**BOROUGH OF WOODCLIFF LAKE**

**MAYOR AND COUNCIL MINUTES**

**May 21, 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, Administrator Albrecht and Borough Clerk Sciara were also present.

**PLEDGE OF ALLEGIANCE**.

All present recited the Pledge of Allegiance led by Mr. Ken Glemby.

**APPOINTMENT.**

**(Mayor)** I appoint Matthew Berry as Facebook Coordinator for a term ending December 31, 2012.

Mr. Bader stated that a written procedure police for Facebook was requested by himself two meetings ago. Mr. Bader requested at that time that Wolfgang Albrecht be the responsible official for the implementation and the positing to this social media site. Mr. Bader stressed that the rules and regulations of this site must be documented. He continued that it does not matter who is advising the administrator but that he wants to make sure that there is continuity to this position 5 years down the road in a written policy.

Mr. Glaser appreciates the comments from Mr. Bader. Mr. Glaser, however, as a member of the Technology Committee feels that it was always understood that the borough administrator would be the ultimate responsible party.

Mr. Rosenblatt stated that he doubted Mr. Berry would be posting comments to Facebook every five minutes. He would assume that a schedule would be coordinated between the borough administrator and Mr. Berry as to when posts would be done. The borough administrator would receive an e-mail from Mr. Berry with the posts, would sign off and only then would Mr. Berry post to the site.

Mr. Matt Berry addressed the Mayor and Council . Mr. Berry stated that the Facebook site is an extension of the information on the website. His posts will contain no opinions, just facts and information to the residents. Mr. Berry stated that he works for a large corporation and he does marketing for a living. He would not irresponsibly post anything onto his company’s Facebook or the Borough’s Facebook page.

**APPROVAL OF MINUTES.**

**RESOLVED,** that the Minutes of the **of the Mayor and Council meeting on May 7, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

**ROLL CALL:**

Introduce: Mr. Baum

Second: Mr. Glaser

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

Nays: None

Abstain: None

Not eligible: Mr. Bader, Mr. Rosenblatt

**PUBLIC HEARING**

[**Ordinance 12-06**](file:///C%3A%5CDocuments%20and%20Settings%5Clsciara%5CDesktop%5C4-16-12%5CAudio%20Video%20Taping%20of%20Boro%20Meetings%20II.pdf)

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 227-2.H to Amend the Hours Permitting Use of Lawn Mowers/Blowers”**

1. Motion to open the meeting to the public on this Ordinance only was made by Mr. Rosenblatt, second by Mr. Glaser and approved unanimously by voice call vote.

Joseph T. LagPaglia, Woodcliff Lake asked for more information on this Ordinance. Attorney Madaio stated that this is the exact ordinance currently in effect except that the hours have been pushed back one (1) hour.

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

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 227-2.H to Amend the Hours Permitting Use of Lawn Mowers/Blowers”**

introduced at a Regular Meeting of the Mayor and Council held on May 7, 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.

**ROLL CALL:**

Introduce: Mr. Rosenblatt

Second: Mr. Glaser

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

Nays: None

Abstain: None

Absent: None

[**Ordinance 12-08**](file:///C%3A%5CDocuments%20and%20Settings%5Clsciara%5CDesktop%5C4-16-12%5CAudio%20Video%20Taping%20of%20Boro%20Meetings%20II.pdf)

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 Amend Article XII, Entitled “Police Department” at §5-44, Contracted Extra Duty Employment”**

1. Motion to open the meeting to the public on this Ordinance only was made by Mr. Baum, second by Mrs. Abene and approved unanimously by voice call vote.

Joseph T. LaPaglia, Woodcliff Lake asked for clarification of this Ordinance. Mayor LaPaglia was told that this Ordinance was to increase the contracted extra duty employment rate to include a $20.00 fee for vehicle usage.

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

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 Amend Article XII, Entitled “Police Department” at §5-44, Contracted Extra Duty Employment”**

introduced at a Regular Meeting of the Mayor and Council held on May 7, 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.

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

Second: Mr. Bader

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

Nays: None

Abstain: None

Absent: None

[**Ordinance 12-09**](file:///C%3A%5CDocuments%20and%20Settings%5Clsciara%5CDesktop%5C4-16-12%5CAudio%20Video%20Taping%20of%20Boro%20Meetings%20II.pdf)

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 Ordinance 250-3.E(1) to Limit Time Allowable for Parking in Borough Parking Lots”**

Before opening to the public, Mr. Bader explained to the public that this Ordinance states that any cars parked on Borough property must have a sticker. If you have a sticker, you may park on Borough property for no more than 48 hours.

1. Motion to open the meeting to the public on this Ordinance only was made by Mr. Glaser, second by Mrs. Abene and approved unanimously by voice call vote.

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

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 Ordinance 250-3.E(1) to Limit Time Allowable for Parking in Borough Parking Lots”**

introduced at a Regular Meeting of the Mayor and Council held on May 7, 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.

**ROLL CALL:**
Introduce: Mr. Glaser

Second: Mrs. Abene

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

Nays: None

Abstain: None

Absent: None

**STANDING COMMITTEE REPORTS.**

**Administration/Finance**

Mr. Glaser stated that later on tonight the 2012 Municipal Budget will be presented to the public.

The Joint Court Advisory Committee has recently met to discuss Hillsdale’s desire to join the Tri Court of Park Ridge, Montvale and Woodcliff. Hillsdale recently had a feasibility study prepared by the same consultant who prepared the original Woodcliff Lake, Park Ridge and Montvale feasibility study. The Hillsdale study was very favorable to Hillsdale (an anticipated savings of approximately $40,000), not as favorable to the other three towns ( an anticipated savings of $3,000-$4,000 to each town). The committee will meet again in June to discuss this possible merger in more detail.

