**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL AGENDA**

**August 13, 2012**

**7:00 p.m.**

**CALL TO ORDER**.

Notice of this special meeting, in accordance with the "Open Public Meetings Law, l975, C. "23l", has been posted and The Record 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: Mack Cali – Tax Appeal; 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.

Motion to reopen the meeting to the public was made by \_\_\_\_\_\_\_\_\_\_, second by\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and approved unanimously by voice call vote.

Motion to open the meeting to the public was made by \_\_\_\_\_\_\_\_\_\_\_, second

by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and approved unanimously by voice call vote.

Hearing no comments from the public, motion to close the meeting to the public was made by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, second by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and approved unanimously by voice call vote.

Motion to adjourn was made by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, second by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and approved unanimously by voice call vote.

The time is \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL MINUTES**

**August 13, 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. Council members Abene, Bader, Baum, Glaser, Rosenblatt and Struk were present. Attorney Madaio, Borough Administrator Albrecht and Borough Clerk Sciara were also present.

**PLEDGE OF ALLEGIANCE**.

All present recited the Pledge of Allegiance led by

**APPROVAL OF MINUTES.**

**RESOLVED,** that the Minutes of a **Mayor and Council meeting on July 16, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

**APPOINTMENTS.**

**(MAYOR)** I, Jeffrey Goldsmith, appoint Andre DiMino to the Technology Committee for a term ending December 31, 2012.

**(MAYOR)** I, Jeffrey Goldsmith, appoint Monica Berry as the co-chair person to the Mayor’s Wellness Committee for a term ending December 31, 2012.

**ENGINEER’S REPORT**

**ADMINISTRATOR’S REPORT**

* Extended Borough Hall Hours
* Bergen County Open Space Trust Fund Application
* 2012 Goals & Objectives of the Mayor and Council
* Highview Avenue Stormwater Pipe Sinkhole & Repair
* Sustainable Jersey Initiative
* 2012 Pascack Valley Shared Services Road Paving
* Electronic Auction
* Borough Maintenance Service Agreement – Update
* 2012 PV Municipal Road Paving Program – Recap
* PV 2012 NJDOT Road Projects – Engineer Selection for Participating Municipalities
* PV Administrator’s Initiative - Utility Bills Audit – Report

**STANDING COMMITTEE REPORTS**

**Administration/Finance**

Mr. Glaser reported

**DPW & Roads/Sewers & Sanitation, Ecology**

Mr. Struk reported

**Parks & Recreation**

Mr. Baum reported that

Mr. Rosenblatt stated that

**Public Safety/Police/OEM/TriBoro**

**Buildings & Grounds/Building Dept.**

.

**Board of Health, Mental, Health & Welfare**

**Education (elementary)**

**Education (high school)**

Mrs. Abene reported

**Public Information, Newsletters, Ordinances**

Mr. Baum

**Fire – Volunteer/Fire Prevention**

**Library**

Mr. Rosenblatt

**Senior Citizens' Program**

**OLD BUSINESS.**

**NEW BUSINESS.**

**Introduction of Ordinance 12-14**

**Be it Resolved that**

**“An Ordinance Amending Chapter 58 of the Code of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey Entitled “Salaries”**

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 4th day of September, 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.

**Introduction of Ordinance 12-15**

**Be it Resolved that**

BOND ORDINANCE TO AMEND SECTION 4.D OF THE BOND ORDINANCE (ORD. NO. 12-12) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF $361,200 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE CAPITAL FUND BALANCE, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED JULY 16, 2012.

Purpose(s): Amend Section 4.D of Bond Ordinance No. 12-12 adopted on July 16, 2012 to change the purpose authorized from acquisition of a garbage truck to acquisition of an SUV for the use of the Fire Department and the undertaking of various improvements to the Old Mill Pool.

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 4th day of September, 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.

