**BOROUGH OF WOODCLIFF LAKE**

**SPECIAL MAYOR AND COUNCIL MEETING**

**June 4, 2012**

**7:00 p.m.**

**CALL TO ORDER**.

Notice of this meeting, in accordance with the "Open Public Meetings Law, l975, C. "23l", has been posted, The Record, The Pascack Press and Community Life have been notified.

**ROLL CALL**.

**Resolution to Authorize Entering into Executive Closed Session**

 **WHEREAS,** the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

 **WHEREAS,** the public body is of the opinion that such circumstances presently exist; and

 **WHEREAS,** the Governing Body wishes to discuss: Contract Negotiations –Shared Services; and

 **WHEREAS**, this session is anticipated to last approximately 60 minutes; and

 **WHEREAS,** these Minutes will be kept and once the matter involving the confidentiality of the aforementioned no longer requires that confidentiality, then the minutes can be made public.

 **NOW, THEREFORE, BE IT RESOLVED** that the public be excluded from this portion of the meeting. Action may or may not be taken.

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

Second: Mr. Struk

Ayes: Mrs. Abene, Mr. Rosenblatt, Mr. Struk, Mr. Bader

Nays: None

Absent: Mr. Baum, Mr. Glaser (arrived at 7:10), Mayor Goldsmith (arrived at 7:15)

Abstain: None

**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL**

**June 4, 2012**

**8:00 p.m.**

**CALL TO ORDER**.

Notice of this meeting, in accordance with the "Open Public Meetings Law, l975, C. "23l", has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

**ROLL CALL**.

Mayor Jeffrey R. Goldsmith asked for a roll call. Councilmembers Abene, Bader, Glaser, Rosenblatt and Struk were present. Attorney Madaio, Administrator Albrecht and Borough Clerk Sciara were also present. Councilmember Baum arrived on the dais at approximately 8:45 p.m.

**PLEDGE OF ALLEGIANCE**.

All present recited the Pledge of Allegiance led by Robert Boffa, Sr.

**APPOINTMENT.**

(Mayor) I appoint Jeffery Bader to the Shared Services Committee for a period ending December 31, 2012. (this appointment will replace Mrs. Abene),

(Mayor) I appoint Neil Tipograph as chairperson of the Mayor’s Life Wellness Committee for a term ending December 31, 2012.

**APPROVAL OF MINUTES.**

**RESOLVED,** that the Minutes of the **of the Mayor and Council meeting May 21, 2012** copies of which have been received by all Councilpersons, are hereby approved as amended.

**ROLL CALL:**

Introduce: Mr. Bader

Second: Mr. Glaser

Ayes: Mr. Rosenblatt, Mr. Struk, Mrs. Abene, Mr. Glaser, Mr. Bader

Nays: None

Abstain: None

Absent: Mr. Baum

**OLD BUSINESS.**

**Shaw Road Discussion**

This topic was first introduced at the last Mayor and Council meeting. Council President stated that he wanted to meet with the Police and Safety Committee before any public discussion was held. The meeting took place on Thursday, June 7, 2012.

Council President Bader stated that after a lengthy discussion on the safety of Shaw Road, the police chief and one of the traffic officer’s are here to discuss options for Shaw Road. Several options discussed at the meeting were making Shaw Road one way, turning the street into a cul-de-sac, making the street a one way going west or adding speed bumps/humps. Chief Jannicelli did not agree with any of these suggestions. The Chief explained that making the street a one way or a cul-de-sac would make it difficult for emergency vehicles to maneuver in the case of an emergency. The Chief also stated that he will not send one his officers down a one way street the wrong way in the case of an emergency.

Chief Jannicelli summarized the history of Shaw Road. The Chief stated that he has spoken to Bob Boffa, Sr. numerous times about this issue. Shaw Road is a cut through between Arcadia and Werimus Road where traffic is heaviest before and after school. The Chief stated that he has run several radar details on this street over the years. The average speed is 22. 6 mph. The Police and DPW had already agreed in October, before the storm, that they were going to paint a yellow stripe down the middle of the road as a calming device. The striping would automatically push cars onto the proper side of the road.