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

Mr. Struk asked for his report to be carried as he had not had a chance to meet with the Acting DPW Superintendent. He felt it would be a disservice to just “wing” a report.

**Parks & Recreation**

Mr. Baum reported that the Old Mill Pool will be opening this weekend and is free to all residents with proof of residency. Mr. Baum continued that this weekend the Borough will sponsor the ninth annual Bergen County Baseball tournament. It is a very successful tournament with great food, and great baseball teams from as far away as Brooklyn.

Mr. Rosenblatt reported that there was a Pool and Tennis meeting held last week. Some of the topics discussed were: new pool/tennis fees, hours of operation, the replacement of the glass tables with plastic, the hiring of personnel and Woodcliff Lake Day.

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

Mr. Bader reported the Police Consolidation Committee has received proposals from two (2) companies to prepare a study as to the possible consolidation of police services. Park Ridge is the lead town and a meeting to discuss the two (2) received proposals will take place on June 6, 2012. No selection of a vendor will take place at this meeting. Once the committee has discussed these proposals, a meeting with the committee members and the three (3) chiefs of police will be scheduled. Mayor Goldsmith asked if the municipalities had a deadline to respond to the prosecutor. Mr. Bader stated that the process should be complete by September but felt the timeline was too optimistic.

Mayor Goldsmith asked the Borough Clerk if a referendum could be put on the ballot for this November. The Borough Clerk stated that all ballot questions are due at the end of August. A decision from the committee will probably not allow for enough time to submit a Referendum question for the November ballot.

Mr. Bader reported that there was a burglary on Chestnut Ridge Road recently. It took only four minutes for the burglar to gain entrance into the residence, remove the jewelry from the master bedroom and leave. A NIXLE message went out to all residents warning them about this incident.

Recent correspondence has been received about traffic/speeding problems on Shaw Road. Mr. Bader stated that there has been no committee meeting on this issue and would rather report publicly after a meeting is held. A meeting is scheduled for this Thursday at 3:30 p.m. to discuss the traffic/speeding on Shaw Road with concerned residents and officials.

The Memorial Day Parade will begin in Montvale this year and Mr. Bader asked all council members and the Mayor to attend.

Mr. Bader reported that he has “unofficially’ heard that Park Ridge and Montvale will not be participating in this year’s National Night Out held in August at the Old Mill Pool. Mr. Bader feels we cannot sponsor this event alone. There are many volunteer hours involved in the planning and commencement of this event. After discussion, all on the dais agreed to bring this issue up at the next Park and Recreation meeting to establish whether or not we can sponsor this event without the other municipalities.

Mr. Baum stated that if the other municipalities did want to join in this year, we could use the extra funding for other events at Woodcliff Lake Day.

Mrs. Abene added that we could sponsor concerts in the park with the extra funding.

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

Mr. Struk reported that the change in the leaf blower/mower Ordinance had been adopted earlier this evening. Jennifer Schnitzer, Borough sanitarian was given a fond farewell last month. Ms. Schnitzer was let go by the County but has found employment elsewhere. All wished Ms. Shnitzer much success in her new employment.

 **Education (elementary)**

Mr. Baum had no report for elementary education.

**Education (high school)**

Mrs. Abene reported that BMW executives had recently visited the elementary school. Superintendent Barbalet did a wonderful job of presenting our schools and students to the visiting executives in such a terrific light.

Mayor Goldsmith stated that he has established a quarterly lunch and learn program. Each quarter 3-4 faculty members, 12 students and he will meet for lunch.

**Public Information, Newsletters, Ordinances**

Mr. Baum reported that the newsletter should have been received by all Borough residents. Based on past practice, Mr. Baum will be calling for Fall submissions to the newsletter in the Spring!

**Fire – Volunteer/Fire Prevention**

Mr. Rosenblatt reported that there was a fire alarm activation on Blueberry Drive.

**Library**

No report was given.

**Senior Citizens' Program**

No report given.

**MAYOR’S REPORT.**

 Before I begin my comments, I want to share with you a brief review of some of the activities-meetings I have attended since April 16th.

I have met with Burgis Associates, Kathleen Donovan, our County Executive, I attended the Mayor’s conference, we had a second productive meeting with BMW, I have met with three our Council members (and will meet with the others in the next few weeks), I attended the monthly Mayor’s meeting, The Secret Life of Teens event at Pascack Hills High School, we had a finance committee meeting to better understand our current operations, and this morning we held a “Community Outreach’ with several houses of worship – and glad that Stephanie Schwartz of Community Life attended as well. It was the first in anyone’s recollection. All of our department heads joined us and this represents my commitment to building community.

I have been passionate towards my position and now I ask the same of this Council. While I commend Councilman Struk for his efforts representing the east side residents, I also compliment Councilwoman Abene’s tireless efforts for the entire municipality in her commitment to our Finance and Technology committees.

Tonight, I focus on two quotes that constitute my thoughts and hence my report. The first “We have the opportunity to make this the best generation in the history of mankind or make it the last.” The other “These guys have gotten it wrong before, they’re getting it wrong again.” The latter quote is a comment from our Governor Chris Christie made 5 days ago. I have decided to focus my message on the first, that being from President John F. Kennedy.

I look at this Council and truly believe that collaboratively we can accomplish great achievements. But, our committees need to start to produce. We need to run this like a business. I ask each one of you, have you done all you can do in your roles?

