**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL AGENDA**

**April 5, 2010**

**7:00 p.m.**

**CALL TO ORDER**.

This meeting, in accordance with the Open Public Meetings Law, P. L. l975, C. 23l, 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 was present. Council members Bader, Camella, Glaser, Hoffman, Howley and Rosenblatt were present. Attorney Madaio arrived on the dais at approximately 8:26. Administrator Sandve and Borough Clerk Sciara were also present.

**PLEDGE OF ALLEGIANCE**.

All present recited the Pledge of Allegiance led by Mayor LaPaglia

**Presentation/Discussion of PVRHSD School Budget -**

Dr. Benedict Tantillo, Superintendent of PVRHSD and Dr. Vincent Occhino, Business Administrator of PVRHSD were in attendance to present the 2010 school budget to Mayor and Council. A power point presentation was given to Mayor and Council. This presentation can be found on the schools website.

State Aid has been totally eliminated. There will be an additional 80 students for the 2010-2011 school years. The net loss to the district is a total $1.9 million. To control costs, the district will not replace two retiring teachers and will cut an additional three teachers and five aides. No new academic programs that require additional staff, will be added. Capital improvement projects, such as new windows, will be postponed. Some athletic programs will be merged with other towns or if there is not enough interest, will be eliminated. Overall, there will be a 1.46 budget increase. Hillsdale will see an annual increase of $245.00, River Vale a $7.00 annual increase, Montvale a $8.00 annual increase and Woodcliff Lake a $286.00 annual increase.

Mayor LaPaglia stated that the state funding formula is faulty which is shown by the disproportionate annual increase to Woodcliff Lake residents.

**APPOINTMENTS.**

**(Mayor)** I appoint Gerald R. Salerno, Esq. as Public Defender in the Borough of Woodcliff Lake for a term ending 12/31/10.

Mr. Rosenblatt asked to see a copy of Mr. Salerno’s resume before the Council appoints him to a full term.

Motion to appoint Gerald R. Salerno, Esq. as the Public Defender in the Borough of Woodcliff Lake for a period ending May 30, 2010.

ROLL CALL:
Introduce: Mr. Rosenblatt

Second: Mr. Bader

Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman,

 Mrs. Howley, Mr. Rosenblatt

Nays: None

Abstain: None

Absent: None

~~(Mayor) I appoint Herb Kuehlke as the Office of Emergency Management Coordinator in the Borough of Woodcliff Lake for a term ending 12/31/10.~~

 **~~RESOLVED,~~** ~~that this appointment is confirmed.~~

**~~Bader Camella Glaser Hoffman Howley Rosenblatt~~** ~~LaPaglia~~

**(Mayor)** I appoint Brian Boffa as a member to the Zoning Board of Adjustment in the Borough of Woodcliff Lake for a term ending December 31, 2013.

 **RESOLVED,** that this appointment is confirmed.

**ROLL CALL:**Introduce: Mr. Bader

Second: Mr. Rosenblatt

Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman,

 Mrs. Howley, Mr. Rosenblatt

Nays: None

Abstain: None

Absent: None

(Mayor) I appoint Robin Effron-Malley as Alternate Member #1 to the Zoning Board of Adjustment in the Borough of Woodcliff Lake for a term ending December 31, 2011 .

 **RESOLVED,** that this appointment is confirmed.

**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

**(Mayor)** I appoint Jay Ferreira as Alternate Member #2 the Zoning Board of Adjustment in the Borough of Woodcliff Lake for a term ending December 31, 2010.

 **RESOLVED,** that this appointment is confirmed.

**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

**APPROVAL OF MINUTES.**

**RESOLVED,** that the Minutes of a **rescheduled meeting of the Mayor and Council on March 25, 2010** copies of which have been received by all Councilpersons, are hereby approved as presented.

**ROLL CALL:**Introduce: Mr. Bader

Second: Mr. Camella

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

Nays: None

Uneligible: Mr. Hoffman

Abstain: None

Absent: None

**RESOLVED,** that the Minutes of a**n executive closed session meeting of the Mayor and Council on March 25, 2010** copies of which have been received by all Councilpersons, are hereby approved as presented but not release to the public at this time.

