

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES**

March 16, 2009

8:00 p.m.

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 5, 2009 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 was present. Councilmembers Bader, Camella, Glaser, Hoffman, Howley and Rosenblatt were present. Attorney Madaio and Administrator Sandve were also present. Borough Clerk Sciara was on vacation. Due to her absence the meeting is being recorded by Deputy Clerk Sandve.

PLEDGE OF ALLEGIANCE.

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

APPOINTMENTS.

The Mayor stated that it was his pleasure to appoint a member to the Fire Department with a long family tradition of serving as volunteers in the Borough. Today was also Christian's 18th birthday.

(MAYOR) I appoint Christian Mautz as a member of the Woodcliff Lake Volunteer Fire Department.

ROLL CALL:

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

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a Special meeting of the Mayor and Council on March 2, 2009 copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mr. Bader
Second: Mrs. Howley
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley,

Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

RESOLVED, that the Minutes of the Executive Closed Session Meeting of the Mayor and Council of March 2, 2009 copies of which have been received by all Councilpersons, are hereby approved as amended but not yet ready for release to the public.

These Minutes were pulled until the next meeting.

RESOLVED, that the Minutes of a meeting of the Mayor and Council on March 2, 2009 copies of which have been received by all Councilpersons, are hereby approved as amended.

ROLL CALL:

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

PUBLIC HEARING.

Ordinance 09-03

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

“An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, Authorizing the Exercise of Eminent Domain, if Advisable, to Acquire 75 Werimus Road (Block 1401, Lot 6) in the Borough of Woodcliff Lake”

This Ordinance is for property acquisition only and to exercise eminent domain if advisable. This is the public hearing and the Ordinance permits the Borough Attorney to file the necessary eminent domain paperwork. Owners stated that they would not negotiate with the Borough until eminent domain was declared. The Borough has received two grants totaling almost 1.8 million dollars. Acquisition will not affect the tax rate. Funds are also available for this project in the Open Space Fund.

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

Jeff Goldsmith, Old Farms Road asked for the Mayor and Council to explain “if advisable”. Attorney Madaio stated that this simply means if necessary. The Borough is at an impasse on these negotiations but not necessarily adversarial. Mr. Goldsmith asked about the Freedman

property. The Council had previously adopted an enabling ordinance with the understanding that the acquisition of the Hatheway Property is the key. Mr. Goldsmith stated that he was on the Council that initially acquired the Cougar/Duffy property.

Kevin O'Brien, 227 Pascack Road asked if this property is not acquired, where else could the Borough develop land for recreational usage. Administrator Sandve stated that there probably is not another suitable site in the Borough for recreational usage.

Jeff Levin, 10 Wright Street North asked what the increase of taxes will be with the development of this property. Mayor LaPaglia stated that there would be a loss of \$24,000 in taxes due to changing the property to municipal owned. With respect to development, in-depth research will be needed. Additional grant funding must be applied for. The property is "developable" but at what cost. Mr. Levin stated that in the current state of the economy, this unknown cost seems a bit risky.

Bernie Kettler, Glen Road stated that with all due respect to grants, once you buy a property you take it off the tax rolls. He asked why the Borough can't work with the County at Wood Dale Park. The Borough can still keep the ratables with plenty of parking.

Jessie Mulligan, 56 Werimus Road asked if there had been any discussion with other towns about sharing recreational facilities. Mrs. Howley stated that there have been discussions with other towns however our fields are already over used with just town activities. Mr. Mulligan asked how the neighbors can be involved as they are directly in the middle of this proposed development. All development will be done with the least intrusion on residents. Mr. Bader stated that administration and residents will work together. There will be a committee of councilmembers, Parks and Recreation director and residents on the development phase. Mr. Mulligan will be a member.

Joanne Fells, Werimus Road will also be a member the committee when it is formed.

Diane Mautz, 192 Pascack Road stated that she lives right next door to Borough Hall. There was a committee formed when the firehouse was constructed and it worked very well. She commended Mayors Higgins, Kettler and LaPaglia for always working with the residents.

Brian Stone, 12 Carriage Lane asked for a timeline on this project. Mayor LaPaglia stated that he can only speak in generalities. He will be happy to complete the acquisition by the end of the year. Only then can the design phase begin.

Patricia Altomare is the renter of the rear of the Hatheway Property. She has a concern of the length of time the property will sit undeveloped. With no real idea of when it will be developed, there will be no maintenance. Mr. Bader stated the municipality will maintain this property as it does their other buildings. She stated that fields will only serve a small percentage of the community for a short period of time. Mr. Rosenblatt stated that there are not enough fields in the Borough.

Greg Fralin, stated that the town cannot afford this type of development. We should live within our means. He is against this acquisition.

Michael Tsontakis, 60 Wyandemere Road is the current commissioner of baseball. He addressed some of the statistics stated tonight. Every season you play sports is seasonal. The number of teams has tripled within the last five years. In the fall, there is baseball and soccer. In the spring there is lacrosse, baseball and softball. There is tremendous strain on the fields, which are used 7 days a week. Only two fields can be used by older children after school.

