**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL AGENDA**

**March 5, 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

Councilwoman Donna Abene

Councilman Jeffrey Bader

Councilman Kenneth Baum

Councilman John Glaser

Councilman Robert Rosenblatt

Councilman Michael Struk

**PLEDGE OF ALLEGIANCE**.

**PRESENTATION.**

Representative(s) from Public Service Gas and Electric

**APPOINTMENT.**

**(Mayor)** I appoint Richard Schnoll to the Pascack Valley Regional High School District Funding Formula Committee for a term ending December 31, 2012.

**APPROVAL OF MINUTES.**

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

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**PUBLIC HEARING**

**Ordinance 12-02**

A. Clerk offers Proof of Publication.

1. Ordinance is read by title only

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

**“Bond Ordinance to Authorize the Making of Various Public Improvements In, By and For the Borough of Woodcliff Lake, In the County of Bergen, State of New Jersey, to Appropriate the Sum of $525,00 to Pay the Cost Thereof, to Make a Down payment, 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.”**

1. **Motion to open to the public** **Motion to close to the public**

Abene Bader Abene Bader

Baum Glaser Baum Glaser

Rosenblatt Struk Rosenblatt Struk

Goldsmith Goldsmith

D. Adoption.

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

**“Bond Ordinance to Authorize the Making of Various Public Improvements In, By and For the Borough of Woodcliff Lake, In the County of Bergen, State of New Jersey, to Appropriate the Sum of $525,00 to Pay the Cost Thereof, to Make a Down payment, 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.”**

introduced at a Regular Meeting of the Mayor and Council held on February 21, 2012 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**ENGINEER’S REPORT**

* Intersection Improvements at Woodcliff Avenue and Werimus Road
* 2012 NJDOT Pascack Valley Cooperative Pricing System for Road Paving Program (Highview Avenue)
* Intersection Improvements to Chestnut Ridge Road and Saddle River Road (Bergen County Project)
* Woodcliff Lake Dam Project (United Water)

**ADMINISTRATOR REPORT**

The following is a brief summary report of the Borough Administrator for the March 5th Mayor and Council meeting. Copies of separate memorandums/letters/emails for some of these items have been previously forwarded or copied to the Mayor and Council.

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

As requested, we have been formulating the 2012 Goals & Objectives for the Mayor and Council throughout January. All Councilmembers have submitted their preliminary goals to me and the list has been “refined” and sent to Councilmembers for priority ranking. An update list will be provided at the March 5th meeting.

**Budget Update**

The Finance Committee including the Borough Administrator, CFO and individual department heads, when needed, has been meeting on a regular basis reviewing each departmental budget. The Finance Committee is anticipating a review by the Budget Advisory Committee mid-March. Budget introduction is anticipated for April 2nd.

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

1. **Recycled Waste Vegetable Oil Pilot Project**

Our Recycled Waste Vegetable Oil Pilot Project is progressing very well

1. **Purchase of Energy**

Woodcliff Lake Administrator Wolfgang Albrecht, Jonathan DeJoseph, Administrator of Hillsdale and Gennaro Rotella, Administrator/CFO for the Township of River Vale are the subcommittee of the Pascack Valley Shared Services Group that recently met with Bergen County to explore 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 local government units within the Bergen County jurisdiction.

The Pascack Valley Administrator’s Cooperative has concluded that all participating municipalities will participate in the BCPS during 2012.

Woodcliff Lake was the first to provide bill copies, so was the first to have analyses run - see summary attached. The initial analysis projected a $41,000.00 dollars savings over our current purchasing agreement of gas thru Hudson Energy & PSE & G.

I will have a resolution authorizing our participation on the agenda for the March 19th meeting of the Mayor and Council.

1. **Conservation of Water**

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

1. **Salt Brine**

The goal of using salt brine is to delay freezing precipitation from adhering to roads for a couple 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.

Using salt brine can provide our staff with additional time to respond to freezing precipitation.  In addition, the application of salt brine may reduce the need to call in employees on an overtime basis to treat bridges and overpasses that have a tendency to freeze or when small snow showers pass through the area overnight and leave a dusting on the roadways.

The goals of the salt brine test are the following:

* Improve road conditions at the onset of freezing precipitation.
* Provide Borough staff with time to mobilize and respond to freezing precipitation.
* Provide protection from frosting of hills and other problematic roadways.
* Reduce the cost of snow removal services.