When I look at the last eight years in comparison to now, we have a new Mayor and a different mix of Council members. I firmly believe we have some of the best talent. If we can work together, roll up our sleeves, we accomplish what our residents wanted us to do. When they look at this Council, we all want them to say “that this was the best Council ever.” And you can be a part of this. Why?

As we drive to my stated goal in driving to be a Top Ten Town, we benefit by increasing property values and reducing our taxes. If we work as one, we can do it.

Last meeting, each one of you was given your responsibilities for the Goals and Objectives. I as that at the next meeting, you will present – in writing, your summary of the goal and metric that you expect to achieve and the future meeting dates.

We must analyze every cost center. I will be leading the Finance Committee with quarterly reviews-as we did last week when we started to review YTD vs. Prior YTD fees. We need to look for new revenue streams. And all professional service contracts over $5,000 should go out for competitive bid. As I learned by attending the Mayor’s Conference, for example, that the Consent Agenda item tonight for Boswell’s service could be done for $10,000 less (Consent Agenda #10).

I believe you are all up for the challenge. It is what you signed up for when you ran for Council. It requires commitment. People voted for you because as a resident of Woodcliff Lake they believed you were going to work hard on their behalf. You can be part of this part and yes, you ran for public office and sometimes their needs to be sacrifices. Unfortunately, sometimes you might miss time with your spouse, your children, work, and even a few hours from your vacation. That is what our residents expect and deserve. The best Council ever.

Your actions will speak volumes. I need to count on each and every one of you.

As always, God bless Woodcliff Lake. God bless America.

**NEW BUSINESS.**

**Public Hearing – 2012 Municipal Budget.**

Administrator Albrecht presented the 2012 Municipal Budget to the Mayor and Council and the residents in the audience. He stated that the CFO had previous personal business and could not attend this evening’s meeting. Paul Lerch, the Borough Auditor of Lerch Vinci Higgins is present tonight The Finance Committee consisted of:

Mayor Jeffrey R. Goldsmith

Councilman John Glaser

Councilwoman Donna Abene

Borough Administrator Wolfgang Albrecht

Chief Financial Officer Harold Laufeld

Borough Auditor Paul Lerch

After discussion between the department heads and the finance committee, the 2012 Municipal Budget was introduced on April 16, 2012.

Budget Highlights included that the aggregate property values increased by $143,757,500 (8.37%) from 2011 due to the revaluation.

General Budget Appropriations (Expenditures) including Capital Improvements = $11,516.047

This is an increase of $613,302 or 5.63% from 2011 final budget appropriations.

State Aid remained the same as 2011 at $509,389.

The 2012 Municipal Budget as proposed has an increase in the 2012 Municipal Tax rate of 6.90%.

The large increase of 8.37% in the Total Assessed Value of $1,847,942,619 is due to the revaluation.

This budget includes an $800,000 use of surplus, the same as last year. State aid remains the same, local revenues are $886,652, Construction fees are $220,000 for a total 2012 Tax Levy of $8,869,460.

The largest budget increases/decreases for 2012:

Deferred Charges – Tax Appeals $300,000

Group Health Insurance 164,730

Police – Salary and Wages 158,537

Gasoline 49,425

Sewer Charges 32,541

Reserve for Uncollected Taxes 28,025

Electricity 22,000

Police/Fire Pension (110,450)

Legal ( 56,000)

Police-Other Expenses ( 26,300)

 **TOTAL: $562,508**

The 2012 Capital Improvement Plan includes the resurfacing of Campbell Avenue – NJDOT Grant , the resurfacing of Campbell Avenue – NJDOT Grant and the resurfacing of Ravine and other roads. The DPW has requested a new garbage truck, pump station upgrades, the Clerk’s Department has requested the purchase of tablets for the paperless initiative and an upgrade to the scanning software. The Building and Grounds are requesting the demolition of the Hatheway House, a generator for the DPW Garage and several tree plantings. These total capital improvements requests total $845,200.

**BREAKDOWN OF MUNICIPAL TAX BILL**

 **2012 2011 INCREASE**

**Woodcliff Lake Schools $ 5,062 $ 5,016 $46**

**P.V. Regional High School $ 4,207 $ 4,282 ($75)**

**Municipal $ 3,277 $ 3,066 $211**

**County $ 1,683 $ 1,646 $ 37**

**TOTAL $14,229 $ 14.010 $219**

**NOTES:**

1. Tax impact does not include the Municipal or County Open Space Tax.

1. The County Tax Levy has not been finalized and has been calculated assuming 2% increase

3.2011 Tax Impact Restated Utilizing 2012 Net Valuation

**The Municipal Tax Impact Calculation**

 Municipal Tax Impact on Average Home - $3,277, 6.90% increase of 2011

 Municipal Tax Rate = $0.480

**CALCULATION OF TAX RATE**

Tax Levy / Total Assessed Value x 100 = Municipal Tax Rate

$8,869,460/ $1,847,942,619 x 100 = $ 0.480 Municipal Tax Rate

**CALCULATION OF MUNICIPAL TAX**

Assessed Value / 100 x Municipal Tax Rate = Municipal Tax

$683,000 / 100 x 0.480 = $3,277 Municipal Tax (23.04%) of your total tax bill)

**There are some initiatives to save money and acquire grant money**

 Biodiesel - $50.00 of diesel cost saving per one gallon of waste oil

 DOT grant

 Joint Municipal Court savings $40,000 per year

 Purchase of Electricity from Bergen County Co-op indicates a $40,000 savings per year

 Telephone switch anticipates a $7,000 savings

 Grant funding - $20,000 grant received for improvements to the Old Mill

IBM Grant of $3,000 from IBM courtesy of Matt Berry

 Switching prescription companies saved $30,000.