**ROLL CALL:**Introduce: Mr. Bader

Second: Mr. Camella

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

Nays: None

Uneligible: Mr. Hoffman

Abstain: None

Absent: None

**PRESENTATION BY STUDENTS OF MRS.OGDEN’S SCIENCE CLASS**

Hannah Hoffman andElani Stavris reported on the research they have been doing on the eco-system . These students from Mrs. Ogden’s science class chose to do research on the pollution of the reservoir. The pollution of the reservoir is damaging the eco-system. The town knows that there is pollution in the reservoir but are not able to clean it up that quickly. The pollution in the reservoir makes it look unattractive. Ms. Hoffman and Ms.Stavris are trying to raise funds for clean- up of the reservoir. Mr. Rosenblatt suggested that the students speak with Kevin O’Brien who has experience dealing with the clean up of reservoirs and dealing with United Water. Mr. Camella suggested that United Water be contacted to see if they are planning a “clean-up day” on the reservoir as they have done before. Mr. Camella also suggested that the students write to the towns upstream from Woodcliff Lake to ask for their help in keeping garbage out of the eco-system. Administrator Sandve stated that there is a Clean Community Grant received by the Borough each year. He suggested the Ms. Hoffman and Ms. Stavris write a letter to the Mayor and Council suggesting ways to educated the residents on this issue.

**MAYOR’S REPORT**

Deferred to Administrator.

**ADMINISTRATOR’S REPORT**

**2010 Municipal Budget Status**

The 2010 Municipal Budget will be introduced on April 19, 2010. After this introduction, the budget newsletter will be mailed to all residents. The public hearing on the budget will be held on May 17, 2010.

**Update on field preparation**

DPW Superintendent Barboni, Park and Rec Director Jay Esposito and Administrator Sandve walked the fields last week. Due to the storm, the DPW is a few days behind schedule on field preparation. They will be ready for opening day however. Wood for the retaining wall is on order, a series of stairs will be built up the hill so children will safely walk up to the batting cages. Long term projects were also discussed.

**2010 goals and objectives**

The 2010 Goals and Objectives will be discusses at the April 19, 2010 meeting. Administrator Sandve asked that the Council discuss goals and objectives for the Administrator as done in previous years.

 **ENGINEER’S REPORT`**

**Intersection Improvements to Woodcliff Avenue and Werimus Road**

A plan containing the County’s comments of the July 8, 2009 meeting was redrafted by Boswell Engineering and submitted to the Borough’s Traffic Consultant and Borough Administrator for comment and distribution to the Mayor and Council (on August 3, 2009). The Traffic consultant’s comments were transmitted to the County for review/comment. Boswell is awaiting comments from the County. The Borough Administrator will be scheduling a meeting with the resident at the intersection of Werimus Road and Woodclifff Avenue to discuss possible driveway modifications in order to accommodate this project.

**Intersection Improvements at Kinderkamack Road and Prospect Avenue**

The County’s Engineer’s Office is still reviewing the concept plan based on reduced traffic counts on record with the County to determine if dedicated left turn lanes are really required. Last discussion with the County is that they have performed another site visit and are in the process of drafting another concept plan.

**Construction Cost Estimates for 2010 Municipal Road Paving Program**

The Borough Administrator requested Boswell to prepare estimates for the 2010 capital budget for the following streets. Tice Boulevard, Glen Road (from Pascack Road to Spring Valley Road), Old Farms and Greenway Court. Boswell has submitted theses estimates to the Borough Administrator for his use.

**Green Acres Boundary Survey for 63 Werimus Road, Block 1202, Lot 1 (Freedman)**

This project was authorized by the Borough Administrator and is complete. The submittal package was transmitted to the NJDEP Green Acres Program on March 31, 2010.

**Intersection Improvements to Chestnut Ridge Road and Saddle River Road**

Boswell McClave Engineering has prepared the required specifications for Bergen County. Boswell attended a meeting with the County on March 8, 2010 to discuss the project and projected budgets. As on outcome of this meeting, the county had a separate meeting with Mayor LaPaglia and Borough Administrator Sandve to discuss budgetary matters. The County is interested in bidding the project as soon as possible.

**OLD BUSINESS.**

Mr. Glaser asked that the purchase order procedure be ready for final approval at the next meeting. All council members will receive a copy of comments etc. of the purchase order procedure before the next meeting.

**NEW BUSINESS.**

**Introduction of Ordinance 10-01**

Be It Resolved that an

“**Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A.40A:4-45.14)**

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 19th day of April, 2010 , 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.