* *Park Ridge Water Utility – Rate increase discussion – Bill Beattie, Park Ridge Water*

**MAYOR’S REPORT**

**PUBLIC FORUM**

**CONSENT AGENDA DISCUSSION.**

**CONSENT AGENDA VOTE.**

**ADJOURNMENT**

**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: $ 1,158,805.23

Animal $ 725.00

Capital $ 268,099.75

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

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

Payroll released 7/31/12 $ 208,193.03

Payroll 8/15/12 $ 240,091.44

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT JUDGEMENT FOR THE YEAR 2010 Appeal # 015771-2010**

**(Consent Agenda-3)**

**WHEREAS**, The owners of Block 1504 Lot 7, GERSHBERG MERRILL & BARRY, 22 Arcadia Road, Woodcliff Lake, N.J. was successful in their appeal to the County Tax Board New Jersey and have won a Judgment adjusting their assessed value for the year 2010.

**WHEREAS** this has resulted in their overpaying their property tax for year of 2010 in the amount of $388.62; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of $388.62 to Gershberg, Merrill & Barry

Mail check to:

Merrill & Barry Gershberg

22 Arcadia Road

Woodcliff Lake, NJ 07677

**RESOLUTION RECOMMENDING AWARD OF POLICE CONSOLIDATION STUDY CONTRACT TO MATRIX CONSULTING GROUP, LTD. (Consent Agenda-4)**

**WHEREAS**, pursuant to N.J.S.A. § 40A:11-5(1)(a), contracts for the provision of professional and contracts for Extraordinary, Unspecifiable Services are not subject to the bidding requirements of the Local Public Contracts Law; however, they are subject to the requirements of the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.1, et seq., if the contract is anticipated to exceed $17,500; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award a contract with a value in excess of $17,500.00 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

**WHEREAS**, the Borough of Park Ridge (hereinafter the “Borough”) as the lead Municipality, sought proposals for the services of a Consultant to perform a police consolidation study commenced at the behest of the governing bodies of the Borough of Park Ridge, the Borough of Montvale and the Borough of Woodcliff Lake (the “Boroughs”), and to be coordinated and facilitated through the Office of the Borough Administrator of the Borough Park Ridge, with funding to be provided by the Bergen County Prosecutor’s Office; and

**WHEREAS,** the Borough of Park Ridge has received two responses to the request for proposals; and

**WHEREAS,** the Bergen County Prosecutor’s Office has confirmed that both submissions comply with the requirements of the aforementioned Request for Proposals; and

**WHEREAS,** an advisory committee consisting of representatives of the Borough of Park Ridge, Borough of Woodcliff Lake and Borough of Montvale has reviewed the responses and interviewed the principals of the entities to have submitted responses; and

**WHEREAS,** based upon a review of the submitted responses and after interviewing the principals of the entities to have submitted responses, the Borough of Park Ridge believes that it is in the best interest of the residents of the Borough of Park Ridge, and the Boroughs of Montvale and Woodcliff Lake, to award a Contract to MATRIX CONSULTING GROUP, LTD., the entity to have submitted the lower contract amount for the required services; and

**WHEREAS,** the Borough of Park Ridge recommended that a Contract be awarded to MATRIX CONSULTING GROUP, LTD., subject to the requirement that both the Boroughs of Montvale and Woodcliff Lake, as well as the Bergen County Prosecutor’s Office are also required to make a recommendation with respect to the award of said Contract; and

**WHEREAS**, the Borough of Park Ridge did adopt Resolution No.**012-207** on July 24, 2012; and

**WHEREAS**, the Borough of Woodcliff Lake’s Tri-Boro Police Consolidation Feasibility Study Committee recommends the award of said contract,

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Woodcliff Lake that the Mayor and Council of the Borough of Woodcliff Lake recommend that a Contract for the aforementioned Police Consolidation Study be awarded to MATRIX CONSULTING GROUP, LTD. subject to the additional required recommendations of the Borough of Montvale, and Bergen County Prosecutor’s Office.