**Pascack Valley Regional High School Funding Equity Committee**

The Committee recently met on February 29th and will report to the Mayor and Council on March 5th.

**Broadway and Woodcliff Ave Widening Project**

As you know the Broadway road widening project has been underway for several weeks. The project is nearly complete and activation of the signalization is anticipated shortly.

**Insurance/Safety Training**

Mandatory Management and Supervisor’s Training took place Friday, March 2, 2012 as part of our “Change the Culture” JIF initiative. This mandatory training is required for all personnel that have managerial and supervisory responsibility.

**Bergen County Community Development**

I attended the February 22nd and March 1st BC Community Development Pascack Valley Region meeting.

**OLD BUSINESS.**

* **2012 goals and objectives (continuing discussion)**
* **­Sanitary Sewer Excess User Charge System (continuing discussion)**
* **Moody’s Downgrade Report update (continuing discussion)**
* **REVISED Audio and Video Recording Ordinance (continuing discussion)**

**NEW BUSINESS.**

* **Acknowledgement of the Determination and Award Certificate**

**$114,700 Special Emergency Note**

* **Pascack Valley Regional High School Funding Formula Resolution**

**Resolution on Report Considering Possible Withdrawal from the Pascack Valley Regional High School District**

**WHEREAS,** the Borough of Woodcliff Lake is one of four constituent members of

Pascack Valley Regional High School District (“Pascack Valley”), the others being the Borough of Montvale (“Montvale”), the Borough of Hillsdale (“Hillsdale”) and the Township of River Vale (“River Vale”); and

**WHEREAS,** the ninth through twelfth grade students from the Borough of Woodcliff

Lake are educated at facilities maintained by Pascack Valley; and

**WHEREAS,** given the ongoing dialogue prompted by the State, the Borough of

Woodcliff Lake has been assessing possible alternatives to the current educational structure which are more efficient educationally and financially; and

**WHEREAS,** the Mayor and Council members of the Borough of Woodcliff Lake have reviewed the preliminary feasibility study commissioned by the Borough of Woodcliff Lake and authored by Dr. Richard Grip, Mr. Herbert Johnson, Dr. Virgil Johnson, and Mr. James Kirtland; and

**WHEREAS,** the Borough of Woodcliff Lake has determined it to be in the best interestsof the taxpayers and students of the Borough of Woodcliff Lake to seek an investigation as to the advisability of the withdrawal of the Borough of Woodcliff Lake from Pascack Valley; and

**WHEREAS,** this investigation is a necessary prerequisite to seeking a public referendum on the withdrawal of the Borough of Woodcliff Lake to the voters of the towns served by Pascack Valley, as the people who support the school district with their taxes and trust it with their children are designed to be the ultimate decision-makers on this important issue; and

**WHEREAS,** working in cooperation with the Woodcliff Lake Board of Education, the Mayor and Council members would expect any referendum to be contingent on having the children of Woodcliff Lake educated in the same high school facility in which they are presently educated,

**NOW, THEREFORE, BE IT RESOLVED,** by the Borough of Woodcliff Lake that it hereby applies to the Bergen County Executive County Superintendent of Schools for an investigation as to the advisability of its withdrawal from Pascack Valley pursuant to N.J.S.A 18A:13-51; and

**BE IT FURTHER RESOLVED** that the investigation should include the advisability of the dissolution of Pascack Valley if a majority of constituent municipalities and school districts join in this application, as provided by law.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

* **Human Resources Consulting Proposal**

**Introduction of Ordinance 12-03**

**Ordinance Determining Positions Eligible For the Defined Contribution Retirement Program**

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 19th day of March 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**PUBLIC FORUM**

**Motion to open to the public** **Motion to close to the public**

Abene Bader Abene Bader

Baum Glaser Baum Glaser

Rosenblatt Struk Rosenblatt Struk

Goldsmith Goldsmith

**CONSENT AGENDA DISCUSSION.**

**CONSENT AGENDA VOTE.**

**ADJOURNMENT**

**CONSENT AGENDA – March 5, 2012**

1. Authority to Pay Claims, **page 8**
2. Payroll, **page 8**
3. Resolution Adding the Woodcliff Lake Senior Association as Additional Members to the Borough of Woodcliff Lake’s Coverage Documents Class III, **page, 8**
4. Resolution Authorizing a Refund of Overpayment of Taxes, **page 8, 9**
5. Tax Reimbursement Certification, **page 9**
6. Tonnage Grant Application Resolution, **page 9, 10**
7. Resolution the Rejection of Bid and Reauthorization to Solicit Written Quotes and/or Rebid for a New Brush Bandit “Chipper” Model 250 XP or Equal, **page 10, 11**
8. Resolution Authorizing the Award of a Preventive Maintenance Contract for HVAC Equipment, **page 11, 12**
9. Resolution Authorizing the Purchase of Video Recording Equipment for the Purpose of Videotaping Mayor and Council Meeting, **page 12**
10. 2011 Budget Reserve Transfers for March 5, 2012 meeting, **page 12**

