**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL AGENDA**

**September 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

Councilwoman Donna Abene

Councilman Jeffrey Bader

Councilman Kenneth Baum

Councilman John Glaser

Councilman Robert Rosenblatt

Councilman Michael Struk

**PLEDGE OF ALLEGIANCE**.

**APPOINTMENT.**

**(Mayor)** I appoint Christopher Woods of Woodcliff Lake, New Jersey as a member of the Woodcliff Lake Junior Volunteer Fire Department.

**RESOLVED**, that this appointment is approved.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**APPROVAL OF MINUTES.**

**RESOLVED,** that the Minutes of the **of the Mayor and Council meeting August 13, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**RESOLVED,** that the Minutes of a **Special Mayor and Council meeting August 20, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**RESOLVED,** that the Minutes of an **Executive Session of the Mayor and Council on August 20, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**PUBLIC HEARING**

Ordinance 12-14

A. Clerk offers Proof of Publication.

1. Ordinance is read by title only

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

**An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to Revise Chapter 58 entitled ”Salaries”**

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**

**An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to Revise Chapter 58 entitled ”Salaries”**

introduced at a Regular Meeting of the Mayor and Council held on August 20, 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**

**OLD BUSINESS.**

**ENGINEER’S REPORT**

* Intersection Improvements at Woodcliff Avenue and Werimus Road
* Improvements to Chestnut Ridge Road and Saddle River Road
* 2012 NJDOT Local Aid Grant Application Package

Proposals: Street Pavement Management Study, 4/10/12

**ADMINISTRATOR’S REPORT**

- Borough Hall Boiler Replacement Project

- Summer Extended Borough Hall Hours - Recap

- Bergen County Open Space Trust Fund Application – Completed and submitted

- WCL 9/11 Candlelight Vigil – Tuesday, September 11, 2012; 7PM

- Sustainable Jersey Initiative

* + LED bulbs pilot project

- 2012 Pascack Valley Shared Services Road Paving

- 2012 PV Municipal Road Paving Propgram – Recap

- PV 2012 NJDOT Road Projects – Engineer Selection for Participating Municipalities

- V Administrator’s Initiative - Utility Bills Audit – Report

- Werimus and Woodcliff - update

- 2013 NJDOT Local Aid Grant Application – Authorization Resolution

**NEW BUSINESS.**

**Introduction of Ordinance 12-16**

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

**Bond Ordinance to Amend Sections 4,7,8,9,11 and 12 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 on July 16, 2012.**

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 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Introduction of Ordinance 12-17(Change to 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 Certain 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 19th day of September 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 – September 4, 2012**

1. Authority to Pay Claims, **page 7**
2. Payroll, **page 7**
3. Resolution Authorizing Boswell Engineering to Prepare 2013 NJDOT Local Aid Grant Application, **page 7, 8**
4. Resolution Establishing a New Petty Cash Fund, **page 8**
5. Resolution Approving the Submission of a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Mill Road Improvements Project, **page 8, 9**
6. Resolution Ratifying Issuance of Emergency Contract – Dutra Excavating & Sewer Inc. Repairs to Highview Avenue, **page 9**
7. Resolution Changing the Status of the Finance Assistant from Part-Time to Full-Time, **page 9, 10**
8. Resolution Authorizing the Submission of An Application for the Woodcliff Lake Alliance Grant for the Calendar Year 2013, **page 10**
9. Resolution Requesting Approval of Items of Revenues and Appropriation – Chap. 159-NJSA 40A:87 Senior Citizen Grant, **page 10, 11**
10. Resolution Authorizing License as a dealer of Second-Hand Gold, Siler, Gems, and Precious Metals, **page 11**
11. Resolution Authorizing Solicitor License Marketing Venture Partners, **page 11**
12. Resolution Requesting Approval of Items of Revenue and Appropriation – Chapter 159-NJSA-40A:4087 Alcohol Education Rehab Fund**, page 12**
13. Resolution Requesting Approval of Items of Revenue and Appropriation, Chapter 159, NJSA 40A:4-87 – Drunk Driving Enforcement Fund, **page 12, 13**
14. Resolution Authorizing Entering Into a ADA Cooperative Engineering Design Grant Agreement Between the Borough of Woodcliff Lake and the County of Bergen,