**ROLL CALL:**

Introduce: Mr. Glaser

Second: Mr. Rosenblatt

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. Hoffman and approved unanimously by voice call vote.

**Gerry Meisel, 108 Brookview Drive**, stated that he attended the presentation made by the School Board at their meeting. Mr. Meisel stated that it is awful how the Board of Ed operates. They are determined to force a big increase on the taxpayers while not making deep enough cuts in their budget. He continued that the State took all the school’s surplus this year and that next year will be worse. Mr. Meisel stated that this is a non-partisan issue and that this budget needs to be defeated.

**Mike Fells, 82 Werimus Road** asked the status of the Westervelt-Lydecker Committee. He was told that a preliminary meeting had been held with the council liaisons to the committee and the Administrator. All concerned must be realists in that a lot of money will not be allocated to this project due to the current budget crisis. The committee will continue planning however and a meeting with the committee as a whole should take place within a few months.

**Chet and Barbara Smith, 17 Ravine Drive** stated that their street, off of Glen Road, desperately needs to be repaved. Mr. Smith said you have to drive as though you are from Great Britain in order to avoid the large potholes. Mr. Bader stated that parts of Woodcliff Lake have been identified as the 10 worst in the gridding system and will be repaired.

**Mrs. Ferral, 60 Shaw Road** stated that her house has flooded 14 times since she bought it. Mrs. Ferrall stated that the storm drain piping located on her property is damaged. Mr. Saluzzi sent a memo to the homeowner stating that the water table is very high at the present. Once the water table subsides he will scope the pipes to see if they are the cause of flooding. Mrs. Ferral stated that she does pay flood insurance. Attorney Madaio asked Mrs. Ferral to contact Mr. Saluzzi with a copy of her title and deed. This will ascertain if there are any easements on her property. Mr. Bader stated he would speak to Mr. Saluzzi also.

**CONSENT AGENDA DISCUSSION.**

None

**CONSENT AGENDA VOTE.**

**ADJOURNMENT.**

Motion to adjourn the meeting was made by Mr. Rosenblatt, second by Mr. Bader and approved unanimously by voice call vote. The time is 9:30 p.m.

**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 03/31/10 $ 177,766.53

**[CLAIMS AND BILLS.](%5C%5C%5C%5Chomer%5C%5Clsciara%24%5C%5CAgenda%202009%5C%5C02-02-09%5C%5C2-2-09%20bill%20list.pdf)**

**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** $ 867,726.74

 **Trust Other Fund** $ 886.91

**Resolution Approving the Engineering for the Pascack Valley Cooperative Pricing System #107-PVCPS 2010 NJDOT Road Resurfacing Program (Consent Agenda - 3)**

 **WHEREAS**, the municipalities of Westwood, Woodcliff Lake, Oradell, Montvale and Park Ridge have received NJDOT grants for 2010 road projects in the amount of $1,145,000; and

 **WHEREAS,** in order to save on the cost of preparing plans and specifications for theses grant funded projects and ensure consistent oversight and inspection, the Pascack Valley Cooperative Pricing System #107-PVCPS issued an RFP on February 2, 2010; and

 **WHEREAS**, five ( 5) engineering firms responded with proposals for these grant funded projects on or before the deadline of March 2, 2010; and

 **WHEREAS,** after review and analysis by the Administrators of Woodcliff Lake and Westwood, it has been determined that Boswell McClave Engineering has submitted the most cost effective proposal.

 **NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake hereby approves the Boswell McClave Engineering proposal for the engineering oversight of the 2010 NJDOT project in an amount not to exceed $69,000.

 **BE IT FURTHER RESOLVED,** that the Borough of Woodcliff Lake’s portion is not to exceed $7,835 subject to certification of funds by the CFO.

**Resolution Accepting the Resolution of Joseph Higgins as Office of Emergency Management Coordinator (Consent Agenda - 4)**

 **WHEREAS,** Joseph Higgins as been the Coordinator of the Office of Emergency Management for over two decades; and

 **WHEREAS**, Joseph Higgins, in his capacity as the OEM Coordinator, has served the residents of Woodcliff Lake as well as surrounding municipalities with his knowledge and expertise in the field of emergency management.