**RESOLVED,** that the Consent Agenda is hereby approved as presented.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**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: $ 1,027,710.93

Animal Fund $ 1,190.00

Trust Other $ 450.00

General Capital $ 763.12

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**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 $ 172,667.45

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Adding the Woodcliff Lake Senior Association as Additional Members to the Borough of Woodcliff Lake’s Coverage Documents Class III(Consent Agenda - 3)**

WHEREAS, there is an active Senior Association within the Borough of Woodcliff Lake; and

WHEREAS, the Borough of Woodcliff Lake wishes to add the Woodcliff Lake Senior Association as Additional Members to the Borough of Woodcliff Lake’ Coverage Class III: and

WHEREAS, the application has been forwarded to the Borough’s risk manager and will be approved at next JIF Meeting.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake approves the submission of the application adding the Woodcliff Lake Senior Association as Additional Members to the Borough of Woodcliff Lake’s Coverage as a Class III quasi entity.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing a Refund of Overpayment of Taxes(Consent Agenda - 4)**

**WHEREAS**, the property tax on the following parcel were overpaid by property owners; and

**WHEREAS,** this has resulted in the overpayment of property tax on this parcel by $3,140.19; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake that the CFO be authorized to refund the overpayment of $3,140.19 to the owner listed below:

**B/L OWNER AMOUNT REASON**

**1704/15 Zalewski, Zachary & Monkia $3,140.19 Duplicate payment**

**Payment mailed to:**

**Zalewski, Zacharay & Monika**

**30 Oakland Drive**

**Woodcliff Lake, NJ 07677**

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Tax Reimbursement Certification (Consent Agenda - 5)**

**WHEREAS,** the Recycling Enhancement Act, P.L. 2007, Chapter 311 has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of $3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS,** whenever a Municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake hereby certifies a submission of expenditure for taxes pursuant to P.L. 2007, Chapter 311, in 2011in the amount of $6,793.33 (2-01-32-465-242). Documentation supporting this submission is available at Borough Hall, 188 Pascack Road, Woodcliff Lake, NJ and shall be maintained for no less than five years from this date.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Tonnage Grant Application Resolution. (Consent Agenda - 6)**

**WHEREAS,** the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2011 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Woodcliff Lake to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that the Borough of Woodcliff Lake herby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Edward Barboni to ensure that the application is properly filed for the calendar year 2011; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

AUTHORIZE THE REJECTION OF BID AND REAUTHORIZATION TO SOLICIT WRITTEN QUOTES AND/OR REBID FOR A NEW BRUSH BANDIT “CHIPPER” MODEL 250 XP OR EQUAL (Consent Agenda – 7)

WHEREAS, the Borough of Woodcliff Lake (“Borough”) advertised for and received bids on January 24, 2012 for a New Brush Bandit “Chipper” Model 250 XP or Equal; and

WHEREAS, the Borough received one bid; and

WHEREAS, the lone bid was submitted by Northeastern Arborist Supplies, 50 Notch Road, West Peterson, NJ 07424-1960 in the amount of $39,000.00; and

WHEREAS, the bid is substantially higher than the amount appropriated for the purchase; and

WHEREAS, the Borough has subsequently learned that another vendor can offer this equipment at a less costly price which is within the amount appropriated by the Borough; and

WHEREAS, the Borough of Woodcliff Lake has an appointed Qualified Purchasing Agent which raises the bid threshold from $17,500 dollars to $36,000 dollars; and

WHEREAS, the Borough of Woodcliff Lake’s Department of Public Works is in need of One (1) New Brush Bandit “Chipper” Model 250 XP or Equal; and

WHEREAS, the Borough Administrator/QPA recommends rejecting the lone bid as per 40A:11-13.2 and receiving written quotes or re-bidding.