This is a very challenging budget. The Mayor and Council are not very pleased with this budget but this is a result of tax appeals that are in front of us.

Mayor Goldsmith commented that from our revaluation or assessed values are up 8.37% . If these numbers are inaccurate, our budget is inaccurate. From our corporate side to our residents we want to be sure the assessed values are correct. We have 1870 homeowners compared to 57 corporate landowners. We have however been making inroads with our communications with the corporate sector.

Mayor LaPaglia stated that in regard to municipal surplus, we are dipping into the “danger zone”. If we continue to use our surplus at this rate, we will have depleted our surplus in approximately three (3) years. Mayor Goldsmith stated that he is focusing on what will be done in 2014, 2015 and 2016. We must take control of what is controllable, such as gasoline, BCUA charges. Senate Bill S914 has put the sanitary sewer excess sewer charge is on hold due to some concerns. What we can control, we must control. After this budget is passed, the Budget Review Committee will go through this budget page by page. Mr. Rosenblatt stated that he feels all department heads should just slash their budgets by 5%. Do we need 18 officers including the Chief? Do we need 13 DPW workers including the department head? Do we need 6 full- time employees in borough hall. I do not know the answers to the questions. I expect my finance chair to know the answers to these questions. Is a single stream waste recycling system more efficient than what we currently do? Is recycling pick up efficient? These are other questions the Mayor does not have answers to.

Mr. Bader stated we have just spent four months going through the budget process. He asked the Mayor, “Sitting in our seats, would you vote for this budget. Do you think we did a good job? Or do you think we could do better? I don’t hear very positive comments from you and it is very concerning to him.”

Mayor Goldsmith stated that he does not vote. He has been going through these numbers since December 1, 2011. He is concerned about the future. Mr. Bader said that he is concerned that in about ten minutes the Mayor is going to ask the Council on this budget “Is it a good budget or is it not?” Mayor Goldsmith stated that the mandate of the Governor is to reduce, reduce, reduce. The Mayor does not see we have done it. Mr. Bader stated that if the Mayor thinks we could do better, he would not fight to table the adoption of the budget.

Mr. Rosenblatt stated that this is what the residents have been saying. This tax increase is unacceptable but unavoidable. This is the highest increase in the Pascack Valley. In previous years, there was little or no increase in the budget. He voted no to the previous year’s budget while on the Council because he felt the use of surplus was an artificial way to balance the budget. He said then that by using so much surplus, future residents of the municipality would wind up paying. Ironically, Moody’s has downgraded the Borough’s rating, saying the same things Mr. Rosenblatt said three to five years ago. “We are depleting our surplus at a rate that is not fiscally responsible.” We should have had slight increase every year and he feels we are paying this steep price due to prior administrations. Mayor Goldsmith commented that these are the sentiments of the councilman and not of the Mayor and these and all comments are respected.

Mr. Glaser stated that politics should not be brought into the budget. Residents are here to hear facts about the budget. Mr. Rosenblatt stated again that what he said 4 years ago has come true today. Mr. Glaser stated that is very easy to blame prior politicians. Tax appeals and very difficult economic times is the cause of today’s budgetary problems. Many other towns are facing the very same problems. Moody’s was partially correct as to their comments on downgrading based upon the surplus. Mayor Goldsmith stated however hat a high surplus is not always a good thing. We have enjoyed several developer fees over the past years, such as the Mulholland Property and the Tice Farm which became Tice Mall. We are currently getting a boost from the development of the assisted living facility on Tice and Glen Road. There are no more development boosts to rely on however.

Mayor Goldsmith asked, ”Where is the revenue stream? Do we need 18 police officers , do we need 13 DPW workers, do we need 6 full-time borough staff, what are we doing about shared services, working with our police in 3 towns, mutual aid with five other towns, why are we buying a fire truck when Westwood just bought one”.

Mrs. Abene worked on this budget with Mr. Glaser and would like to comment to that fact. They worked very hard and together. This year they had to start with a $300,000 number because of tax appeals. They did the very best they could without laying off personnel. Services must be continued for the residents. Mayor Goldsmith states that this is not politics, this is reality.

Mr. Bader stated that this is the first time in 11 years working on budgets that he is “miffed”. He hears the Mayor saying that he thinks we can do better on this budget. Mr. Rosenblatt is stating that the budget is too high. He has given at least an idea to go back to the committees for a 5% across the board reduction. Mr. Bader stated that he would like to go back and make more cuts for the next meeting. Mayor Goldsmith stated that this budget is unacceptable and we must live with the budget going forward. We stayed within the 2% cap and have done what the Governor asked us to do. Mayor Goldsmith is asking that after the budget adoption, the hard work doesn’t go away. A meeting has been scheduled with the auditor, the CFO and the finance committee next week.

Mr. Rosenblatt asked Mr. Glaser how long ago the Borough received notice of the BMW tax appeal. We knew about 4-5 years ago. Mr. Glaser has been the finance chair for the last 4 years. We paid almost one million to Hilton, we potentially owe hundreds of thousands of dollars to Mack Cali and potentially owe millions to BMW. Mr. Rosenblatt asked Mr. Glaser as the finance chair for this time period, what was the Council’s plan for the rainy day that has come . Mr. Glaser stated he would not be pulled down into this conversation. Mayor Goldsmith gaveled the conversation.

