The monthly engineer's report is attached and will be made part of the record.

OLD BUSINESS.

Borough Clerk asked for comments for the final draft of the Borough newsletter. Mr. Baum asked if this a line by line vote on the content of the newsletter. Mayor LaPaglia stated if Mr. Baum had changes that were substantive, such as removing an entire page, they should be discussed now. Mr. Baum stated that they were substantive in fact. Mayor LaPaglia stated that there were apparently a number of Councilmen who voiced their concern about some of the content in the first draft of the Police Chief's letter. It has since been modified. Mr. Baum stated that the second version of the letter is much more appropriate than the first one received in the Friday packet.

Mr. Hoffman distributed a memo from Jay Esposito, Park and Recreation director in regard to the sand at the Old Mill and the damage it was causing to the finish of the decking and the filtration system. The recommendation of the Pool and Tennis Committee was to push the sand back to the swing sets and volleyball court. Grass would replace the relocated sand. Top soil would be spread and a retaining wall would be constructed. The acting DPW superintendent stated that the DPW will be able to perform 80% of the work, keeping costs to a minimum.

Mayor LaPaglia stated that he would prefer to see this project begin in the Spring of 2011. The funding could be included in next year's budget. He also stated that he did not want the acting DPW Superintendent to take on too many projects while attending school at night to attain his certification. Mr. Camella stated that there is a lull at this time of the year at the DP before leaf season and snow season.

Mayor LaPaglia reported that OEM Coordinator Herb Kuehlke arranged a meeting with PSE&G representatives and the Borough to discuss the frequent power outages in Woodcliff Lake. Mr. Bader stated that he had a meeting on this topic last year with PSE&G and Woodcliff Lake still experiences frequent power outages. Mr. Bader stated the Woodcliff Lake is in the top ten list of municipalities which experience a high number of outages due to weather conditions.

Lastly, the Mayor discussed Council Committee assignments until the end of the year. Mr. Baum was appointed as the lead to the Board of Health and Elementary Education Committees. Mr. Hoffman will be the Shade Tree liaison until the end of the year. It was decided that no record was needed. Mr. Hoffman asked the Mayor to be the lead on the Train renovation Project.

NEW BUSINESS.

Introduction of Ordinance No. 10-07

"An Ordinance Authorizing an Emergency Appropriation Under N.J.S. 40A:4-53 for Preparation and Execution of a Complete Program of Revaluation of Real Property for the Use of the Local Assessor"

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, that pursuant to N.J.S. 40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of One Hundred Ninety One Thousand Six Hundred Forty Five Thousand (\$191,645.00) Dollars is hereby appropriated for the use of the local assessor, and shall be deemed a special emergency appropriate as defined and proved for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55)

ROLL CALL:

Introduce: Mr. Camella
Second: Mr. Hoffman
Ayes: Mr. Baum, Mr. Hoffman, Mr. Camella, Mr. Bader
Nays: None
Abstain: None
Absent: Mr. Glaser, Mr. Rosenblatt

PUBLIC FORUM.

Mr. Camella read a statement into the record. A copy has been given to the Clerk and copies have been sent to the press.

Motion to open the meeting to the public was made by Mr. Hoffman, second by Mr. Bader and approved unanimously by voice call vote.

Josephine Higgins, 10 Pond Road, asked about the Municipal Representative Appointment. The appointment is for a year; however, the open space referendum, if passed in November will be collected for five years. Mrs. Higgins commented on the 25th anniversary celebration for the Tice/Senior Center. It was suggested that the Senior Center transfer picture from the VHS format to CD digital format. Mrs. Higgins asked what the policy of escorting people in and out of Borough Hall began. Mr. Hoffman explained that a policy was adopted by Mayor and Council a few months ago.

Gerry Meisel, 108 Brookview Drive asked when his street would be paved. He stated it was an outrage and he feels the paving of Brookview Drive has become somewhat of a joke. Mayor LaPaglia asked Council President Camella to follow up on this issue. Mr. Meisel stated that the PVRHSD is unique because if dissolved, Hillsdale/Rivervale, Montvale/Woodcliff Lake would retain a high school. Mr. Meisel stated that he has not seen any information on the Police contract. Mayor LaPaglia commented that Administrator Sandve will summarize the terms of the new contract once paperwork is received from the Labor Attorney.

Bernie Kettler, Glen Road commented that he is the owner of an old home. Mr. Kettler stated that he is against the Westervelt-Lydecker project. Mr. Kettler feels the Council should come up with a better plan for this property.

De De Russo, 226 Pascack Road asked for the Council's help in alleviating a rat problem being experienced in her neighborhood. The rat problem seems to be coming from United Water property. The county board of Health has been notified. Mr. Bader stated he would speak to Mr. Saluzzi tomorrow morning to help Mrs. Russo alleviate this problem.