**page 13, 14**

1. Resolution Awarding the Authorization for Professional Services, **page 14**

**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: $ 1,988,059.19

Capital Fund: $ 18.39

State Unemployment $ 286.50

Animal Control Fund $ 2,522,40

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 $194,102.93

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Boswell Engineering to Prepare 2013 NJDOT Local Aid Grant Application (Consent Agenda – 3)

**WHEREAS,** Boswell McClave Engineering was recently advised that the 2013 NJDOT Local Aid Grant Applications are out and need to be completed and submitted to the NJDOT for consideration by September 28, 2012 along with the governing body resolution of endorsement; and

**WHEREAS,** the Borough of Woodcliff Lake is desirous of submitting a 2013 NJDOT Grant Application for rehabilitation of a municipal road that meets the criteria outlined by the NJDOT; and

**WHEREAS, the** Borough of Woodcliff Lake has received correspondence from Boswell Engineering indicating that the fee for the preparation of this application is $1,500.00; and

**WHEREAS**, the Boswell Engineering has conferred with the Borough Administrator and Acting DPW Superintendent; and

**WHEREAS**, based on the NJDOT criteria, Boswell Engineering recommends that, as discussed at the August 13, 2012 Mayor and Council meeting, the Borough might want to consider Mill Road from Pascack Road to Woodcliff Avenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake endorse the submission of the 2013 NJDOT Grant Application for Mill Road from Pascack Road to Woodcliff Avenue.

**AND BE IT FURTHER RESOLVED THAT**, the Mayor and Council of the Borough of Woodcliff Lake authorize Boswell Engineering to prepare the aforementioned application for a fee not to exceed $1,500.00.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution: Establishing a New Petty Cash Fund (Consent Agenda – 4)**

**WHEREAS,** N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

**WHEREAS,** it is the desire of the Borough of Woodcliff Lake, County of Bergen

to establish such a fund for the in the amount of $ 500.00 ; and

**WHEREAS,** the custodian for this fund is Lorinda Sciara, RMC/CMC , who is bonded for the amount of $1,000.00 ; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

**NOW, THEREFORE BE IT RESOLVED** that the hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Approving the Submission of a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Mill Road Improvements Project (Consent Agenda – 5)**

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the Borough of Woodcliff Lake formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Borough Administrator and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Woodcliff Lake Borough-00020 to the New Jersey Department of Transportation on behalf of the Borough of Woodcliff Lake.

**BE IT FURTHER RESOLVED** that the Borough Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Woodcliff Lake, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Clerk) (Borough Administrator)

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Ratifying Issuance of Emergency Contract – Dutra Excavating & Sewer, Inc. Repairs To Highview Avenue (Consent Agenda -6)**

**WHEREAS,** an emergency condition arose on July 23, 2012 due to sinkhole on Highview Avenue; and

**WHEREAS**, Boswell McClave Engineering recommended in their July 23, 2012 correspondence to the Borough Administrator/QPA that his matter be declared an emergency since it causes a danger to the public health, safety and welfare of the public at large, and

**WHEREAS**, it was necessary to invoke the provisions of N.J.S.A. 40A:11-6 in order to obtain the immediate deliver of goods or performance of services described in the attached requisition; and

**WHEREAS**, the Borough Administrator/QPA approved issuance of a purchase order without receipt of bids or solicitation of quotations; and

**WHEREAS**, upon the recommendation of the Acting DPW Superintendent the Borough did immediately hire a Contractor to televise the pipe to determine the area where the structural integrity of the pipe had been sacrificed and the pipe then be replaced, and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Woodcliff Lake that the following emergency contract was awarded to Dutra Excavating & Sewer, Inc., 10 Stone Hollow Road, Montvale, New Jersey 07645 in an amount of $12,599.82 for repairs to Highview Avenue.