**RESOLUTION AUTHORIZING THE ACQUISITION FOR ONE (1) 2013 FORD UTILITY POLICE INTERCEPTOR VEHICLE THROUGH THE CRANFORD POLICE**

**DEPARTMENT COOPERATIVE PRICING PROGRAM (Consent Agenda-5)**

**WHEREAS,** the Borough of Woodcliff Lake Police Department is in need of a new vehicle; and

**WHEREAS,** the Borough of Woodcliff Lake included one (1) police Utility Police Interceptor vehicle and police vehicle amenities in the budget for calendar year 2012; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-10 authorizes municipalities to acquire goods and service through a duly formed cooperative purchasing system without yadvertising for bids; and

**WHEREAS**, the Borough of Woodcliff Lake is a party, thru Resolution #12-56, to a cooperative purchasing agreement with the Cranford Police Department Cooperative Pricing System, a cooperative purchasing program organized in accordance with the Local Public Contracts Law; and

**WHEREAS**, the Cranford Police Department Cooperative Pricing System (ID #47-CPCPS) has awarded a contract to Beyer-Warnock Automotive Inc., 175 Route 10, East Hanover, NJ 07936 for the acquisition of police vehicles; and

**WHEREAS**, the aggregate amount to purchase the police vehicle may exceed the bid threshold; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-6.1(b) requires such

contracts when in excess of the bid threshold, to be awarded by resolution of the governing body;

and

**WHEREAS**, the CFO shall certify that funds are available; and

**WHEREAS**, the procurement of goods and services through a cooperative purchasing

program is an “open and fair process” under the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A

20:5 et seq.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Woodcliff Lake, New Jersey 07677 that the appropriate Borough staff are authorized to sign all forms and contracts for the purchase and outfitting of one (1) Ford Utility Police Interceptor police vehicle in the amount not to exceed $27,665.00.

**Resolution Authorizing Municipal Representative for Open Space Committee**

**(Consent Agenda-6)**

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

**WHEREAS**, said Agreement requires that one municipal representative be appointed by the Governing Body of the municipality to be part of the Open Space Trust Fund Municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2012 funding year of September 2, 2012 through August 31, 2013;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake appoint Borough Administrator Wolfgang Albrecht as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

**Resolution Awarding the Authorization for Professional Services. (Consent Agenda-7)**

**WHEREAS,** the Borough of Woodcliff Lake is a municipal corporation of the State of New Jersey; and

**WHEREAS,** the Borough of Woodcliff Lake has identified the need to appoint an Affordable Housing Consultant; and

**WHEREAS**, the CFO has certified that funds are available for these purposes; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the Resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake hereby appoint Cheryl Zega as the Affordable Housing Consultant for the Borough of Woodcliff Lake to a term ending December 31, 2012.

**BE IT FURTHER RESOLVED**, that this appointment is awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law because the services performed are by a person authorized by law to practice a recognized profession and such services are not subject to competitive bidding; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to execute this Resolution and advertise same according to law.

**Resolution Appointing Wolfgang Albrecht as the Municipal Housing Liaison for the Borough of Woodcliff Lake (Consent Agenda-8)**

**WHEREAS,** the Council on Affordable Housing requires that the Borough of Woodcliff Lake appoint a municipal housing liaison subject to their approval; and

**WHEREAS,** municipal ordinance states that the municipal housing liaison must be the borough administrator of the municipality; and

**WHEREAS,** this liaison must be trained and certified by the State after the appointment.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake appoint Wolfgang Albrecht, Borough Administrator as the municipal housing liaison.