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Woodcliff Lake hereby:

1. Adopts a Resolution rejecting the lone bid as per 40A:11-13.2 from Northeastern Arborist Supplies, 50 Notch Road, West Peterson, NJ 07424-1960 in the amount of $39,000.00 whose bid substantially exceeds the contracting unit’s appropriation.

2. Authorizes its’ Borough Administrator/QPA to solicit written quotes or re-bid for the purchase of a New Brush Bandit “Chipper” Model 250 XP or Equal.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

AUTHORIZE THE AWARD OF A PREVENTIVE MAINTENANCE CONTRACT FOR HVAC EQUIPMENT (Consent Agenda – 8)

WHEREAS, the Borough of Woodcliff Lake (“Borough”) is in need of a Heating and Air Conditioning Preventive Maintenance contract for its’ HVAC equipment at various municipal buildings for 2012; and

WHEREAS, the Borough staff solicited written proposals from three (3) qualified vendors; and

WHEREAS, the Borough received three (3) written proposals:

Whalen & Ives…………………...$ 3,100.00  plus $100.00/hour

Reiner Group…………………….$ 6,500.00  plus $ 85.00/hour

Lime Energy……………………..$14,390.49 plus  $95.00/hour

WHEREAS, the lowest written quote was submitted by Whalen & Ives, 180 Kinderkamack Road, Park Ridge, NJ 07656 in the amount of $3,100.00 dollars; and

WHEREAS, the Borough staff has reviewed the written proposal and determines it to be complete; and

WHEREAS, the Borough Administrator/QPA and Construction Official recommends acceptance of the written proposal from Whalen & Ives.

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Woodcliff Lake hereby authorizes the Borough Administrator/QPA and Construction Official to sign an agreement, in accordance with the written proposal, with Whalen & Ives, 180 Kinderkamack Road, Park Ridge, NJ 07656.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing the Purchase of Video Recording Equipment for the Purpose of Videotaping Mayor and Council Meetings (Consent Agenda – 9)**

**WHEREAS,** one the goals of the Mayor and Council of the Borough of Woodcliff Lake is for transparent government; and

**WHEREAS,** the governing body of the Borough of Woodcliff Lake wish to video tape their Mayor and Council meetings so residents may view them via alternative sites; and

**WHEREAS,** the technology committee compared the options of live streaming meetings, submitting meeting tapes to Cablevision or mounting a single camera in the council chambers; and

**WHEREAS,** it is the recommendation of the technology committee that the Mayor and Council purchase equipment in order to videotape Mayor and Council meetings; and

**WHEREAS,** it is estimated that the cost of the equipment will not exceed $3,000.

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake authorize the purchase of video recording equipment for the purpose of videotaping Mayor and Council meetings.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

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| **2011 Budget Reserve Transfers for March 5, 2012 meeting (Consent Agenda – 10)** | | | |
|  |  |  |  |
|  |  |  |  |
| **DEPARTMENT** | **ACCOUNT NUMBER** | **FROM** | **TO** |
|  |  |  |  |
| ADMINISTRATION - OTHER EXPENSES | 1-01-20-100-020 | 1,000.00 |  |
| LIABILITY INSURANCE | 1-01-23-210-020 |  | 1,000.00 |
|  |  |  |  |
| ADMINISTRATION - OTHER EXPENSES | 1-01-20-100-020 | 200.00 |  |
| BOARD OF HEALTH- OTHER EXPENSES | 1-01-26-310-020 |  | 200.00 |
|  |  |  |  |
| SEWER - OTHER EXPENSES | 1-01-31-455-020 | 1,700.00 |  |
| STREETS AND ROADS - SALARIES AND WAGES | 1-01-26-290-010 |  | 1,700.00 |
|  |  |  |  |
| POLICE - OTHER EXPENSES | 1-01-25-240-020 | 10,000.00 |  |
| POLICE - SALARIES & WAGES | 1-01-25-240-010 |  | 10,000.00 |
| LOSAP - AMBULANCE | 1-01-36-477-000 | 3,500.00 |  |
| SOCIAL SECURITY | 1-01-36-472-000 | 3,000.00 |  |
| LOSAP - FIRE DEPARTMENT | 1-01-36-478-000 |  | 6,500.00 |
| **TOTAL** |  | 19,400.00 | 19,400.00 |
|  |  |  |  |

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**