Mr. Bader made a motion to table the budget until the next meeting, allowing the Mayor, Mr. Rosenblatt and the Finance Committee to go back to the drawing board and see if they can come back with any reductions by the next meeting. It seems there are ideas but no one is sharing them with each other. Mr. Bader withdraws the motion to table in order to allow further discussion.

Mayor Goldsmith asked Mr. Lerch two questions. 1. Is there a time table the passage of the budget must be accomplished by? 2. If he as Borough Auditor, had any comments ?

With regard to the budget deadline, the council does have the right to table the budget but they should at least let the public question the budget. He advised for the Council to go through the budget process and then decide. You can table the budget and continue deliberations. Changes/amendments to the budget need to meet certain criteria that are defined in the statute, You can’t modify a c*u*rrent line item by more than 10% and you can’t add a new line item of more than 1%.

Mr. Struk has listened to all views and respects all opinions. The Mayor has echoed many of the same sentiments that Mr. Struk has. He feels that the budget as presented could have had a little more fat cut out of it. He feels we could have taken a bigger bite out of it.

This budget has a 2.75%raise included for raises for all borough employees. However, the Mayor believes that just because the police receive a 2.75% raise, all borough employees should not. Once the salary ordinance is introduced there will be cost savings.

Mr. Glaser stated that the preliminary budget was circulated to all council members and department heads. He does not recall any budget recommendation being returned to reconsideration.

Motion to open the meeting to the public on the budget presentation only was made by Mr. Baum, second by Mrs. Abene.

Mr. Starr, Woodcliff Lake, stated this budget has serious severe structural problems. All the tax appeals are due to the economic climate. Cheaper electricity and buying a hybrid vehicle will not reduce the budget very much. Salaries, benefits, pensions are the white elephant in the room This budget should not be voted on. It will make next year’s budget even worse. These issues should be voted on right now. The issues are human issues.

Dana Cassell, Woodcliff Lake stated that the budget needs to be peeled back like an and looked into even deeper. He doesn’t know how much can be cut out of the budget, since most of the costs are related to the police and fixed costs. There is not enough information to arbitrarily state that two officers should be cut. “Don’t die a thousand cuts to get a few more ounces of blood”. Figure out the operation aspects of running the town while investigating this budget.

Joseph T. LaPaglia, Woodcliff Lake asked a few questions about the tie in of the budget numbers. Paul Lerch stated that there was an increase to assessed value due to the revaluation. The way the tax rate is arrived at is that we take the 2011 amount to be raised by taxation and divide that number into 2012 assessed values. This is where Mayor LaPaglia found his discrepancy. Mr. LaPaglia continued that our biggest tax savings could be change to the Pascack Valley School Equity Funding Formula and the consideration of the consolidation of the local police departments.

Josephine Higgins, 10 Pond Road, Woodcliff Lake stated that the Borough should be looking at more towns to join in inter-local ventures. Mayor Higgins feels if Hillsdale were to join the joint municipal court, they should pay a portion of the upfront leg work done by the other three municipalities.

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

Motion to table the adoption of the 2012 municipal budget referring it back to the finance committee and with the M&C sending memos to the finance committee asking for their comments before the end of the week. There was no second

Motion to approve the 2012 budget was made by Mr. Glaser, second by Mrs. Abene

Mr. Baum was deferring to voice his vote until hearing from the public on the budget. His thoughts are a conglomerate of what the people have to say which is that it is a very bitter tablespoon of medication to swallow but it is in evitable unavoidable. First of all to play politics is disappointing and nauseating. Having said that, he has full confidence that the co-chairs have done their best to bring this to this point, this is parameters and we do not have to spend every penny. We can and will find ways to tweak the fat here and there but like the federal government cutting entitlements, the structural issues are where you will really find the savings. Mr. Baum will vote for adoption and that the Council will try their best to find more savings.

Mrs. Abene stated that the budget is a fluid document, it ebbs and flows. She and Mr. Glaser did everything they could to provide services to residents without cutting personnel.

ROLL CALL:

Introduce: Mr. Glaser, Mrs. Abene

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

Nays: Mr. Bader, Mr. Struk

Abstain: None

Absent: None

Introduction of Ordinance No. 12-10

ORDINANCE OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO REVISE ORDINANCE 250-14A TO INCLUDE ADDITIONAL AREAS WHERE PARKING IS PROHIBITED AT ALL TIMES.

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to held on the 4th day of June , 2012 at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given any opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance be further considered for final passage.

Due to a late submission, the newest version of this Ordinance was not included in the packet.

This Ordinance will be introduced at the June 4, 2012 meeting.

Mr. Bader explained in the interim is that people who do not have parking stickers are using Orchard Street for their commuter parking. The Police Chief and Borough Attorney have agreed to a five hour maximum. Mr. Bader would like the borough administrator to poll the residents on Orchard Street to seek their opinion before the introduction.

**Special Meeting for United Water Presentation on Church Road Dam Reconstruction Project – discussion of possible dates**

United Water has asked the Mayor and Council for a date to present the Church Road Dam Reconstruction Project to the residents. All agreed that June 4, 2012, the next Mayor and Council meeting, would be acceptable.

**PUBLIC FORUM**

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

Mr. Bader had previously stated that a special meeting has been scheduled to discuss this item. Mr. Boffa stated that he had cleared his work schedule in order to be present at tonight’s meeting.