Gerry Meisel, 105 Brookview Drive stated that he has been a resident of Woodcliff Lake for over 40 years. This is an excellent acquisition and will be intelligently developed. This type of development will keep the values of homes high. Trust this Mayor and Council as we did Mayor Kettler and Mayor Higgins.

Pete Hurlihy, 75 Werimus Road asked what the use for the Driscoll Property is. Mr. Bader stated that within the next few months, a toddler park could be constructed. Due to its historic

designation, there are limited uses for this property.

Kevin O'Brien, 227 Pascack Road stated that you cannot have expanded growth without expansion of recreational facilities.

Jay Esposito, Woodcliff Lake Parks and Recreation Director stated that there are numerous problems with field scheduling. Old Mill Park was built with a committee and it worked out well

Jeff Goldsmith, Old Farms Road asked if Green Acres and County funds are used, can the County have access to our facility. Administrator Sandve stated he will look into this. Mr. Goldsmith asked to find the needs assessment (that was) done in 2000 for the residents to review.

Bernie Kettler, Glen Road stated that there is a concern for parking in this area. Mrs. Howley stated she would speak with the Freeholder Board.

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

D. Adoption.

**Be it Resolved, that the Ordinance entitled
"An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey,
Authorizing the Exercise of Eminent Domain, if Advisable, to Acquire 75 Werimus Road
(Block 1401, Lot 6) in the Borough of Woodcliff Lake"**

introduced at a Regular Meeting of the Mayor and Council held on February 18, 2009 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: Mrs. Howley

Second: Mr. Bader

Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley,
Mr. Rosenblatt

Nays: None

Abstain: None

Absent: None

Ordinance 09-04

A. Clerk offers Proof of Publication.

C. Ordinance is read by title only:

**Be it Resolved, that the Ordinance entitled
"An Ordinance 09-04 Chapter 194 Entitled, "Recycling"**

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

This amendment to the Recycling Ordinance is required by the State.

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

D. Adoption.

**Be it Resolved, that the Ordinance entitled
"An Ordinance 09-04 Chapter 194 Entitled, "Recycling"**

introduced at a Regular Meeting of the Mayor and Council held on March 2, 2009 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. Rosenblatt
Second: Mr. Camella
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mrs. Howley, Mr. Rosenblatt
Nays: Mr. Hoffman
Abstain: None
Absent: None

STANDING COMMITTEES. (CAPITALS indicate committee chair).

ADMINISTRATION/FINANCE, PLANNING BOARD, EDUCATION (High School)

Mr. Glaser reported that there will be a budget meeting at March 19, 2009 at 7:00. The Budget will be introduced on April 6, 2009.

The Planning Board has a presentation on the Broadway Corridor study. A draft will be given to the Council as soon as it is received.

LIBRARY, FIRE (VOLUNTEER)

Mr. Camella reported that Pearl River increased their non-resident library fees to \$325.00 on April 1, 2009. Mr. Camella asked for Council approval for him to write Pearl River to ask them to reconsider. Upper Saddle River and Ridgewood are \$350.00.

At a recent Fire Department Drill, there was an injury to a member. The Engine Truck is out of commission due to a water tank leak. Woodcliff Lake "jaws of life" was used in a recent auto accident in Montvale.

There was CERT training held in Mahwah for emergency volunteers.

PUBLIC SAFETY/POLICE/OEM/TRI-BORO

Mr. Bader reported that there has been an increase in DWIs in town due to increased enforcement.

Mr. Bader stated that the DPW should be commended for their assistance in aiding the ambulance corp. to remove a resident from their house. The driveway needed to be plowed before the ambulance could go up the driveway. The DPW was on the site without being radioed to do so.

There will be a special joint meeting of the Woodcliff Lake Council and Montvale Council. Since the boys and girls basketball teams were the State North Section 1, Group 2 champions, Mr. Bader suggested proclamations be given to the teams before the special closed session meeting next week.

**BOARD OF HEALTH, MENTAL HEALTH & WELFARE/ELEMENTARY
EDUCATION**

Mr. Hoffman reported that the Board of Health is meeting tomorrow.
The local Board of Education has indicated there will be no tax increase in their budget.

**PARKS AND RECREATION, PUBLIC INFORMATION,
NEWSLETTERS, ORDINANCES, SENIOR CITIZENS' PROGRAM**

Mrs. Howley reported that baseball/softball opening day is April 18, 2009.
The Old Mill sign needs to be refurbished due to graffiti.
The Seniors will be having their St. Patrick's Day luncheon this week.
Mrs. Howley has been working with an Eagle Scout who will build benches at the Old Mill.

DPW & ROADS/SEWERS & SANITATION/ECOLOGY

Mr. Rosenblatt reported that he also commends the DPW for their assistance with the recent ambulance call.

OLD BUSINESS.

Administrator Sandve stated that there were two appraisals received for the town-wide revaluation. The quote prices received were \$193,500 from and \$168,000 from.