**BE IT FURTHER RESOLVED** that the payment of $12,599.82 to Dutra Excavating & Sewer, Inc., 10 Stone Hollow Road, Montvale, New Jersey 07645 is hereby authorized.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Changing the Status of the Finance Assistant from Part-Time to Full-Time**

**(Consent Agenda – 7)**

**WHEREAS,** the CFO has requested that more assistance is needed in the finance office; and

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

**WHEREAS,** the current Finance Assistant has agreed to the change from a part-time employee to a full-time employee.

**THEREFORE**, be it resolved that Fariba Neghaban, Finance Assistance hours will be 8:30-4:30 with a one hour lunch.

**BE IT FURTHER RESOLVED** that the increase for this change in status will be $7,000.00.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing the Submission of an Application for the Woodcliff Lake Alliance Grant for the Calendar Year 2013 (Consent Agenda – 8)**

**WHEREAS,** the Borough of Woodcliff Lake Council of the Borough of the Woodcliff Lake, County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS**, the Borough of Woodcliff Lake Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen.

**NOW, THEREFORE BE IT RESOLVED** by the Borough of Woodcliff Lake, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough of Woodcliff Lake does hereby authorize submission of an application for the Woodcliff Lake Municipal Alliance grant for calendar year 2013 in the amount of $9,876.00.
2. The Borough of Woodcliff Lake acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:

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

(Mayor)

I, Lorinda Sciara, Municipal Clerk of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution duly authorized by the Borough of Woodcliff Lake Council on this 4th day of September, 2012.

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

(Borough Clerk)

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Requesting Approval of Items of Revenue and Appropriation - Chap 159-NJSA 40A-897-Senior Citizen Grant (Consent Agenda – 9)**

**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 $4,469.00 available from Senior Citizen Grant from the County of Bergen for $ 4,469. (2-0141724099)

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing License as a Dealer of Second-Hand Gold, Silver, Gems, and Precious Metals (Consent Agenda-10)**

**WHEREAS,** application has been made by First Montgomery LLC dba Montgomery Estate Buyers; and

**WHEREAS**, said application has been submitted to the Woodcliff Lake Police Department for investigation and have been found to be in good order;

**NOW, THEREFORE, BE IT RESOLVED**, that the application of First Montgomery LLC dba Montgomery Estate Buyers is approved and the Borough Clerk is hereby authorized to issue License for the period ending 12/31/12.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing Solicitor License Marketing Venture Partners**

**(Consent Agenda – 11)**

**WHEREAS,** Marketing Venture Partners, Inc. has applied for a Solicitor License to the Borough Clerk’s office to solicit Verizon Wireless products within the municipality of Woodcliff Lake; and

**WHEREAS**, the Police Department has stated that there is no reason to deny the following representatives of Marketing Venture Partners, Inc. a license:

Lieko Blackwood, Daniel Babicz, Tinu Varughese, and Shengchen Niu; and

**WHEREAS,** the applicant has been advised of the rules and guidelines, specifically the Do Not Knock Ordinance established in the Borough of Woodcliff Lake and the strict adherence to this policy must be followed.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitors license to the aforementioned representatives of Marketing Venture Partners, Inc. to solicit within the municipality of Woodcliff Lake.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – CHAPTER 159 – NJSA 40a:4-87 – ALCOHOL EDUCATION REHAB FUND** **(Consent Agenda – 12)**

**WHEREAS,** NJSA 40A:87 provides that the Director of the Division 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 made available by law and the amount was not determined at the time of adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of $107.93 from the State of New Jersey in the amount of $107.93 (2-01-41-780-099).

**BE IT FURTHER RESOLVED**, that the like sum of $107.93 is hereby appropriated under the caption of Alcohol and Education Rehabilitation Fund (2-01-41-780-099)).