**Mr. Robert Boffa, Sr. 17 Shaw Road** stated that the speeding and traffic on Shaw Road is no secret. He has had many conversations over the years with the Chief over this problem. He feels that painting a yellow line down the middle of the street is a form of punishment. People use Shaw Road as a shortcut. There are two blind curves at the west end. Mr. Boffa stated that radar information proved that traffic is faster going east compared to travelling west. Mr. Boffa stated that if placed properly, speed bumps/humps would slow up the traffic. He also suggested making the bottom of Shaw Road a now left turn. Although these alternate solutions will inconvenience some, all agree that Shaw Road is an accident waiting to happen.

Chief Jannicelli stated that the striping for a speed bump/hump resembles a landing strip.

**Mr. Seidenberg, 29 Shaw Road** stated that he has lived in town for 29 years and this is the first Mayor and Council meeting he has ever attended. During the last 4-5 years, while walking his dog, Mr. Seidenberg stated he has noticed the increase of traffic and speeders. He is not convinced that the data represented by the Chief is correct.

**Mr. Eichner, 40 Shaw Road** stated that he has lived in Woodcliff Lake since 1965, growing up on Sycamore Court. Mr. Eichner stated that a stripe down the middle of the road will depreciate the value of the homes on the street. He would rather see a speed table rather than a speed bump on the road. Mr. Bader asked how a stripe down the middle of the road brings down property values. Mr. Eichner answered that the striping in the roadway gives the impression of a highway or a very busy street.

**Mrs. Ferral,** stated that her son has almost gotten hit by a car due to the dangerous conditions on the street. Mrs. Ferral does not want a yellow stripe to be painted in the middle of the street. She asked, “Why doesn’t anyone speed on Van Emburgh Road?” She answered her own question by saying that no one speeds on Van Emburgh because everyone knows if you do, you will get a ticket.

**Mr. Friedman, 55 Shaw Road** has lived in Woodcliff Lake for four years. Mr. Friedman stated when he purchased his house, he was aware that it was a busy street. He thanked the Mayor, Council and Police Department for what he feels is very quick action to this problem. He feels extra police presence would be good for a start with more permanent fixes after a trial period.

Mr. Friedman stated he would rather see a speed table rather than a speed bump or striping.

Mayor Goldsmith felt these comments were “spot on”. The Mayor continued that the first best step is to have extra police presence before and after school so residents are aware that there is a zero tolerance for speeders. After all the discussion, it is obvious that the residents of Shaw Road do not want a yellow strip down the middle of their street. 95% of the speeders on Shaw Road are residents. Chief Jannicelli stated that this is not the only spot in town where there are reports of high speeds. Heather Hill, Blueberry Drive and Brookview Drive also have speeding problems. However, Shaw Road is unique because it is so close to the school. The Chief stated that the easiest thing he can do is to write tickets.

**Mr. Brian Boffa, 28 Shaw Road**, read a letter into the record Mrs. Reisel who was unable to attend tonight’s meeting. Mrs. Reisel stated that she has been a resident for many years. The neighborhood has changed. She walks her dog every day and states that she is becoming very concerned for her safety.

**Mr. Rubenstein, 5 Shaw Road** stated that residents do not want tickets. Get the word out that the police are patrolling Shaw Road.

Mayor Goldsmith asked for the thoughts of the council. All council members were in favor of extra police patrols before school and after school. The extra patrols will be for a trial period. Residents and council members agree that nothing permanent should be done until after the extra police patrols were analyzed as far as deterring speeding. Chief Jannicelli stated that the department was purchasing an electronic sign that was originally to be placed on Arcadia Road. This sign will be diverted onto Shaw Road.

**ENGINEER’S REPORT**

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

The County painted the proposed curb and center island configuration on Woodcliff Avenue for the resident to review. Boswell is awaiting the resident and her attorney to respond in writing as to her acceptance. At the last Mayor and Council meeting it was advised that the Borough Attorney would contact the resident and/or her attorney to schedule a meeting. Boswell will evaluate the budget to determine if additional funds are required due to the number of alternate designs that have been proposed and number of meetings attended in order to try to accommodate the resident’s concerns. The County has advised Boswell that they would like to dovetail this project along with the Improvements with Chestnut Ridge Road/Saddle River Project.

**2012 Municipal Road Resurfacing Program**

At the request of the Borough, Boswell attended a preconstruction meeting for the above referenced project on May 24, 2012. A summary of the events of the meeting will be submitted under separate cover. The Borough issued an RFP for Construction Inspection Services.