**Resolution Authorizing the Borough Clerk to Advertise for the Solicitation of Bids (When Necessary) for the Installation of a New Hot Water Boiler for the Municipal Building**

**(Consent Agenda-9)**

**WHEREAS**, the Construction Code Official has identified the need to convert the old fired steam boiler to a hot water boiler in the municipal building; and

**WHEREAS,** the Chief Financial Officer has certified that funds are available for this project.

**NOW, THERFORE, BE IT RESOLVED** that the Mayor and Council authorize the Borough Clerk to advertise for the Solicitation of Bids (when necessary) for the installation of a new hot water boiler for the Municipal Building.

Authorization to Apply for Open Space Grant for Old Mill Pond Park Improvements

**(Consent Agenda-10)**

**WHEREAS**, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development of municipal recreation facilities; and

**WHEREAS,** the Borough of Woodcliff Lake desires to further the public interest by obtaining a matching grant of $ from the County Trust Fund to fund the following project: Improvements to Old Mill Pond Park: Bleacher Rehabilitation & Patio Improvements; and

**WHEREAS,** the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

**WHEREAS**, as part of the application process, the Governing Body will hold a public hearing on September 4, 2012 to receive comments regarding said application; and

**WHEREAS,** the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

**WHEREAS,** the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 30, 2012 as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the applicant is committed to providing a dollar for dollar cash match for the project; and
4. That the applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

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

**(Consent Agenda-11)**

**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

Security

**Resolution Authorizing Disposal of Surplus Property by Online Auction**

**(Consent Agenda-12)**

**WHEREAS** the Borough of Woodcliff Lake is the owner of certain surplus property which is no longer needed for public use, and

**WHEREAS** the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen as follows:

1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Borough Clerk’s office.

2) The sale will be conducted online and the address of the auction is govdeals.com.

3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

4) A list of the surplus property to be sold is as follows:

2008 Ford Crown Vic VIN #2FAHP71WX6X1586292008

1998 GMC W-4 VIN #J8DC4B1K6W7004792

1993 Ford F-350 VIN #1FDKF38MOPNA50907

2004 Ford Crown Vic VIN #1 FAHP71W64X175330

2003 Ford Crown Vic VIN #1FAFP71W93X124703

2006 Ford Crown Vic VIN #2FAHP71W66X158630

2005 Ford Crown Vic VIN #2FAHP71W26X104368

1990 International 4900 VIN #1HTSDTVR4LH222421

5) The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

6) The Borough of Woodcliff Lake reserves the right to accept or reject and bid submitted.

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Erika Hessler vs. Borough of Woodcliff Lake Docket 015520-2011 (Consent Agenda-13)**

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

Block 2503

Lot 2

Address 9 Mill Road

**Year 2011**

**Original County Board Requested Tax**

**Assessment Judgment Court Judgment**

Land $ 223,800 $ 223,800 $ 221,000

Improvements 208,000 208,000 104,000

Total $ 431,800 $ 431,800 $ 325,000

1. The undersigned have made such an examination of a value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property, as they deem necessary and appropriate for the purposes of enabling them to enter into this Stipulation. The Assessor of the Taxing District has been consulted by the Attorney for the Taxing District with respect to the settlement and has concurred.
2. The refund due the Plaintiff/Taxpayer, as a result of this Stipulation of Settlement, for 2011 shall be in the form of a monetary refund. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within sixty (60) days of the date of entry of the Tax Court judgment.
3. Any and all refunds due as a result of this Stipulation shall be made payable to “Beattie Padovano Trust Account” and mailed directly to Antimo A. Del Vecchio, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, P.O. Box 244, Montvale, New Jersey 07645-0244
4. Based upon the foregoing, the undersigned stipulate and 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 required by law and applicable in the Taxing District.