**Brian Boffa, 28 Shaw Road, Woodcliff Lake,** stated that he had spoken to each council member separately and he thanked them for their time. Mr. Boffa continued that the speeding on Shaw Road has been discussed for many years. Mr. Boffa presented the Mayor and Council with a petition with the signatures of all residents on Shaw Road except for one. The Mayor and Council are in possession of the other four items Mr. Boffa wished to introduce. Mr. Boffa asked Mr. Bader specifically as the head of the Safety Committee, “What have you done to date with concerns to our streets?. Mr. Bader answered that Mr. Boffa came to him for assistance with this problem less than one month ago. He has spoken to Mr. Boffa three times and once with the Chief within this month. He stressed that he wants to have a committee meeting before any action is taken.

Mr. Boffa stated that his biggest concern is that minds are already made up on this issue. Mr. Boffa continued that he has nothing but respect for Chief Jannicelii. However, he does not agree with his solution of painting a striped line down the middle of the road.

**Mr. Nathin Salter, Woodcliff Lake** had a motorcycle accident on Shaw Road in 2006. He stated that Mr. Boffa came out to assist him after the accident. His concern is that this is a dangerous pass through street. The road pushes you into oncoming traffic at the allowed. Speeding makes it worse. Mr. Salter was invited to attend the committee meeting scheduled for this Thursday at 3:30 p.m.

**CONSENT AGENDA DISCUSSION.**

**CONSENT AGENDA VOTE.**

Motion to extend the meeting for another 15 minutes by Mrs. Abene, second by Mr. Glaser.

Motion to accept Consent Agenda items, 1-9 and 11made by Mr. Baum, second by Mr. Bader.

**ROLL CALL:**

Introduce: Mr. Baum

Second: Mr. Bader

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

Nays: None

Abstain: None

Absent: None

Mrs. Abene asked if Consent Agenda Item#10 went out for bid. She stated that this seemed a good place to start where we can look to save money. Mr. Bader stated that historically Boswell Engineering has quoted the Borough with the monitoring of road construction services. He remembered that last year $29,000 was bid for last year’s project and the bill was only $12,000 billed at time and labor. The Borough therefore had an $18,000 reduction. Mr. Bader stated that he is always in favor of getting the best price. But in cases like this where we have a bidder for the project with a not to exceed amount and would be billing by an hourly rate. Mr. Bader continued how can we expect a better price on a time and material job? He is surprised that Boswell did not bill the full amount of last year’s project estimate.

Mayor Goldsmith stated that he hoped this Council would vote to bid this proposal. This should be bid on x amount of hours times the salary of the professional who does the job. We have a qualified purchasing agent who can prepare specifications for this proposal. Mayor Goldsmith does not see the harm in putting this proposal out for an RFP. The Mayor feels that any contract over $5,000 should be put out for RFP.

Mr. Glaser asked the Council what would the downside to go out for an RFP. No downside was noted.

Elliot Sachs stated that if this proposal goes out to bid he requests that the qualifications of the bidders on are on an equal playing fields. Very few engineering firms have the qualifications of Boswell Engineering’s staff. Using your Borough Engineer for road inspection services is comparable to buying an insurance policy for your Borough. Boswell Engineering knows the contractor (D&L Paving) very well. The Borough needs someone out there for the milling and paving, to receive the receipts, to take measurements of the receipts. Boswell go’s out right before construction and puts notification to each resident giving them their personal touch. Elliot takes pride in this community and is here on his own time, not Boswell’s time. Other consultants do not provide the same service if it is not their town.

Mrs. Abene stated that the Excess Sewer Sanitary Usage Fee Study went out for RFP and Boswell Engineering bid ½ the amount of the other single bidder. Going out for RFP on this project might obtain the same results.

Mr. Sachs ended that at the Reorganization Meeting of 2012, this Mayor and Council gave their vote of confidence to Boswell Engineering as their borough engineer. Mayor Goldsith and the Council decided who they were going to hire, not the Mayor. It is a strong council, weak Mayor. Mayor Goldsmith cannot say what is going to happen next year. He guarantees that any RFP will be apples to apples and oranges to oranges. He appreciates Mr. Sachs coming to this meeting prepared and on his own time.

Mr. Bader asked about the reduction of billing from last year. He asked if the scope of work was reduced. Mr. Sachs stated that last year’s project went smoothly, with no problems, which resulted in the lower cost.

Mr. Rosenblatt stated that if any other bids come in close to Boswell’s, he feels we should award the contract to our borough engineer. Mr. Rosenblatt wants to know apples to apples, if it is similar, he will vote for Boswell Engineering.

Motion to have the borough administrator/QPA put out a Request for Professional for the Authorization of 2012 Municipal Road Paving Construction Inspection Services to be awarded on June 18, 2012 made by Mr. Baum, second by Mrs. Abene.

**ROLL CALL:**

Introduce: Mr. Baum

Second: Mrs. Abene

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

Nays: None

Abstain: None

Absent: None

Motion to pull Consent Agenda Item #12 made by Mr. Struk, second by Mr. Baum. Mr. Struk is not objecting to the project. He would however like to speak with the administrator to be sure that his expectations will be met in the short term with what Mr. Cassell is offering.

**ROLL CALL:**

Introduce: Mr. Struk

Second: Mr. Baum

Ayes: Mr. Glaser, Mr. Bader, Mr. Baum, Mr. Struk

Nays: Mr. Rosenblatt, Mrs. Abene

Absent: None

Abstain: None

**ADJOURNMENT**

Motion to adjourn made by Mrs. Abene, second by Mr. Glaser and approved unanimously by voice call vote. The time is 11:31 p.m.