 **NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council regretfully accepts this resignation.

 **Bader Camella Glaser Hoffman Howley Rosenblatt** LaPaglia

**Resolution to Release the $200.00 Road Opening Bonds for Certain Properties Within the Borough of Woodcliff Lake (Consent Agenda - 5)**

 **WHEREAS,** the Department of Public Works Superintendent has authorized the release of the following road opening bonds:

 Pascack Hills 9 David Lane 6-23-08

 John Tonelli 75 Mill Road Ext. 7-15-08

 Barbara Smith 197 Pascack Road 1-13-09

 MS Builders 12 Cambridge Road 1-20-09

 33 Heather Hill LLC 19 Pinecrest Drive 1-20-09

 Kern Excavating 62 Broadway on Lincoln Ave 1-26-09

 **NOW, THERFORE, BE IT RESOLVED** that upon this recommendation by the DPW Superintendent the aforementioned road opening bonds are to be released.

**Resolution Authorizing Release of Escrow Balance (Consent Agenda - 6)**

 **WHEREAS,** A request has been made for the release of the escrow balance with respect to the following in the Borough of Woodcliff Lake:

**Narin**

**15 West Hill Road**

**Escrow Release**

**$59.55**

**WHEREAS**, the Borough Construction Official has confirmed that all is satisfactory and has recommended that the escrow balance be released;

**Added 4/5/10**

**Resolution Authorizing Raffle License for Our Lady Mother of the Church (Consent Agenda – 7)**

 **WHEREAS,** application has been made by the Our Lady Mother of the Church, for one (1)off-premise draw raffle on June 12, 2010 to be held at Our Lady Mother of the Church, Woodcliff Lake, New Jersey; and

 **WHEREAS**, said application has been submitted to the Woodcliff Lake Police Department for investigation and have been found to be in good order;

**NOW, THEREFORE, BE IT RESOLVED**, that the application Our Lady Mother of the Church is approved and the Borough Clerk is hereby authorized to issue Raffle License(s) No. 10-391.

**Emergency Budget Transfers** **(Consent Agenda – 8)**

 **WHEREAS,** an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2010 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

 **WHEREAS,** said total emergency temporary resolutions adopted in the year 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total $542,000.00; and

 **NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

 General Administration – Salaries and Wages $ 10,000.00

 Municipal Clerk – Salaries and Wages 12,000.00

 Financial Administration – Salaries and Wages 2,000.00

 Legal – Other Expenses 15,000.00

 Engineering – Other Expenses 5,000.00

 Construction Code – Salaries and Wages 10,000.00

 Police Department – Salaries and Wages 150,000.00

 Fire Prevention – Salaries and Wages 6,000.00

 Streets and Roads – Salaries and Wages 20,000.00

 Streets and Roads – Other Expenses 5,000.00

 Solid Waste Collection – Salaries and Wages 20,000.00

 Building and Grounds – Salaries and Wages 5,000.00

 Sewer System – Salaries and Wages 30,000.00

 Sewer System – Other Expenses 5,000.00

 Borough of Montvale – Sewer Charges 1,600.00

 Gasoline 15,146.00

 PERS – Pension 21,593.00

 PFRS – Pension 208,661.00

 **Total $ 542,000.00**

1. That said emergency temporary appropriations will be provided for in the 2010 budget under the various titles listed.
2. That one certified copy of this resolution be filed with the Director of Local Government

Services.

**Borough of Woodcliff Lake**

**Ordinance 10-01**

**“Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)**

**WHEREAS,** the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et. seq, provides that in preparation of annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

 **WHEREAS,** N.J.S.A. 40A:4-15A provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriation in either of the next two succeeding year; and

 **WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen finds it advisable and necessary to increase its CY 2010 Budget up by 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

 **WHEREAS,** the Mayor and Council thereby determine that 3.5% increase in the budget for said year, amount to $294,451.78 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

 **WHEREAS**, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriate in either of the next two succeeding years.

 **NOW, THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Woodcliff Lake, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Borough of Woodcliff Lake shall, in accordance with this ordinance and N.J.S.A. 40A-4-45.14, be increased by 3.5%, amounting to $294,451.768 and that the CY 2010 municipal budget for the Borough of Woodcliff Lake be approved and adopted in accordance with this ordinance; and

 **BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final, appropriate in either of the next two succeeding years; and

 **BE IT FURTHER ORDAINED,** that a certified copy of this ordinance be filed with the Director of the Division of Local government Services within 5 days of introduction; and

 **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.