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

An e-mail was response from Bergen County Engineer regarding planting of additional trees. Mr. Femia stated that he would evaluate the matter and advise when a decision has been made.

**ADMINISTRATOR’S REPORT**

Administrator Albrecht reported on the following:

**2012 Goals and Objectives of the Mayor and Council**

The 2012 Goals were adopted in May and we are currently working with Councilmemers on their respective goals.

 **Budget Update**

Following the adoption of the Budget, the finance committee continues its work to reduce expenditures and consider alternate ways of achieving savings.

**Church Road Dam Reconstruction**

Cindy Randazzo, Director of the Office of Local Government Assistance, an arm of the DEP, has set up a meeting for area emergency services at “Old Pascack Valley Hospital (HUMC) North) on Tuesday, June 26th at 3:00 p.m.

The reason for the meeting is to have all of the towns affected by flooding of Pascack Brook and the County to meet to discuss the effect of the closing of Church Road for a period of at least two years during the dam construction. This is not a meeting to look at the cause of effect of flooding, but to decide what is needed if a storm of the nature of Irene or Floyd happened during construction that denies Hillsdale or the surrounding emergency equipment east-west access due to the closure of the Church Road.

**Sustainable Jersey Initiative/Woodcliff Lake’s Green Initiative Update**

 **About Sustainable Jersey**

As previously reported, Sustainable Jersey is a certification program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of live over the long term. We have successfully taken the first step towards certification by officially registering the Borough.

 **Woodcliff Lake’s Green Initiative**

 The following items are part of the Borough’s Green Initiative

Bike Rakes – Woodcliff Lake unveiled newly installed Bike Racks in 2011 located at Borough Hall and the Train Station. The newly installed Bike Racks provide daily commuters with a healthy and fun option commuting!

**Recycled Waste Vegetable Oil Pilot Project** – This is a recycling project. We are utilizing a waste product, Waste Vegetable Oil (WVO) that has been used for cooking and is ready for disposal. Rather than adding it to the landfill or having it enter the sewer system, Woodcliff Lake will process the WVO through filtration equipment and use it to power diesel engines in our Borough fleet. The pilot project is currently underway and the “blended fuel” is being used in all of our garbage trucks. Look for the WCL trucks that are labeled **“This Truck Runs on Waste Vegetable Oil”.**

**Purchase of Energy** – The Borough recently authorized joining the new Bergen County Coop on Purchase of Energy. The Bergen County Pricing System (BCPS) is a buying group for electricity generation and natural gas supply services available to all government units within the Bergen County jurisdiction.

**Conservation of Water –** The Borough is researching and considering studying the benefits of a sanitary sewer excess user charge system.

**Salt Brine Initiative for 2012** – The Borough is planning on initiating a program to use salt brine next winter. The use of salt brine will delay freezing precipitation from adhe4ing to roads for a couple of hours during a winter weather event and/or when temperatures and humidity can cause frost to form on bridges, hills and other potentially problematic roadways. The brine is applied prior to the potential of freezing conditions.

**Green Team -** The Green Team, a component of our Sustainable Jersey initiative, will identify concrete actions that can be implemented on the path to becoming a green, sustainable community. Spearheaded by Councilwoman Donna Abene, Borough Administrator Wolfgang Albrecht and Acting DPW Superintendent Dave Antoine, the “Green Team” is excited to have members of the Woodcliff Lake Community join them. Our first Green Team meeting is scheduled for June 13, 2012.

**Insurance/Safety Training & Updates**

We have successfully completed all steps necessary of the 2012-2013 MEL Employment Practices Risk Control Checklist.

**2012 Pascack Valley Shared Services Road Program**

Requests for Quotes on Professional Engineering Construction Inspection Services are due on June 14, 2012 with an anticipated recommendation to award for June 18, 2012.

**Amendment to Vacation Scheduling Policy**

Memo has been included in the governing body’s packet.

**Electronic Auction**

Planning is underway for our first electronic auction scheduled for mid-July.