Respectfully submitted,

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

Lori Sciara, RMC/CMC

Borough Clerk

**CLAIMS AND BILLS**.

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

 **RESOLVED,** that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

 Current Fund: $ 80,844.78

 Animal Fund $ 123.00

 Trust Fund $ 65.86

 Unemployment Fund $ 422.80

**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 $ 184,797.94

**Resolution Authorizing Payment of Repairs to Pascack Valley Shared Vac-Con Sewer Truck (Consent Agenda – 3)**

**WHEREAS**, the Pascack Valley Cooperative shares a 2002 Vac-Con Sewer Truck amongst six (6) municipalities; and

**WHEREAS**, the Vac-Con Shared Sewer Truck was in need of various repair and replacement parts; and

**WHEREAS**; a sub-committee of DPW Superintendents determined that it was in the best interests of the PV Coop to repair the Vac-Con Sewer Truck; and

**WHEREAS**, the Borough of Westwood, acting as Lead Agency for the Pascack Valley Cooperative Pricing System (#107-PVCPS), solicited written quotes for the repair of the 2002 Vac-Con Sewer Truck; and

**WHEREAS**, the sub-committee determined that Eagle Equip, Inc. 3388 Route 22 West, in Branchburg, New Jersey was the sole company capable of repairing and supplying specialty parts for the Vac-Con Sewer Truck.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Borough’s portion of the payment in the amount of $4,786.00 to Eagle Equipment, Inc., 3388 Route 22 West, Branchburg, New Jersey.

**Resolution Authorizing Stipulation of Settlement Tax Court of New Jersey , Docket No: 010254-2012, Thomas S. and Linda J. Novak vs. Woodcliff Lake, New Jersey**

 **Consent Agenda – 4)**

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

Block: 1108

Lot: 6

Street Address: 20 Hunter Ridge

Years: 2011

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Original Assessment** | **County Board Judgment** | **Requested Tax Court Judgment** |
| **Block 1108, Lot 6** |  |  |  |
| Land | $ 297,100.00 | N/A | $ 297,100.00 |
| Improvements |  926,200.00 | Direct Appeal |  779,900.00 |
| Total | $1,223,300.00 | $ | $1,077,000.00 |

1. The undersigned have made such examination of the value and proper assessments of the properties and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the properties 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 represents to the Court that the above settlement will result in an assessment at the fair assessable value of the properties consistent with assessing practices generally applicable in the taxing district as required by law.
3. 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 60 days of the date of entry of the Tax Court Judgment.

**Resolution Authorizing Stipulation of Settlement Tax Court of New Jersey , Docket No: 009580-2011, Gordon and Minnie Liu (Consent Agenda – 5)**

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

Block: 906

Lot: 3

Street Address: 69 Mill Road Ext.

Years: 2011

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Original Assessment** | **County Board Judgment** | **Requested Tax Court Judgment** |
| **Block 906, Lot 3** |  |  |  |
| Land | $ 239,400 | N/A | $ 239,400 |
| Improvements |  915,200 | Direct Appeal |  735,600 |
| Total | $1,154.600 | $ | $ 975,000 |

1. The undersigned have made such examination of the value and proper assessments of the properties and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the properties 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 represents to the Court that the above settlement will result in an assessment at the fair assessable value of the properties consistent with assessing practices generally applicable in the taxing district as required by law.
3. As a result of this tax reduction, a refund will be issued and no credits shall be applied to future tax payments unless taxes delinquent. All refunds as a result of this settlement shall be payable to “WILLIAMS S. WINTERS, ESQ.” and the taxpayer, 199 Route 18 South

**Resolution Adopting Personnel Policies and Procedures Manual & Employee Handbook**

**(Consent Agenda – 6)**

**WHEREAS**, it is the policy of the Borough of Woodcliff Lake to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

**WHEREAS,** the Borough of Woodcliff Lake has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

**NOW, THEREBY, BE IT RESOLVED** by the Borough of Woodcliff Lake that the Personnel Policies and Procedures Manual and Employee Handbook attached hereto is hereby adopted.

**BE IT FURTHER RESOLVED** that these personnel policies and procedures shall apply to all Borough of Woodcliff Lake officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

**BE IT FURTHER RESOLVED** that this manual is intended to provide guidelines covering public service by Woodcliff Lake employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Woodcliff Lake Mayor and Council and/or Borough Administrator.

**BE IT FURTHER RESOLVED** that to the maximum extent permitted by law, employment practices for the Borough of Woodcliff Lake shall operate under the legal doctrine known as “employment at will.”

**BE IT FURTHER RESOLVED** that Frederick Danser III of Apruzzese, McDermott, Mastro & Murphy has been appointed as Labor Attorney to advise the Borough of Woodcliff Lake in personnel matter; and

**BE IT FURTHER RESOLVED** that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Labor Attorney shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

**Resolution Authorizing Facebook Account for the Borough of Woodcliff Lake**

**(Consent Agenda – 7)**

**WHEREAS**, the Technology Committee has researched the benefits of using Facebook as a communication tool for the Borough; and

**WHEREAS**, the Technology Committee has presented an overview to the Mayor and Council; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Borough’s use of Facebook as described below:

1. The Borough Administrator is designated Facebook Administrator.
2. The Borough’s Facebook shall only have outgoing posts; any change will require Mayor and Council approval.
3. The Borough Administrator, with advice from the Technology Committee, shall designate a Facebook Coordinator; at this time Technology Committee member Matthew Berry is designated Facebook Coordinator through the office of the Administrator.

