

**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL AGENDA  
April 19, 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 had been posted, and two newspapers, The Record and The Ridgewood News, had been notified.

**ROLL CALL.**

Mayor LaPaglia took the roll call. Council members Bader, Camella, Glaser, Hoffman, Howley and Rosenblatt were present. Attorney Madaio, Administrator Sandve and Borough Clerk Sciara were present.

**PLEDGE OF ALLEGIANCE.**

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

**APPROVAL  
OF MINUTES.**

**RESOLVED**, that the Minutes of a **Special Mayor and Council Meeting** on April 1, 2010 are approved as presented and ready for release to the public.

**ROLL CALL:**

Introduce: Mr. Camella  
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 a Mayor and Council Meeting on April 5, 2010, are approved as presented and ready for release to the public.

**ROLL CALL:**

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

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

### **APPOINTMENTS.**

The appointment of the OEM Coordinator and the Deputy Coordinator will be deferred to the May 3, 2010 Mayor and Council meeting. (as per Mayor LaPaglia)

### **PUBLIC HEARING**

#### **Ordinance 10-01**

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

**Be it Resolved, that the Ordinance entitled  
“An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a  
Cap Bank (N.J.S.A. 40A:4-45.14)”**

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

- D. Adoption.

**Be it Resolved, that the Ordinance entitled  
“An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a  
Cap Bank (N.J.S.A. 40A:4-45.14)”**

introduced at a Regular Meeting of the Mayor and Council held on April 5, 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. Camella  
Second: Mrs. Howley  
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

## **OLD BUSINESS.**

### **Municipal Court consolidation – discussion concerning WCL's police departments concerns**

Chief Tony Janicelli. Chief Janicelli had three areas of concerns, location/logistics, increased overtime for number of court sessions/hours and court security/Woodcliff Lake Borough coverage. A copy of this memo from the Chief to the Council is on file in the Clerk's office. The Chief has estimated an increase in police overtime from \$16,000 per year to almost \$100,000 per year. He does not know if that is offset by the savings to Woodcliff Lake by this merger. The Council stated that the Chief had very good questions and that these would be discussed at the court consolidation meeting that will be held the first week of May. Mr. Hoffman stated that the next step is to draft an inter-local agreement that will detail how the consolidation of the courts would actually be set-up. The Council thanked the Chief for his comments.

## **STANDING COMMITTEES.** (CAPITALS indicate committee chair).

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

Mr. Glaser stated that there are two applications before the Planning Board.

Mr. Glaser reported that a conceptual plan has been given to the Planning Board for an assisted living facility to be constructed on the Tice Mahoney Property. Proposed was a 3 story building with approximately 140 residents. The proposed in and out of traffic will be right turn in, right turn out.

Mr. Glaser reported that the A&P intends to do renovations to the store on Chestnut Ridge Road. They plan to add seat capability so that customers can add a coffee corner. "Starbucks" coffee will be served, a sit-down sushi bar, salad and sandwiches would be allowed to be eaten at the store. Some exterior signage will be changed, aisles will be widened, and the flower shop will be moved somewhere else in the store. Mr. Bader asked if more parking would be required. Mr. Glaser stated this would be discussed later on in the application process.

### **Administration/Finance, DPW & Roads/Sewers & Sanitation, Ecology**

Mr. Camella showed a teal ribbon that had been tied around many of the trees in Woodcliff lake last year. He stated it was for a very worthwhile organization; however, he feels there should be a deposit given by future organizations to ensure the ribbons/signs etc. are taken down. Attorney Madaio will look into drafting something for the Council.

Mr. Camella distributed a sheet of goals and objectives for 2010. He was asked to submit a report on the status of 2009 goals and objectives to the Council to ascertain the progress made before adopting 2010 goals. Mayor LaPaglia asked that in light of the recent power outages at Borough Hall, expansion of existing generators should be added to 2010 goals.