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Stevan and Deborah Sandberg vs. Borough of Woodcliff Lake Docket 00359-2011 (Consent Agenda-14)**

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

Block 1701

Lot 11

Address 225 Glen Road

**Year 2011**

**Original County Board Requested Tax**

**Assessment Judgment Court Judgment**

Land $ 280,000 $ $ 280,000

Improvements 936,300 Direct Appeal 696,900

Total $ 1,216,300 $ $ 976,900

1. The undersigned have made such an examination of a value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property, as they deem necessary and appropriate for the purposes of enabling them to enter into this Stipulation. The Assessor of the Taxing District has been consulted by the Attorney for the Taxing District with respect to the settlement and has concurred.
2. The refund due the Plaintiff/Taxpayer, as a result of this Stipulation of Settlement, for 2011 shall be in the form of a monetary refund. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within sixty (60) days of the date of entry of the Tax Court judgment.
3. Any and all refunds due as a result of this Stipulation shall be made payable to “Beattie Padovano Trust Account” and mailed directly to Antimo A. Del Vecchio, Esq., Beattie Padovano, LLC, 50 Chestnut Ridge Road, P.O. Box 244, Montvale, New Jersey 07645-0244
4. Based upon the foregoing, the undersigned stipulate and 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 required by law and applicable in the Taxing District.

**Resolution Requesting Approval of Items of Revenue and Appropriation - Chap 159-NJSA 40A-87-Prosecutor Forfeiture (Consent Agenda-15)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS,** said Director may also approve the insertion of any item of appropriation for equal amounts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2012 Budget in the sum of $9001.30 available from the Office of the County Prosecutor, Forfeiture Funds, which is now available from the County of Berge, Office of the Prosecutor in the amount of $9001.30 (2-01-10-704-000).

**BE IT FURTHER RESOLVED,** that a like sum of $9001.30 is hereby appropriated under the caption of Prosecutor Forfeiture Funds (2-01-41-790-0999)

**BE IT FURTHER RESOLVED** that the above is the result of funds from the Office of the County Prosecutor, County of Bergen, New Jersey.

**Resolution Authorizing Cancellation of Old Outstanding Checks(Consent Agenda-16)**

**WHEREAS,** the Chief Financial Officer has requested the cancellation of outstanding checks which are at least 6 months old; and

**WHEREAS,** the Accounts Payable Clerk has advised that the following outstanding checks from the Escrow Trust Account Number 0037685465

|  |  |  |  |
| --- | --- | --- | --- |
| **DATE** | **CHECK #** | **AMOUNT** | **PAYEE** |
| 3/1/2007 | 1875 | 150.00 | Edwards and Kelcey |
| 1/3/2007 | 2033 | 59.55 | Mr. and Mrs. Narin |
| 12/6/2007 | 2037 | 200.00 | Bedrock Excavation |
| 12/6/2007 | 2038 | 200.00 | Pascack Hills Properties |
| 6/18/2008 | 2161 | 200.00 | Bedrock Excavation |
| 6/18/2008 | 2162 | 200.00 | Park Hill Development |
| 1/22/2009 | 2239 | 200.00 | UZAdvance |
| 1/22/2009 | 2240 | 714.00 | Victor Rabr |
| 1/22/2009 | 2244 | 835.00 | Edwards and Kelcey |
| 2/25/2009 | 2269 | 159.30 | Boswell Engineering |
| 3/23/2009 | 2296 | 125.00 | Burgis Associates |
| 4/3/2009 | 2303 | 100.00 | Alex Feldman |
| 4/8/2009 | 2305 | 200.00 | N&C Construction |
| 12/22/2009 | 2398 | 225.00 | Edwards and Kelcey |

**Resolution Authorizing the Purchase of Equipment Under State Contract**

**(Consent Agenda-17)**

**WHEREAS,** the Fire Chief has recommended the purchase of equipment for the Volunteer Fire Department; and

**WHEREAS,** the Borough Administrator recommends purchasing (4) Fire Coats, (4) Bunkers and (4) Harnesses, Quote Number 10241108 and (2) Fire Coats, (2) Bunkers and (17) Harnesses, Quote Number 10241107 from AAA Emergency Supply Co. Inc. under State Contract # A76357; and

**WHEREAS**, funding for this project is available as per the Chief Financial Officer;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Westwood hereby authorize the purchase of the aforementioned equipment for the Woodcliff Lake Volunteer Fire Department from AAA Emergency Supply Co., Inc in the amount of $15,488.70.