**NEW BUSINESS.**

**Introduction of Ordinance 12-10**

**Be it Resolved that the Ordinance Entitled,**

**“Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to Revise the Ordinance 250-14A to Include Additional Areas Where Parking is Prohibited at All Times”.**

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to held on the 18th day of June, 2012 at 8:00 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 any 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. Bader

Second: Mr. Rosenblatt

Ayes: Mr. Struk, Mrs. Abene, Mr. Baum, Mr. Glaser, Mr. Rosenblatt, Mr. Bader

Nays: None

Abstain: None

Absent: None

**Status Report of Goals and Objectives –** Councilmembers have submitted their written reports to the Administrator.

**PUBLIC FORUM**

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

Kevin O’Brien, Hillsdale, NJ made several comments on the preservation of trees and gave an update on the Church Road construction. A meeting will be held at the regular Mayor and Council meeting scheduled for July 16, 2012 with representatives of United Water. Due to the anticipation of a crowd, the meeting will be moved to the Tice Center.

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

**CONSENT AGENDA VOTE.**

Motion to approve Consent Agenda as presented was made by Mr. Baum, second by Mr. Bader and approved unanimously by voice call vote.

**ROLL CALL:**
Introduce: Mr. Baum

Second: Mr. Bader

Ayes: Mr. Glaser, Mr. Rosenblatt, Mr. Struk, Mrs. Abene, Mr. Bader, Mr. Baum

Nays: None

Abstain: None

Absent: None

**ADJOURNMENT**

Motion to adjourn was made by Mr. Bader, second by Mr. Baum and approved unanimously by voice call vote. The time is approximately 10:15 p.m.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lori Sciara, RMC/CMC

Borough Clerk

**CLAIMS AND BILLS**.

**Authority to Pay Claims**. **(Consent Agenda - 1)**

 **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: $ 1,019,896.66

 Capital Fund: 3,572.50

**Payroll**  **(Consent Agenda-2)**

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

 Payroll released $171,272.17

RESOLUTION AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT (Consent Agenda – 3)

**WHEREAS,** the Borough Administrator and Personnel Committee have discussed the need to ensure the accuracy and completeness of borough employees’ job descriptions and up-to-date organization charts; and

**WHEREAS**, the Borough Administrator and Personnel Committee have discussed the benefits of engaging a professional human resource consultant to assist the Borough Administrator in the review and analysis of these two projects; and

**WHEREAS**, the Borough Administrator has received a proposal, attached, for these projects from Dana Cassell, Principal ***PerforMax HRx,*** 8 Edge Hill Court, Woodcliff Lake, New Jersey in an amount not to exceed $3,000.00 dollars; and

**WHEREAS**, the Borough Administrator/QPA and Finance Committee and Personnel Committee have reviewed said proposal and are recommending that the proposal submitted by PerforMax HRx, 8 Edge Hill Court, Woodcliff Lake, New Jersey 07677, dated May 17, 2012 in the amount not to exceed $3,000.00 be awarded at this time; and

**NOW THEREFORE BE IT RESOLVED** thatthe Mayor and Council of the Borough of Woodcliff Lake as follows:

1. The Borough of Woodcliff Lake is hereby entering in a Professional Service Agreement with PerforMax HRx to provide Human Resource Management Services for the Updating of Job Descriptions and Organization Charts in an amount not to exceed $3,000.00 see attached schedule “A”.

**BE IT FURTHER RESOLVED** that the Borough Attorney be and is hereby directed to prepare the Contract for same and the Borough Administrator is authorized to sign same on behalf of the Borough of Woodcliff Lake.

**Resolution Endorsing a Community Development Project Grant Application for January 1, 2012 to June 30, 2012 Recreational Opportunities for Individuals with Disabilities**

 **(Consent Agenda – 4)**

 **WHEREAS,** a Bergen County Community Development Grant of $5,000 has been proposed by the Borough of Woodcliff Lake for Recreational Opportunities for Individuals with Disabilities for the Boroughs of Woodcliff Lake, Emerson, Hillsdale, Montvale, Old Tappan, Oradell, Park Ridge, Westwood, River Vale and the Township of Washington; and

 **WHEREAS**, pursuant to the State of Interlocal Services 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 the Borough of Woodcliff Lake, Emerson, Hillsdale, Montvale, Old Tappan, Oradell, Park Ridge, Westwood, River Vale and the Township of Washington; and

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

 **NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Woodcliff Lake as the recipient and lead agency hereby confirms endorsement of the aforesaid project; and