## **PUBLIC SAFETY/POLICE/OEM/TRIBORO DEPT.**

Mr. Bader reported that NIXLE, a no fee on-line notification system is now available to all residents. He asked that Administrator Sandve and Officer Malloy coordinate this project. A meeting of the Tri-Boro was recently held to discuss renewal of the dispatch contract. There is a clause in the original contract that states it will automatically renew in October for a three year extension if no notice to the contrary is received. Mr. Bader stated that all involved are happy with the service provided. Mr. Bader will be the liaison to the Tri-Boro Committee in regards to communication with the County with the status of their own radio dispatch program. The ambulance and police department have noted there has been a significant increase of the number of calls from Sunrise Assisted Living. Mr. Bader suggested that the Mayor and Council look into adopting an ordinance to have nursing homes provide their own private ambulance service.

Mr. Bader asked if the Borough could revisit Mrs. Foster complaint of the repair of the dam in the event the subject property is ever sold. Mayor LaPaglia found correspondence dated several years ago from Kevin Funabashi, Esq. on the dam issue. This correspondence was given to Administrator Sandve.

#### **BOARD OF HEALTH, MENTAL HEALTH & WELFARE, EDUCATION (ELEMENTARY)**

Mr. Hoffman reported that the school board election is April 20, 2010 from 2:00 – 9:00 p.m. at the Dorchester School.

Mr. Hoffman requested that a back-up employee be designated to post items on the electronic bulletin board in the Administrator's absence.

#### **PARKS AND RECREATION, PUBLIC INFORMATION, NEWSLETTERS, ORDINANCES, FIRE/VOLUNTEER/FIRE PREVENTION**

Mrs. Howley reported that almost all of the items on the baseball league's punch list were done. She invited Denisa Superville from The Record to come back and visit the fields. The fields were aerated by Perennial Lawn Care resulting in a beautiful growth of grass.

Tri-Boro Dare National Night out will be held at the Old Mill Pool on August 3, 2010. Annual Fire Dept. dinner will be held on April 24, 2010 at the Hilton.

The newsletter should be out shortly. Today at Borough Hall, Mrs. Howley heard that there was a lot of talk about how the newsletter was held up because of her. She is tired of everyone trying to make her look bad. Her portion of the newsletter was submitted on time and the Mayor requested she read through the newsletter one last time.

Mr. Camella asked if the newsletter was at the printers yet. Mr. Camella asked, "wasn't the Council supposed to approve it tonight". Mrs. Howley stated the newsletter was basically the exact same. Mr. Bader stated that to eliminate any problems, the Mayor and Council should get the final say before the newsletter goes to print. Mr. Rosenblatt stated it shouldn't be basically the same as previously given to the Council; it should be exactly the same.

## **DPW & ROADS/SEWERS & SANITATION/ECOLOGY**

Mr. Rosenblatt gave a summary of the monthly DPW report.

## **OLD BUSINESS.**

## **NEW BUSINESS.**

Mr. Rosenblatt stated that he received a letter from an employee's attorney and without going into anything confidential; he is alarmed that this attorney purports to know information that came out of a Finance Department meeting. Mr. Bader asked how he got the letter. Mrs. Howley, Mr. Hoffman, Mr. Bader and Mr. Camella did not get the letter. Mr. Rosenblatt wants to know who the leak is. Mayor LaPaglia stated that this letter was distributed this afternoon. Mr. Glaser read the letter which was in his mailbox at Borough Hall. Mr. Rosenblatt stated that he is not the only council person to read it. Mayor LaPaglia stated that it was a disturbing letter. Mr. Rosenblatt does not understand how confidential letters are being leaked to the public.

## **Introduction of 2010 Budget.**

**WHEREAS**, the following statement of revenues and appropriations construct the Local Budget of the Borough of Woodcliff Lake, Bergen County, New Jersey for the year 2010 and

**WHEREAS**, the said Budget will be published in The Record on May 4, 2010;

**NOW THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Woodcliff Lake does hereby approve the 2010 Budget and that a copy of the Local Municipal Budget referred to herein be affixed and made a part of the Minutes of the Meeting; and

**BE IT FURTHER RESOLVED**, that the public hearing shall be held on May 17, 2010 at 8:00 p.m., or as soon thereafter as the matter may be reached at Borough Hall.

## **ROLL CALL:**

Introduce: Mr. Glaser

Second: Mr. Camella

Mr. Camella proposed changes to the budget. He stated he wants to see 0% raise for non-union employees, 10 furlough days and a reduction of one employee. Mayor LaPaglia stated that Mr. Camella is a member of the Finance Committee that approved the budget as presented by the Administrator at the last meeting.

