**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL MINUTES**

**February 11, 2013**

**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 Goldsmith requested a roll call. Council members Abene, Bader, Bae, Bloom, Gadaleta, and Rosenblatt were present. Mr. Bloom left the dais at 8:10 due to a previous commitment.

**PLEDGE OF ALLEGIANCE**.

All present recited the Pledge of Allegiance led by Mr. Clay Bosch.

**MAYORAL COMMITTEE APPOINTMENT – (no Council confirmation needed):**

(Mayor) I appoint Joseph Lansgschultz to the Pool and Tennis Committee for a term ending 12/31/13.

(Mayor) I appoint Al Dattolli and Augusto Morpurgo to serve as a member of the Architectural Design Board for a term ending December 31, 2013.

(Mayor) I appoint Johanna Cairo as a member of the Shade Tree Committee for a term ending December 31, 2013.

**APPROVAL OF MINUTES.**

**RESOLVED,** that the Minutes of a Mayor and Council Meeting on January 16, 2013, copies of which have been received by all Councilperson, are hereby approved as amended.

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

Second: Mrs. Abene

Ayes: Mrs. Bae, Mr. Bloom, Mrs. Gadaleta, Mrs. Abene, Mr.Bader

Nays: None

Abstain: None

Absent: None

Not eligible: Mr. Rosenblatt

Mr. Rosenblatt asked if he could comment/change the minutes due to inaccurate statements. Mr. Kaufman stated that he could not change the minutes since he was not present at the meeting. Mr. Kaufman stated that any comments Mr. Rosenblatt wished to make in regard to last meeting’s minutes will be noted in tonight’s meeting minutes. Mr. Rosenblatt asked to clarify a statement made by Mr. Bader in reference to the Risk Manager appointment on February 11, 2103 for the record. Mr. Rosenblatt stated that he never had a conversation with Mr. Bader about the former risk manger, Burton Agency. Mr. Rosenblatt added that he had conversations with the Borough Clerk, whom he has the highest regard for. It was her opinion that he was quoting and it was the Borough Clerk that was lobbying to retain Burton Agency.

**ENGINEERS REPORT.**

**2013 Road Improvement Project (EDLAMUN13.010)**

The Borough’s intention is to put forward a Multipurpose Bond, which will include the road program, amongst other needed items within the Borough. In addition, the surrounding municipalities that are also involved in the program are requesting that their funding is appropriated by the end of February.

Neglia Engineering Associates have commenced a walk through and are preparing the engineering estimates for the list of roads provided. They will have these estimates completed within the next week.

Mr. Bader questioned the Multi-purpose bond as this was the first time he has heard of this. Mr. Bader stressed that all must be cognizant of accumulating debt. (Mr. Bloom left the dais at 8:10 p.m.)

Administrator Albrecht explained that there was an initial meeting to discuss road repaving. In order to participate in the Pascack Valley co-op, the finance committee had to come up with streets to be paved and a cost estimate very quickly in order to participate. The coop will go out to bid March with an anticipated award date in April.

**77 Brookview Drive Drainage Repairs** (WDLAMUN13.011)

On February 1, 2013, a site visit was performed at the above reference address in response to a complaint and to evaluate damage that occurred to a drainage outfall that is apparently owned by the Borough . The site visit was performed with Wolfgang Albrecht, and David Antoine, Acting DPW Superintendent and Neglia Engineering.

As shown on photographs, the drainage was apparently installed in unison with a development that was constructed just east of the property and is located within the Borough’s drainage easement. Apparently, over time, the stream embankment has been suffering from erosion and has led to the collapse of the rip rap overflow mat.

However, being that the drainage was installed in unison with the development, Neglia Engineering is currently attempting to research the Developer’s Agreement to see if the Developer has any objections so repair such.

Shared permitting is being evaluated with Park Ridge for cost savings on this project.

**BOROUGH ADMINISTRATOR REPORT.**

Administrator Albrecht reported that the newly appointed engineering firm of Neglia Engineering was in Woodcliff Lake two days after being appointed, inspecting Chestnut Ridge Road and Saddle River Road. There were many resident concerns that must be coordinated with the County plan to finish the project by the spring. The Mayor reminds Administrator Albrecht that this intersection is the gateway into Woodcliff Lake. The Mayor would like to see enhanced lighting and possible plantings at this site.

Neglia Engineering has been very helpful with the flood mitigation paperwork for federal funding due to Hurricane Sandy.

There was a meeting with the new Risk Manager who met with team Woodcliff Lake to answer any questions there might be.

