**BOROUGH OF WOODCLIFF LAKE**

**SINE DIE MEETING AGENDA**

**MAYOR AND COUNCIL**

**January 7, 2013**

**7:30 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

Councilwoman Jean Bae

Councilman John Glaser

Councilman Michael Struk

Councilman Robert Rosenblatt

**PLEDGE OF ALLEGIANCE**.

**APPROVAL OF MINUTES.**

**RESOLVED**, that the Minutes of a **Special Mayor and Council Meeting on** **December 17, 2012** have been received by all Councilpersons, are hereby approved as presented.

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**RESOLVED**, that the Minutes of an **Executive Closed Session of the Mayor and Council on December 17, 2012** have been received by all Councilperson, are hereby approved as presented but not yet ready for release to the public.

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**RESOLVED,** that the Minutes of a **Regular Mayor and Council Meeting on December 5, 2011** have been received by all Councilpersons, are hereby approved as presented.

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**STANDING COMMITTEE REPORTS.**

Administration/Finance **JOHN GLASER**/Donna Abene

DPW & Roads/Sewers & Sanitation, **MICHAEL STRUK**/Donna Abene

Ecology

Parks & Recreation Co Commissioner **ROBERT ROSENBLATT**

Co Commissioner **KENNETH BAUM**

Public Safety/Police/OEM/TriBoro **JEFFREY BADER**/Michael Struk

Buildings & Grounds/Building Dept. **JEFFREY BADER**/Michael Struk

Board of Health, Mental **MICHAEL STRUK**/John Glaser

Health & Welfare

Education (elementary) **DONNA ABENE** /Jean Bae

(high) **DONNA ABENE**/John Glaser

Public Information, **JEAN BAE**/John Glaser

Newsletters, Ordinances

Fire – Volunteer/Fire Prevention **ROBERT ROSENBLATT/**Jean Bae

Library **ROBERT ROSENBLATT**/John Glaser

Senior Citizens' Program **JOHN GLASER**/Michael Struk

**OUTGOING COUNCIL MEMBER COMMENTS.**

Councilman Michael Struk

Councilman John Glaser

**MAYOR JEFFREY R. GOLDSMITH YEAR-END REPORT.**

**PUBLIC FORUM**

**Motion to open to the public**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**Motion to close to the public**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**ADJOURNMENT**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**CONSENT AGENDA – January 7 2013**

1. Authority to Pay Claims, **page 5**
2. Payroll, **page 5**
3. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket No. 017830-2010 & 016060-201, **page 5, 6**
4. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket 002223-2011 for the Year 2011, **page** **6, 7**
5. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket 00222-011 for the Year 2011, **page** 7
6. Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement of John J. & Lois Totera v. the Borough of Woodcliff Lake Docket No. 006517-2011, **page 8**
7. Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Sung Pi Yoon and Ki Soon Kim v. the Borough of Woodcliff Lake Docket No. 015417-2011, **page 8, 9**
8. Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement of Sean Charnow, et al v. the Borough of Woodcliff Lake Docket No.000136-2011, **page 9, 10**
9. RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 003596-2011 FOR THE YEAR 2011, **page10, 11**
10. RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 015520-2011 FOR THE YEAR 2011, **page11**
11. 2012 Budget Transfers for January 7, 2012 Sine Die Meeting, **page 12**
12. Resolution Authorizing a Refund of Overpaid Taxes Caused by a County Board Judgment for the Year 2012**, page 12**

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

Abene Bader Bae Glaser Struk Rosenblatt  ***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: $ 75,424.49

Trust Other Funds $ 1,667.49

General Capital $ 1,400.52

Abene Bader Bae Glaser Struk Rosenblatt  ***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 12/31/12 $ 186,011.89

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET NO. 017830-2010 & 016060-2011**

**(Consent Agenda-3)**

**WHEREAS**, the owners of Block 1107 Lot 3, 3 Sycamore Drive, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

**2010 Assessment from Tax Duplicate Tax Court Judgment**

**284,000.00 LAND 284,000.00 LAND**

**643,200.00 IMPROVEMENTS 540,500.00 IMPROVEMENTS**

**927,700.00 TOTAL ASSESSMENT 825,000.00 TOTAL ASSESSMENT**

**20,029.04 TAXES PAID 17,811.75 TAXES**

**(TAX RATE 2.159 per 100 of assessment) 2010**

**WHEREAS,** this has resulted in their overpaying their property tax for the year **2010** in the amount of **$2217.29** and,

**2011 Assessment from Tax Duplicate Tax Court Judgment**

**284,000.00 LAND 284,000.00 LAND**

**643,200.00 IMPROVEMENTS 455,500.00 IMPROVEMENTS**

**927,700.00 TOTAL ASSESSMENT 740,000.00 TOTAL ASSESSMENT**

**20,752.65 TAXES PAID 16,553.80 TAXES**

**(TAX RATE 2.237 per $100 of assessment) 2011**

**WHEREAS,** this has resulted in their overpaying their property tax for the year **2011** in the amount of **$4198.85** and,