The council arrived at a consensus that the Administrator should investigate the best way to furlough employees without closing Borough Hall. The Administrator was told to put his recommendation in writing as to which employee should be laid off. Mr. Bader stated that seniority should be given heavy weight. Mr. Rosenblatt and Mayor LaPaglia did want to see any lay-offs. Mayor LaPaglia stated that this was a pernicious act on the part of the Council.

The Mayor stated that he will be second to Mr. Rosenblatt in going to the Bergen County Prosecutor's office tomorrow. Mr. Glaser stated that the Council should look to the recommendation of the Borough Administrator. Mayor LaPaglia stated that he will not stand still on personal attacks against borough employees. He stated that he will follow up on this issue personally.

Administrator Sandve stated that his budget did not push for reduction in staff. By reducing staff this year, it will take away the ability to take away reduction in force next year which will have 2.5% hard cap. The auditor and CFO agreed with the budget that was initially proposed at the April 1, 2010 special meeting.

Mayor LaPaglia stated that Mr. Camella is proposing ideas that are contrary to the Finance Committee recommendations. Mr. Rosenblatt asked what 1% raise for non-union employees would be. Councilman Rosenblatt stated we spent so much money on legal fees already. This council authorized \$15,000 on a frivolous investigation against the Borough. Mr. Hoffman asked if Mr. Rosenblatt just asked for an investigation. Mr. Bader stated that we are all indemnified against lawsuits.

Mr. Rosenblatt stated that the DPW could have unionized several times over the last 20 years but did not due to loyalty to the Borough. No raises for non-union employees is a slap in the face and a punishment for employees not unionizing. He feels this is inappropriate. Non-union employees work as hard as union employees. The raise for the Police Department is a reward for unionizing.

Administrator Sandve stated that none of the proposals made by Mr. Camella will change the total number of dollars in the proposed budget. After further discussion, the following was decided:

**Furloughs** – all council members agreed to 10 day furloughs taken throughout the year.

Borough Hall is not to be closed all day on Fridays in the summer as proposed by the Finance Department. This furlough will include the Administrator and Borough Hall employees only.

**0% raises** – no action will be taken until the salary ordinance is introduced. Mr. Camella, Mr. Bader, Mrs. Howley and Mr. Hoffman voted for 0% raises for non-union employees in 2010, Councilman Glaser and Councilman Rosenblatt voted against indicating that it would not be fair to employees not to give them a raise.

**Reduction in Force** – yes, Mr. Bader, Mr. Camella, Mr. Hoffman, Mrs. Howley  
no, Mr. Glaser, Mr. Rosenblatt

#### **ROLL CALL:**

Introduce: Mr. Glaser

Second: Mr. Camella

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

Nays: None

Abstain: None

Absent: None

**RESOLUTION AUTHORIZING CONTRACT AMENDMENT FOR CAPTAIN ROGER CARON**

**WHEREAS**, Captain Caron has an existing employment contract with the Borough of Woodcliff Lake; and

**WHEREAS**, the parties propose to amend the terms of said contract ; and

**WHEREAS**, the amendment proposed by the parties seeks to clarify Captain Caron's contribution to his health care insurance costs; and

**WHEREAS**, the parties have agreed that Captain Caron shall contribute 7.5% of the cost of his health care while actively employed at the Borough through salary deductions.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that the parties shall enter into a contract modification providing for health care contribution as set forth above.

**BE IT FURTHER RESOLVED** that the within Resolution as well as relevant contract amendments shall be subject to the review of Borough Labor Counsel prior to execution.

**ROLL CALL**

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

## **PUBLIC FORUM.**

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

**Kevin O'Brien, 227 Pascack Road** asked about the status of several OPRA items. Mr. O'Brien was advised that Mr. Kaufman is reviewing documents and Mr. O'Brien will be contacted when the information is available. Mr. O'Brien distributed a copy of a letter from Mrs. Howley's attorney which addressed the fact that Mr. Howley has access to Mrs. Howley's borough e-mail address. He asked Mr. Madaio if the Borough has any intention of prosecuting for the destruction of public records.