**BE IT FURTHER RESOLVED**, that the above is the result of funds from the State of New Jersey.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Requesting Approval of Items of Revenue and Appropriation – Chapter 159- NJSA-40A:4-87 Drunk Driving Enforcement Fund**

**(Consent Agenda – 13)**

**WHEREAS,** NJSA 40A:87 provides that the Director of the Division 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 made available by law and the amount was not determined at the time of adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of $1,116.96 from the State of New Jersey Division of Motor Vehicles, for the Drunk Driving Enforcement Fund, which is now available 2-01-41-702-000.

**BE IT FURTHER RESOLVED** that the like sum of $ 1,116.96 is hereby appropriated under the caption Drunk Driving Enforcement Fund 2-01-41-717-099.

**BE IT FURTHER RESOLVED** that the above is the result of funds from the State of New Jersey Division of Motor Vehicles.

Abene            Bader             Baum            Glaser            Rosenblatt           Struk    **Goldsmith**

**A RESOLUTION TO REAFFIRM THE APPOINTMENT OF VITO GAGLIARDI, ESQ., TO REPRESENT THE BOROUGH WITH REEGARD TO THE SCHOOL FUNDING FORMULA**

**(Consent Agenda – 14)**

**WHEREAS,** the Borough has previously retained Vito Gagliardi, Esq., to represent the Borough in connection with efforts to revise what is commonly referred to as “the School Funding Formula” utilized in connection with the Regional School District in order to assure that all municipalities in the Regional School District pay their fair share of expenses; and

**WHEREAS,** such hiring was originally accomplished jointly with the Borough of Montvale – another municipality included in the Regional School District – and greatly interested in assuring that fairness and equity was done with regard to all municipalities which participate in the Regional School District and fees incurred were to be divided equally between the municipalities; and

**WHEREAS,** the Borough has recently been informed by the Borough of Montvale that they no longer desire to retain counsel in order to attempt to achieve fairness and equity with regard to the funding formula utilized by the Regional School District; and

**WHEREAS,** the Borough desires to continue in its efforts to achieve fairness and equity in the Regional School District funding formula – regardless of the participation therein by Montvale – and desires to assure that Vito Gagliardi, Esq., continues to provide legal services only to the Borough of Woodcliff Lake.

**NOW THEREFORE, IT IS HEREBY RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake as follows:

1. The Borough hereby retains, and reaffirms its prior appointment of, Vito Gagliardi, Esq., as Special Counsel with regard to the Regional School District Funding Formula as set forth herein.

Abene            Bader             Baum            Glaser            Rosenblatt           Struk    **Goldsmith**

**Resolution Authorizing Entering Into a ADA Cooperative Engineering Design Grant Agreement Between the Borough of Woodcliff Lake and the County of Bergen (Consent Agenda – 15)**

**BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake wishes to enter into an agreement with the County of Bergen for the purpose of an ADA Cooperative Engineering Design Grant Agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Mayor Jeffrey Goldsmith to be a signatory to the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED,**  that the Mayor and Council hereby authorizes the administrator to sign all County vouchers submitted in connection with the aforesaid agreement.

Abene            Bader             Baum            Glaser            Rosenblatt           Struk    **Goldsmith**

**Resolution Awarding the Authorization for Professional Services. (Consent Agenda-16)**

**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 a Special Tax Appeal Attorney for 50 and 300 Tice Boulevard – Mack-Cali appeal and other appeals as needed; and

**WHEREAS,** the Mayor and Council authorized the Borough Attorney to engage the services of special tax appeal attorney by letter dated February 23, 2012; 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 reaffirms the appointment of Steven Muhlstock of the firm Gitlleman, Mulstock and Chewcaski, LLP . as a Special Tax Appeal Attorney for the Borough of Woodcliff Lake to a term ending December 31, 2012.

**BE IT FURTHER RESOLVED**, that the Borough Attorney is authorized to prepare and execute a contract for above services at a rate of $115.00 per hour.

**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.

Abene            Bader             Baum            Glaser            Rosenblatt           Struk    **Goldsmith**