Through the efforts of the Borough Clerk and the Technology Committee, the website will be getting a makeover. This makeover will allow for the addition of pictures and will enable the viewer to move around the site easier. All council members will be given a log-on password to enable them to pick-up their Mayor and Council packets via the website. Borough Clerk Sciara is still waiting to speak with the website vendor to procure log-ons for all involved.

The Green Team in their sustainable Jersey certification quest has been working very hard. The Planning Board has agreed to the Green Team’s Land Use Pledge which takes us a step closer to receiving certification. Mrs. Abene stated that she has been in touch with her Green counterpart in Park Ridge who hopes to partner with Woodcliff Lake in a watershed clean up day.

The Borough is in the process of collecting snow and rain water from the flat roof at the DPW. This water will be housed in storage tanks to enable Woodcliff Lake to make our own salt brine for future storms. Mr. Bader stated that his watched a History Channel special that featured salt brine usage. The application is very effective for the first two hour melt. Because of the corrosive nature of salt however, it was recommended to get your car washed after snow storms.

Administrator Albrecht continued that Tommy Torpey, Kevin Woods and himself met with a green supplier of cleaning products. The supplier will conduct a survey of current use and give an estimate using their products.

All residents were witness to the preparedness of the Woodcliff Lake during Storm Nemo. The results spoke for themselves. Woodcliff Lake roads were terrific.

**NEW BUSINESS.**

**2013 Goals and Objectives (preliminary discussion)**

A spreadsheet was given to all council members in their packet with the goals of each council person listed. The Mayor began that he was very disappointed with some council members goals. Mr. Bader stated that if the Mayor feels the goals and objectives were done incorrectly, better instructions should be given. Mr. Rosenblatt stated that this is a team and all council members should share information and ideas. Goals are as a team, not by department. Mr. Bader stated that he had ten years worth of goals and objectives worksheets with him this evening. He asked if the Mayor would like to use the spreadsheet from three (3) years ago that seemed to work well in the past.

Mr. Rosenblatt stated that he would like the 27 goals that were presented be ranked 1-5 (low to high) .5 ratings are acceptable. Administrator Albrecht will redo the spreadsheet for assignment by the Mayor at the February 20, 2013 meeting.

**Additional Newsletter discussion (Mrs. Bae)**

The Mayor had discussed with Mrs. Bae the possibility of sending out our current Spring and Fall newsletter and four (4) additional one page newsletter. This is similar to what Montvale is currently sending to their residents.

Regardless of the additional mailers, the spring newsletter will be mailed to all residents the first week of April. All department heads have been notified of the deadline to deliver their information to the Borough Clerk and the administrator.

**2013 Pool Rates**

Mrs. Gadaleta stated that the Pool and Tennis Committee recently met. The Committee voted unanimously to keep the pool rates the same as 2012. These rates will be approved at the next meeting of the Mayor and Council on February 20, 2013. The next meeting is scheduled for March 14, 2013 to discuss ideas to increase activities for the older children,

After discussion, a motion to approve a one- time only award of a pool and tennis membership to a Woodcliff Lake resident to the Woodcliff Lake Baseball Association made by Mr. Rosenblatt, second by Mrs. Gadaleta.

Mayor Goldsmith reminded all council members that no promise of award certificates should be made by any member of the council without full membership authorization.

**ROLL CALL:**
Introduce: Mr. Rosenblatt

Second: Mrs. Gadaleta

Ayes: Mrs. Abene, Mr. Bader, Mrs. Bae, Mrs. Gadaleta, Mr. Rosenblatt

Nays: None

Abstain: None

Absent: Mr. Bloom

A number of ordinances were placed at the dais this evening. Since no one has had the opportunity to review these ordinances beforehand, they will be discussed at the March 4, 2013 meeting. Borough Attorney Kaufman asked that all changes be sent to him, copied to the administrator for discussion with possible introduction by title only at the March 4, 2013 meeting.

Mr. Bader asked if the Planner could make a presentation to the council on the amendments adopted by the Planning Board last September. The Planner will be invited to the March 4, 2013 meeting to make a presentation on the amendments to the Master Plan, specifically the Broadway Corridor Study.

**PUBLIC FORUM**

Motion to open the meeting to the public was made by Mrs. Abene, second by Mrs. Bae and approved unanimously by voice call vote.

**Clay Bosch, Woodcliff Lake** asked if the Shade Tree Committee could be included in any discussion as to improvements to the Chestnut Ridge/Saddle River Road intersections? Mr. Bosch was told the Shade Tree Committee would be notified if their assistance was needed. Mr. Bosch asked if curbing could be installed at Broadway north of the train station. Mr. Bosch questioned the status of an annual town report compilation for Woodcliff Lake. Administrator Albrecht stated that all department heads will be given sufficient notice to write a year end summary for their departments to be included in a report of this type.