NEW BUSINESS.

Ordinance 09-05

**"An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey,
Amending Chapter 117 Entitled, "Fees"**

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on the 6th day of April, 2009 at 8:00 o'clock P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance be further considered for final passage.

Administrator Sandve stated this Ordinance is for amendment to escrow fees charged for applications at the Planning and Zoning Boards.

ROLL CALL:

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

PUBLIC FORUM.

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

Kevin O'Brien, 227 Pascack Road stated that on May 9th, United Water will have an Environmental Day at Woodcliff Lake Reservoir. Mr. O'Brien asked if a Councilmember from Woodcliff Lake can attend. Mr. O'Brien asked about maintenance at the Powder Hill site. Mr. O'Brien asked if this site is not going to be developed, if the rocks could be transplanted to the train station site.

Gerry Meisel, 105 Brookview Avenue asked about the process of choosing an appraisal company. Mr. Meisel commented on the recent press on the bids received by the Borough for the town wide revaluation. Mr. Meisel stated you should never accept only one bid on any project. He asked if anyone on the dais would like to suggest a tax increase. Mr. Meisel asked where the tax relief from the BMW project is. People are suffering from this economy. Furloughs and pay decreases should be discussed.

Jeff Goldsmith, Old Farms Road stated that the funds in reserve accounts should be used to lower taxes. Mr. Goldsmith asked if about the redundancy in positions, i.e., do we need so many school administrators, police chiefs, building departments, courts etc. The Mayor and Council need to look into more inter-local agreements.

Gerry Meisel, 105 Brookview Avenue stated that municipal court should be consolidated with Montvale and Park Ridge. He is not being political, he is being practical.

Kevin O'Brien, 227 Pascack Road asked if it could be possible to put the councilmembers e-mails on the website.

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

CONSENT AGENDA DISCUSSION.

None

CONSENT AGENDA VOTE.

Motion to approve the Consent Agenda was made by Mr. Bader, second by Mr. Camella.

ROLL CALL:

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

ADJOURNMENT.

Motion to adjourn was made by Mr. Bader, second by Mrs. Howley and approved unanimously by voice call vote. The time is _____.

Respectfully submitted,

Lori Sciara, 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	\$171,197.60
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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	\$ 94,148.46
Capital	\$ 648.00
Animal	\$ 522.60

Resolution To Amend the Current Binding Interest Arbitration Laws

WHEREAS, personnel and personnel related costs make up approximately 70% + of municipal budgets; and

WHEREAS, binding interest arbitration has been a principal reason for the increase in public safety salaries and therefore correlates to increased salaries for all public employees; and

WHEREAS, there is a strong connection between current binding arbitration awards and the overwhelming property tax burden on the residents of New Jersey; and

WHEREAS, an amendment of binding interest arbitration laws to mandate greater emphasis on the Municipalities ability to pay and the impact on the tax paying public would help to level the playing field and lessen the impact upon resident.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey hereby encourages the Legislature and the Governor, to amend the current binding interest arbitration laws to provide municipalities with a fairer and more appropriate process.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to Governor Jon Corzine, the Legislators to the 39th District, Municipalities of Bergen and Passaic Counties and the New Jersey League of Municipalities.

Resolution Authorizing Use of the Old Mill Pavilion (Consent Agenda – 6)

WHEREAS, there has been a request to use the pavilion area only at the Old Mill Pool on Friday, May 15, 2009 from 6:00 – 10:00 p.m.; and

WHEREAS, under the Borough Code approval of consumption of beer and wine for special occasions is authorized by the approval of the Mayor and Council; and

WHEREAS, the Borough Administrator sees no reason to deny this special one time request.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake approves the use of the pavilion area only at the Old Mill Pool on Friday, May 15, 2009 from 6:00 – 10:00 p.m. to the Woodcliff Lake School Graduation Class of 1968,

Resolution Authorizing Preparation of Senior Bus Grant (Consent Agenda – 5)

WHEREAS, the Borough of Woodcliff Lake entered into a shared services agreement with the Borough of Park Ridge and Montvale to provide transportation services to the senior citizens of our communities; and

WHEREAS, the bus used to provide these services is in need of replacement; and

WHEREAS, upon recommendation of Gene Vinci, Borough Administrator of Park Ridge, T&M Associates of 1373 Broad Street, Suite 306, Clifton, New Jersey 07013 has prepared and submitted on the Borough's behalf an application for the NJ Transit Senior Citizen Bus Grant Program; and

WHEREAS, T&M Associates has submitted a proposal for this work totaling Two Thousand Three Hundred and Fifty Dollars (\$2,350.00); and

WHEREAS, this is a shared service with the Boroughs of Montvale, Park Ridge and Woodcliff Lake agree to share the cost of this service, with each municipality's share being Seven Hundred Eighty Three Dollars and thirty-three cents (\$783.33).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the hiring of T & M Associates for the preparation and submittal of the NJ Transit Senior Citizen Bus Grant; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be sent to the Borough Administrators in Park Ridge and Montvale.