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

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES (SHU)**

**(Consent Agenda - 5)**

**WHEREAS.** The property tax on the following parcel were overpaid by property owners,

 **WHEREAS**, this has resulted in the overpayment of property tax on this parcel by $2072.86 and,

**WHEREAS,** the owners of the property listed have requested a refund of overpayment,

**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 $2072.86 to the owner listed below:

B/L OWNER AMT. REASON

**1106/11**  **Shue, Leland & Lily** **$2072.86 DUPLICATE PAYMENT**

Mail Payment to:

Shue, Leland & Lily

24 Springhouse Road

Woodcliff Lake, NJ 07677

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement (Goldstein) (Consent Agenda – 6)**

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:
2. Block 2201.01

Lot 16

Address 2 Valley View Road

**Year 2010**

 **Original County Board Requested Tax**

 **Assessment Judgment Court Judgment**

Land $ 350,000 N/A $ 225,100

Improvements 888,700 Direct Appeal 780,000

Total $ 1,238,700 $ 1,005,100

**Year 2011**

 **Original County Board Requested Tax**

 **Assessment Judgment Court Judgment**

Land $ 350,000 N/A $ 225,100

Improvements 888,700 Direct Appeal 780,000

Total $ 1,238,700 $ 1,005,100

1. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analyses 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.
2. Based upon 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.
3. Taxpayers hereby waive their right to statutory interest on refunds of overpaid taxes resulting from a judgment entered in accordance with this agreement, provided all the overpayments for the year(s) in question are refunded to Taxpayer as set forth below within sixty (60) days of the entry of such Final Judgment. Otherwise, interest shall be payable pursuant to law from the dates of overpayment.

The Taxing District agrees that refunds for the years in question shall be made, without any offset or deduction whatsoever for any unpaid taxes or municipal charges for any tax year(s) subsequent to the latest year encompassed within this Stipulation, and draft(s) shall be issued and made payable to “Venino and Venino, Esq. as attorneys for Steven and Greer Goldstein and forwarded in c/o Venino and Venino, Esqs. 8000 Kennedy Boulevard, North Bergen, New Jersey 07047

1. The parties recognize that a municipal-wide revaluation or reassessment was adopted for the tax year 2012 and, therefore, agree that the provisions of N.J.S.A. 54:51A-8 (The Freeze Act) shall not be applicable to a judgment for the year 2010 or 2011 entered pursuant to this Stipulation.
2. The provisions of paragraphs 4 and 5 shall survive entry of a judgment based upon this Stipulation, notwithstanding that the provisions hereof may not be reflected, in whole or in part, in the said judgment.

2010 refund $ 5,043.42

2011 refund $ 5,225.63

**Total $ 10,269.05**

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement (Denker) (Consent Agenda – 7)**

1. It is hereby stipulated and agreed that the 2011 assessment of the following property be, and a judgment entered as follows:

Block: 1207 Lot: 5 Street Address: 10 Hunter Ridge

Year of Appeal: 2011

**Original County Board Requested Tax**

 **Assessment Judgment Court Judgment**

Land $ 292,800 N/A $ 292,800

Improvements 1,038,900 Direct Appeal 932,200

Total $ 1,331,700 $ 1,225,000

1. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply
2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such 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.
3. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
4. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value for the property consistent with assessing practices generally applicable in the taxing district as required by law.
5. Statutory, interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided to the tax refund is paid within sixty (60) days of the date of the entry of the tax court judgment.
6. All refunds as a result of the settlement set forth therein shall be payable to Thomas L. Murphy, Esquire and forwarded to Thomas L. Murphy, Esquire at the above address within (60) days of the date of the judgment.

**Total Refund $2,386.87**

**RESOLUTION AUTHORIZING REVISION TO THE PERSONNEL POLICY MANUAL**

**WHEREAS,** The Borough reserves the right to add a new policy, change, revise, eliminate, or deviate on a case-by-case basis from any of the policies and/or benefits described herein, subject to the requirements of collective negotiation agreements and/or state and federal laws or regulations; and

**WHEREAS,** the Mayor and Council of the Borough of Woodcliff Lake have agreed to the following revisions to the Personnel Manual

 **Vacation Scheduling Policy**