**Josephine Higgins, 10 Pond Road, Woodcliff Lake** stated that the Woodcliff Lake Ambulance Corp. will be donating a defibrillator to the Tice/Senior Center. Mrs. Higgins asked the Borough to ascertain any insurance liability from the Borough’s Risk Manager.

Hearing no further comments from the public, motion to close the meeting to the public was made by Mrs. Bae, second by Mrs. Gadaleta and approved unanimously by voice call vote.

**CONSENT AGENDA DISCUSSION.**

Consent Agenda Items #8 and #9 were pulled. #8 needed clarification from the tax collector, #9 would be added to the Consent Agenda on February 20, 2013. Check 12-01706 made payable to Jeff Bader for reimbursement during the storm was also pulled.

**CONSENT AGENDA VOTE.**

Motion to approve the Consent Agenda as amended was made by Mr. Rosenblatt, second by Mrs. Abene.

**ROLL CALL:**
Introduce: Mr. Rosenblatt

Second: Mrs. Abene

Ayes: Mr. Bader, Mrs. Bae, Mrs. Gadaleta, Mrs. Abene, Mr. Rosenblatt

Nays: None

Abstain: None

Absent: Mr. Bloom

Motion to approve Check 12-01706 made payable to Jeff Bader for reimbursement during the storm was made by Mr. Rosenblatt, second by Mrs. Gadaleta.

**ROLL CALL:**Introduce: Mr. Rosenblatt

Second: Mrs. Gadaleta

Ayes: Mrs. Abene, Mrs. Bae, Mrs. Gadaleta, Mr. Rosenblatt

Nays: None

Abstain: Mr. Bader

Absent: Mr. Bloom

Borough Attorney Kaufman stated that a confidential letter in regard to pending tax appeals had been received by all council members from Tax Attorney Muhlstock. Borough Attorney Kaufman stated that a closed session meeting should be scheduled for March 4, 2013 to discuss this letter. Borough Attorney Kaufman also suggested that a Risk Assessment and Potential Exposure Report be prepared in order to provide the amount needed in the 2013 for tax appeals. This reserve for tax appeals in included in the 2% cap.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Mr. Bader, second by Mr. Rosenblatt and approved unanimously by voice call vote. The time is 9:50 p.m.

Respectfully submitted,

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Lorinda Sciara, RMC/CMC, CMR

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: $ 2,299,779.50

 Affordable Housing $ 30.00

 Animal Fund $ 360.00

 General Capital $ 6,040.65

**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 $ 173,566.63

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT JUDGEMENT FOR THE YEAR 2011 Appeal 016008-2011 (Consent Agenda – 3)**

 **WHEREAS**, The owners of Block 1302 Lot 5, KRONFELD & PITTEL, 17 MARZ DRIVE, 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 2011.

 **WHEREAS,** this has resulted in their overpaying their property tax for year of 2011 in the amount of $1266.14; 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 $1266.14 to the owner of record, Kronfeld Sheryl & Pittel Jeffrey c/o Vespasiano

Mail check to:

VESPASIANO Michael Esq.

331 Main Street #C

Chatham, NJ 07928

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT JUDGEMENT FOR THE YEAR 2011 Appeal # 010254-2011 (Consent Agenda – 4)**

 **WHEREAS**, The owners and former owners of Block 1106 Lot 6, NOVAK & PIANTINO, 20 Hunter Ridge Road, Woodcliff Lake, N.J. was successful in their appeal to the Tax Board of New Jersey and have won a Judgment adjusting their assessed value for the year 2011.

 **WHEREAS,** this has resulted in their overpaying their property tax for year of 2011 in the amount of $3272.73; and

 **WHEREAS**, the home was sold on August 11, 2011 and both owners are entitled to a refund, 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 $3272.73 to the owner of record, PIANTINO & former owner NOVAK C/O Thomas Olsen Esq.

Mail check to:

THOMAS OLSEN ESQ.

136 South Street

PO Box 2379

Morristown, NJ 07962-2379

**Resolution Authorizing Raffle License for Our Lady Mother of the Church (Consent Agenda – 5)**

 **WHEREAS,** application has been made by Our Lady Mother of the Church for (1) fair share on premise license on May 19, 2013 to be held at the 209 Woodcliff Avenue, Woodcliff Lake, NJ 07677; 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 the Woodcliff Lake Education Foundation is approved and the Borough Clerk is hereby authorized to issue Raffle License(s) No. R0-423.

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Edith Cerullo Estate v. the Borough of Woodcliff Lake (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 2101

Lot 9.02

Address 105 Kenwood Drive, Woodcliff Lake,k NJ

**Year 2011**

 **Original County Tax Requested Tax**

 **Assessment Board Adjustment Court Adjustment**

Land $ 266,500 N/A $ 266,500

Improvements 448,900 N/A $ 333,500

Total $ 715,400 N/A $ 600,000

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 by law.
3. Plaintiff waives interest on any refund amounts 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.