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Robert Nathin Et. Al. vs. Borough of Woodcliff Lake Docket 016722-2011**

**(Consent Agenda-18)**

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

Block 1206

Lot 6

Address 17 Hunter Ridge

**Year 2011**

**Original County Board Requested Tax**

**Assessment Judgment Court Judgment**

Land $ 290,300 $ N/A $ 290,300

Improvements 947,800 N/A $ 766,700

Total $ 1,238,100 $ N/A $ 1,057,000

1. The undersigned have made such an examination of a value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property, as they deem necessary and appropriate for the purposes of enabling them to enter into this Stipulation. The Assessor of the Taxing District has been consulted by the Attorney for the Taxing District with respect to the 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 by law.
3. Plaintiff waives interest on any refund amount due to it by virtue of this Stipulation of Settlement, other than statutory interest to which it would be entitled in the event the refund of excess taxes paid is not made within sixty (60) days of entry of Judgment.

**Resolution Authorizing the Mayor and Council of the Borough of Woodcliff Lake and the Tax Appeal Attorney to Execute Necessary Documents in Order to Effectuate Settlements with Mack-Cali Real Estate Corp, 50 Tice Boulevard (Block 301, Lot 3.01) and 300 Tice Boulevard (Block 301, Lot 3.03) (Consent Agenda-19)**

**WHEREAS**, Mack –Cali Realty Corp. is the owner of two multi-tenanted office buildings located at 50 and 300 Tice Boulevard; and

**WHEREAS**, the taxpayer has appealed the 2009 through 2012 real property tax assessments; and

**WHEREAS**, the Tax Appeal Attorney, Tax Assessor and Borough Appraiser have recommended an/or approved settlements of the litigations, which are in the best interests of the Municipality.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to effectuate settlements, wherein the 2009, 2010, 2011 and 2012 assessments will be as follows:

**50 Tice Boulevard (Block 301, Lot 3.01)**

2009 Complaint withdrawn assessment remains intact at $42,477,800

2010 Complaint withdrawn, assessment remains intact at $42,477,800

2011 Assessment reduced from $37,000,000 to $35,000,000

2012 Assessment reduced from $51,788,000 to $44,650,000

**300 Tice Boulevard (Block 301, Lot 3.03)**

2009 Complaint withdrawn, assessment remains intact at $36,300,000

2010 Complaint withdrawn, assessment remains intact at $37,400,000

2011 Assessment reduced from $37,000,000 to $37,000,000

2012 Assessment reduced from $48,645,000 to $40,250,000

**BE IT FURTHER RESOLVED,** that the aforesaid settlements are predicated upon waiver of payment of interest on any refund, as long as refunds are made within 60 days of Tax court Judgments.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing Taxes Due for 1st Half 2013 to be Deleted Due to Property Merging With Block 2402, Lot 8 (Consent Agenda-20)**

**WHEREAS,** the properties of Blocks 2402 Lots 7 & 8 were merged into one lot; and

**WHEREAS**, this resulted in all taxes on lot 7 to be deleted; and

**WHEREAS,** taxes due in February & May 2013 should deleted; and

**WHEREAS**, the tax collector, Lois Frezza is authorized to delete taxes due for the first half of 2013.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake property taxes due on Block 2402 Lot 7 will be deleted.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Security Policy**

Effective immediately, no female employee may be in Borough Hall alone. Supervisors are to be aware of this policy when scheduling for early morning appointments or late night projects (example: late night registration and elections).

Should any female employee find themselves alone at any time in Borough Hall, they are to immediately lock all doors. They should then contact the Mayor and the police department for further instructions.

Added to Personnel Manual 08/13/12