Josephine Higgins, 10 Pond Road asked if our local Board of Health could handle this problem. Mayor LaPaglia stated that the Borough contracts with the County to handle this type of problem. Mr. Saluzzi can cite a property owner for maintenance issues but cannot handle Board of Health issues.

CONSENT AGENDA DISCUSSION.

Correction was made as to the number of Consent Agenda Items.

CONSENT AGENDA VOTE.

Motion to approve the Consent Agenda as amended was made by Mr. Bader, second by Mr. Hoffman.

ROLL CALL:

Introduce: Mr. Bader
Second: Mr. Hoffman
Ayes: Mr. Baum, Mr. Camella, Mr. Hoffman, Mr. Bader
Nays: None
Abstain: None
Absent: Mr. Glaser, Mr. Rosenblatt

ADJOURNMENT.

Motion to adjourn was made by Mr. Bader, second by Mr. Hoffman and approved unanimously by voice call vote. The time is 10:20 p.m.

Respectfully submitted,



Lori Sciara, RMC/CMC
Borough Clerk

Payroll.

(Consent Agenda – 1)

RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby are ratified and approved:

Payroll released 09/30/10

\$212,710.08

CLAIMS AND BILLS.

Authority to Pay Claims.

(Consent Agenda - 2)

RESOLVED, that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund	\$	1,118,228.08
Animal Control Fund	\$	3.60
Capital Fund	\$	113,158.83

Resolution Confirming the Endorsement of Community Development Projects(Consent Agenda - 3)

WHEREAS, a Bergen County Community Development grant of \$57,798 has been proposed by the Community Housing in Partnership, Inc. for an upgrade of the HVAC systems at the affordable housing facility in the Borough known as Broadway Village (5 Centennial Way); and

WHEREAS, pursuant to the State Interlocal Service Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Woodcliff Lake – Bergen County; and

WHEREAS, this Resolution does not obligate the finance resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Woodcliff Lake hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the Director of Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Resolution Designating the National Incident Management System (NIMS) as the Basis for All Incident Management in Bergen County, NJ (Consent Agenda - 4)

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, county, and local governments to work together more efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, County, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, County, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident of management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, county, and local organizations utilize standardized terminology, standardized organization structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and State agency readiness, maintain first responder safety, and streamline incident management processes.

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, NJ do hereby establish the National Incident Management Systems (NIMS) as the Borough standard for incident management.

Resolution Authorizing a Municipal Representative for Open Space Committee

(Consent Agenda - 5)

WHEREAS, the Borough of Woodcliff Lake has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et. eq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust fund; and

WHEREAS. Said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Municipal Park Improvement

Program Regional Committee for the term of one year coinciding with fiscal year July 1, 2010 through June 30, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Administrator Ed Sandve as its representative to participate on the Open Space Trust Municipal Program Regional Committee.

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A COUNTY BOARD JUDGEMENT FOR THE YEAR 2010 Appeal # 68-1000133L

(Consent Agenda - 6)

WHEREAS, The owners of Block 1206 Lot 1, Kulchin, Michael & Michele, 5 Hunter Ridge, Woodcliff Lake, N.J. was successful in their appeal to the County Tax Board New Jersey and have won a Judgment adjusting their assessed value for the year 2010.

Whereas, this has resulted in their overpaying their property tax for year of 2010 in the amount of \$1841.63 and

Whereas, they have been awarded this judgment and therefore are entitled to a refund,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$1841.63 to Kulchin, Michael & Michele

Mail check to:
Michael & Michele Kulchin
5 Hunter Ridge
Woodcliff Lake, NJ 07677

Resolution Authorizing a Stipulation of Settlement (Consent Agenda – 7)

1. It is hereby stipulated and agreed that the assessment of the property be adjusted and a judgment be entered as follows:

	Original	County Board	Requested
	Assessment	Judgment	Assessment
Land:	\$ 1,740,000	N/A	\$ 1,740,000
Improvements:	\$ 439,500	N/A	\$ 210,000
Total:	\$ 2,179,500	N/A	\$ 1,950,000

2010	Original	County Board	Requested
	Assessment	Judgment	Assessment
Land:	\$ 1,740,000	N/A	\$ 1,740,000
Improvements:	\$ 439,500	N/A	\$ 210,000
Total:	\$ 2,179,500	N/A	\$ 1,950,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of

enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based on the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2 having been waived by taxpayer, shall not be paid provided that the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment.
5. Refunds due as a result of this settlement will be made payable to "Knowledge Learning Center" c/o Bruce J. Stavitsky, Esq., Stavitsky & Associates, LLC, 341 Broad Street, Clifton, New Jersey 07013.