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| **2012 Budget Reserve Transfers for February 11, 2013 meeting**  | **(Consent Agenda – 7)** |
|  |  |  |  |
|  |  |  |  |
| **DEPARTMENT** | **ACCOUNT NUMBER** | **FROM** | **TO** |
|  |  |  |  |
| MAYOR AND COUNCIL - OTHER EXPENSES |  2-01-20-110-020 | 400.00 |  |
| ADMINISTRATION - OTHER EXPENSES |  2-01-20-100-020 |  | 400.00 |
|  |  |  |  |
| MUNICIPAL CLERK - SALARIES AND WAGES |  2-01-20-120-010 | 300.00 |  |
| MUNICIPAL CLERK - OTHER EXPENSES | 2-01-20-120-020 |  | 300.00 |
|  |  |  |  |
| TAX COLLECTIONS - OTHER EXPENSES |  2-01-20-145-020 | 1,700.00 |  |
| FINANCIAL ADMINISTRATION - OTHER EXPENSES | 2-01-20-130-020 |  | 1,700.00 |
|  |  |  |  |
| PARKS AND RECREATION - OTHER EXPENSES | 2-01-28-370-020 | 300.00 |  |
| SHADE TREE - OTHER EXPENSES | 2-01-26-300-020 |  | 300.00 |
|  |  |  |  |
| PARKS AND RECREATION - OTHER EXPENSES | 2-01-28-370-020 | 600.00 |  |
| BUILDINGS AND GROUNDS - OTHER EXPENSES | 2-01-26-310-020 |  | 600.00 |
|  |  |  |  |
| ELECTRICITY | 2-01-31-430-000 | 4,000.00 |  |
| STREET LIGHTING | 2-01-31-435-000 |  | 4,000.00 |
|  |  |  |  |
| TOTAL |   | 7,300.00 | 7,300.00 |
|   |   |   |   |

**Resolution Authorizing Taxes Due for 1st Half 2013 to be Deleted Due to Property Block Block 202 Lot 1 Subdivision (Consent Agenda – 8)**

 **WHEREAS,** the property of Block 202 Lot 1 were deleted on the tax rolls; and

 **WHEREAS**, this property will be subdivided into smaller lots; and

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

 **WHEREAS,** the tax collector, Lois Frezza is authorized to delete taxes due for 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 202 Lot 2 will be deleted

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

**Resolution Authorizing the Borough to Bid for an Emergency Generator for the DPW Building**

 **(Consent Agenda – 9)**

**WHEREAS,**  the Borough of Woodcliff Lake has engaged the engineering design services Johnson & Urban, LLC Consulting Engineers for an emergency generator for the DPW building of; and

**WHEREAS**, final drawings and specifications have been completed; and

**WHEREAS**, the Borough of Woodcliff Lake is desirous to solicit competitive bids for the purchase and installation of an emergency generator at the Woodcliff Lake DPW building;

 **NOW THEREFORE BE IT RESOLVED** bythe Mayor and Council of the Borough of Woodcliff Lake that the Borough Administrator/QPA is authorized to receive bids for the purchase and installation of an emergency generator at the Woodcliff Lake DPW building in accordance with the drawings and specifications provided by the project engineer.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

**Resolution Authorizing Raffle License to Upper Saddle River Educational Foundation (Consent Agenda – 10)**

 **WHEREAS,** application has been made by the Upper Saddle River Educational Foundation for 1 (one) on-premise draw raffle on March 9, 2013 to be held at the Woodcliff Lake Hilton, Woodcliff Lake, NJ 07677; 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 the Upper Saddle River Educational Foundaion is approved and the Borough Clerk is hereby authorized to issue Raffle License(s) No. R0-424.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

**Resolution Authorizing the Borough Administrator and/or the Borough Clerk to Institute an On-Line Auction With govdeals.com at a Later Date in 2013 to Be Determined (Consent Agenda – 11)**

**WHEREAS** the Borough of Woodcliff Lake and the Borough of Teterboro 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 will be collected and advertised as per State law.

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 Escrow Balance Release(s) (Consent Agenda – 12)**

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

**Mr. and Mrs. Botta**

**37 Brookview**

**Escrow Release**

**$679.50**

**Mr. and Mrs. Dubovich**

**229 Chestnut Ridge Road**

**Escrow Release**

**$243.30**

**Mr. Alex Feldman**

**39 Woodcrest**

**Escrow Release**

**100.00**

**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 **$1,022.80** in connection with the aforementioned.