**Resolution Authorizing Use of Electronic Board for Family Celebration News**

**(Consent Agenda – 8)**

**WHEREAS**, the Borough Administrator and Finance Committee has discussed the benefits of using the electronic board to acknowledge family celebratory events such as birthdays, anniversaries, graduations, retirements, etc.; and

**WHEREAS,** the Borough Administrator and Finance Committee have agreed that a fee of twenty-five ($25.00) dollars per message shall be appropriate for each celebratory message; and

**NOW THEREFORE BE IT RESOLVED that** the Finance Committee recommends the use of the electronic board to acknowledge family celebratory events for twenty-five ($25.00) dollars per message.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorizes the use of the electronic board for Family Celebration News.

**Resolution Awarding Contract for Pascack Valley Cooperative Pricing Program – 2012 Road Program and Authorization for D&L Paving to Perform Work in Woodcliff Lake as Outlined in Master Contract (Consent Agenda -) 9**

**WHEREAS,** on April 24, 2012 the Borough of Westwood, acting as Lead Agency for the Pascack Valley Cooperative Pricing Program, received bids for the 2012 Road Program; and

**WHEREAS,** six (6) bids were received, open and read for eight (8) municipalities; and,

**WHEREAS,** the bids were reviewed by Job & Job Consulting Engineers, on behalf of the Pascack Valley Cooperative Pricing Program; and,

**WHEREAS,** Job & Job Consulting Engineers has summarized the bid prices and recommends the award of the contract to D&L Paving Contractors, 681 Franklin Avenue, Nutley, NJ 07110 in the amount of $2,843,887.21; and,

**NOW, THEREFORE BE IT RESOLVED,** that the Borough of Westwood as the Lead Agency for the Pascack Valley Cooperative Pricing Program authorizes the award of a master contract to D&L Paving Contractors, 681 Franklin Avenue, Nutley, NJ 07110 on behalf of the municipalities of Emerson, Old Tappan, Oradell, Paramus, River Vale, Rochelle Park, Westwood and Woodcliff Lake, in an amount not to exceed $2,843,887.21 with each municipality contracting directly with D&L Paving for their portion of the contract; and,

**BE IT FURTHER RESOLVED** that the bid award is subject to attorney review and CFO certification of available funds and that D&L Paving Contractors is the lowest responsible bidder; and,

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorizes the appropriate Borough Official to prepare and execute a contract with D&L Paving Contractors for an amount not to exceed $339,935.00.

**~~Resolution Authorizing 2012 Municipal Road Paving Program Construction Inspection Services To Be Performed by Boswell McClave Engineering (Consent Agenda – 10)~~**

**~~WHEREAS,~~** ~~the Borough of Woodcliff Lake has received a proposal from Boswell McClave Engineering for the determination of quantities, preparation of a construction cost estimate (previously awarded by this Mayor and Council) and the performance of construction inspection services (yet to be awarded) for the 2012 Municipal Road Paving Program; and~~

**~~WHEREAS,~~** ~~the Borough has awarded a construction contract for the 2012 Road Paving Program to D&L Paving Contractors in the amount not to exceed $339,935.00; and,~~

**~~WHEREAS,~~** ~~a scope of work and written estimate was submitted to the Borough; and,~~

**~~WHEREAS,~~** ~~Boswell McClave Engineering will perform the services as submitted in their proposal for a fee not to exceed $30,000.00 for the performance of construction inspection services; and,~~

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

**~~NOW THEREFORE BE IT RESOLVED,~~** ~~that the Mayor and Council of the Borough of Woodcliff Lake authorizes Boswell McClave Engineering to perform the construction inspection services for the 2012 Municipal Road Paving program in the amount not to exceed $30,000.00.~~

**Resolution Objecting to the Proposal to Transfer Affordable Housing Trust Funds Monies to the State of New Jersey Without a Requirement That Such Monies Be Available to the Borough at a Later Date to be Used by the Borough to Implement a Fair Share Plan for the Third Round (Consent Agenda – 11)**

**WHEREAS**, the Borough of Woodcliff Lake has previously endorsed the Fair Share Plan adopted by the Woodcliff Lake Planning Board and has authorized the filing with the Council on Affordable Housing (“COAH”) of the Housing Element and Fair Share Plan dated October, 2008 (“Fair Share Plan”), prepared by Burgis Associates, Inc. (Donna Holmqvist, P.P., principal planner) and other related and required documentation, pursuant to COAH’s Third Round Regulations (“Regulations”), in order that the Borough seek Third Round substantive certification; and

**WHEREAS**, COAH by letter dated February 18, 2009 confirmed the filing by the Borough with COAH of a completed Petition for Substantive Certification (“Petition”) for the Third Round; and

**WHEREAS**, the Borough’s filed Fair Share Plan proposed using affordable housing trust funds then held by the Borough as well as future affordable housing fees received by the Borough to implement its Fair Share Plan; and

**WHEREAS,** no action had been taken by COAH on the Borough’s Petition nor has any action been taken to date by COAH’s successor, the Department of Community Affairs, on Borough’s Petition, so as to enable Borough to proceed to implement its Fair Share Plan; and

**WHEREAS**, it has been proposed that affordable housing trust fund monies held by municipalities be taken over by the State of New Jersey without any provision that the Borough may avail itself of the use of such monies so transferred to the State of New jersey in order that the Borough may satisfy its constitutionally required obligation with regard to affordable housing;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake does hereby object to the proposal to transfer affordable housing trust funds monies to the State of New Jersey without a requirement that such monies be available to the Borough at a later date to be used by the Borough to implement a Fair Share Plan for the Third Round, as the same may hereafter be approved by the agency having jurisdiction over the same; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded for filing with the Department of Community Affairs, and with such other agency of the State of New Jersey or in such other State office as the Borough Attorney shall determine appropriate.

~~RESOLUTION AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT (Consent Agenda – 11)~~

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

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

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

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

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

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

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