**Alyson Baratta, 92 Glen Road** stated that she would like to know what the cost to the Borough is over Mr. O'Brien's litigation.

**Nick Letizia, 74 Heritage Court** questioned the process of summarizing bills in the Borough.

**Kevin O'Brien, 227 Pascack Road** stated that in a reduction of staff, the most senior employee may not have the best skills. Mr. Madaio stated that he asked for attorney fees in regard to the Costco issue in August of 2009.

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

## **CONSENT AGENDA DISCUSSION.**

Motion to approve the Consent Agenda as amended 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,<br>Mr. Rosenblatt |
| Nays:      | None  |
| Abstain:   | None  |
| Absent:    | None  |

## **ADJOURNMENT.**

Motion to adjourn was made by Mr. Bader, second by Mr. Camella and approved by voice call vote. The time is 10:45 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 | \$ | 199,042.19 |
|------------------|----|------------|

**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   | \$ | 3,220,321.33 |
| Animal Control | \$ | 763.80       |

**Resolution Authorizing Release of Escrow Balance**

**(Consent Agenda - 3)**

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

**BNS Construction  
19 Pinecrest  
Road Opening Release  
\$200.00**

**Kern Excavating  
62 Broadway  
Road Opening Release  
\$200.00**

**Pascack Hills Properties  
9 David Lane  
Road Opening Release  
\$200.00**

**John C. Tonelli  
75 Mill Road Extension  
Road Opening Release  
\$200.00**

**MS Builders  
12 Cambridge Road  
Road Opening Release  
\$200.00**

**Barbara Smith  
Ellis Lane  
Road Opening Release  
\$200.00**

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

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of the escrow balances in the amount of **\$1,200.00** in connection with the aforementioned.

**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

**Resolution Authorizing Payments to Qualified 2009 Members of the Woodcliff Lake Fire Department Into Their LOSAP Accounts** (Consent Agenda - 4)

**WHEREAS**, the Borough Auditor has advised that a certified list of eligible LOSAP volunteer members must be approved by resolution of the governing body and;

**WHEREAS**, the list of members meeting their LOSAP requirements for the year 2009 has been submitted to the Deputy Treasurer by the Captain of the Woodcliff Lake Volunteer Fire Department.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff to certify the following list of eligible LOSAP volunteer members and authorize payments including the 2.8% CPI Adjustment allowed by the State of New Jersey into their LOSAP Accounts:

|                |                 |                 |                     |
|----------------|-----------------|-----------------|---------------------|
| Tim Ennis      | Rob Kuehlke     | Frank Meredith  | Ed Barboni          |
| Kevin McGovern | Justin Stolz    | Jim Kuehlke     | John Stalb          |
| Dan Schuster   | Christian Mautz | George L. Fusco | Joseph Higgins, Jr. |
| Zach Joseph    | John Whelan     | Tom Torpey      | Nick McGavin        |
| Jeff Schuster  | Dan Disco       | Herb Kuehlke    | Michael Tillson     |

Jim Drobinske  
Gary Mancision  
George Lucia, Jr.

Rich Sparke  
Ruth Beckman  
Jared Shapiro

Kevin Woods  
Joao Alves  
Alex Kaplan

Rob Stahl  
Raphael Jose Maurrasse

**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

**Resolution Authorizing License as a Dealer of Second-Hand Gold, Silver, Gems, and Precious Metals**

**WHEREAS**, application has been made by First Montgomery LLC dba Montgomery Estate Buyers; 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 of First Montgomery LLC dba Montgomery Estate Buyers is approved and the Borough Clerk is hereby authorized to issue License for the period ending 12/31/10.

**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

**Resolution Authorizing License as a Dealer of Second-Hand Gold, Silver, Gems, and Precious Metals**

**WHEREAS**, application has been made by Tyre, Bailey, Roberts & Associates Estate Buyers; 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 of Tyre, Bailey, Roberts & Associates Estate Buyers is approved and the Borough Clerk is hereby authorized to issue License for the period ending 12/31/10.

**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

**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.

Introduced: April 5, 2010  
Adopted: April 19, 2010

**ROLL CALL:**

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

**ATTEST:**

\_\_\_\_\_  
Lori Sciara, RMC, CMC

\_\_\_\_\_  
Joseph LaPaglia, Mayor