**WHEREAS,** this has resulted in their overpaying their property tax for the year **2010/2011**in the amount of **$6,416.14** and,

**TOTAL REFUND FOR 2010/ 2011= $6,416.14**

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$6,416.14** for the years **2010/2011** to the owner of record **MICHAEL & KATHLEEN Loeb c/o Skoloff & Wolfe**

**MAIL VOUCHER TO:**

**Skoloff & Wolfe**

**293 Eisenhower Pkwy.**

**Livingston, NJ 07039**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 002223-2011 FOR THE YEAR 2011**

**(Consent Agenda-4)**

**WHEREAS**, the owners of Block 1109 Lot 4, 94 Blueberry Drive, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

**2011 Assessment from Tax Duplicate Tax Court Judgment**

**285,300.00 LAND 285,300.00 LAND**

**870,800.00 IMPROVEMENTS 722,400.00 IMPROVEMENTS**

**1,156,100.00 TOTAL ASSESSMENT 1,007,700.00 TOTAL ASSESSMENT**

**25,861.96 taxes paid 22,542.25 taxes**

**WHEREAS,** this has resulted in their overpaying their property tax for the year **2011** in the amount of **$3,319.71**  and,

**TOTAL REFUND FOR 2011= $3,319.71**

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$3,319.71** for the year **2010** to the owner of record **LOEB, KEITH & SUSAN c/o Skoloff & Wolfe**

**MAIL VOUCHER TO:**

**Skoloff & Wolfe**

**293 Eisenhower Pkwy.**

**Livingston, NJ 07039**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 002222-2011 FOR THE YEAR 2011**

**(Consent Agenda-5)**

**WHEREAS**, the owners of Block 1106 Lot 13, 36 Springhouse Road, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

**2011 Assessment from Tax Duplicate Tax Court Judgment**

**244,800.00 LAND 244,800.00 LAND**

**1,173,500.00 IMPROVEMENTS 980,200.00 IMPROVEMENTS**

**1,418,300.00 TOTAL ASSESSMENT 1,225,000.00 TOTAL ASSESSMENT**

**31727.37 taxes paid 27,403.25 taxes**

**WHEREAS,** this has resulted in their overpaying their property tax for the year **2011** in the amount of **$4,324.12**  and,

**TOTAL REFUND FOR 2011= $4,324.12**

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$4,324.12** for the year **2010** to the owner of record **HERZOG, ROBERT & DIANE c/o Skoloff & Wolfe**

**MAIL VOUCHER TO:**

**Skoloff & Wolfe**

**293 Eisenhower Pkwy.**

**Livingston, NJ 07039**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement John J. & Lois Totera v. the Borough of Woodcliff Lake Docket No. 006517-2011 (Consent Agenda-6)**

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

Block 1701

Lot 5

Address 302 Werimus Road

**Year 2011**

**Original County Board Requested Tax**

**Assessment Judgment Court Judgment**

Land $ 303,300 0 $ 303,300

Improvements 1,124,400 0 $ 896,700

Total $ 1,427,700 0 $ 1,200,000

1. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation of the property(ies) they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor to the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
2. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.
3. All refunds as a result of this settlement set forth herein shall be paid by refund check, made payable to : Jennifer R. Jacobus, Esq., Attorney for Totera, John J & Lois and forwarded to Jennifer R. Jacobus, Esq, 301 South Livingston Avenue, Livingston, NJ 07039 within sixty (60) days from the date of the entry of the Judgment.
4. The provisions of paragraph 4 and 5 shall survive Judgment even if not included on the Judgment by the Tax Court of New Jersey.

Abene Bader Bae Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Sung PI Yoon and Ki Soon Kim v. the Borough of Woodcliff Lake Docket No. 015417-2011 (Consent Agenda-7)**

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

Block 105

Lot 5

Address 15 Woodcrest Drive

**Year 2011**

**Original County Board Requested Tax**

**Assessment Judgment Court Judgment**

Land $ 232,500 $ 232,500 $ 232,500

Improvements 502,100 502,100 $ 452,500

Total $ 734,600 734,600 $ 685,000

1. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and/or information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district and with respect to this settlement and has concurred.
2. Based upon the foregoing, the undersigned represent to the court that this settlement will result in an assessment at the fair assessable value of this property consistent with assessing practices generally applicable in the taxing district as required by law.
3. The parties agree that there has been a municipal-wide revaluation for the tax year 2012, and therefore agree that the provisions of N.J.S.A. 54:51A-8, commonly known as the “Freeze Act,” do not apply.
4. As a result of this reduction, a refund shall be issued and no credits shall be applied to future tax payments unless taxes are delinquent. All refunds as a result of this settlement shall be payable to “William S. Winters, Esq.” and the taxpayer, 199 Route 18 South, East Brunswick, NJ, 08816. Statutory Interest shall be waived.

Abene Bader Bae Glaser Rosenblatt Struk **Goldsmith**

**Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Sean Charnow, et al v. the Borough of Woodcliff Lake Docket No. 000136-2011 (Consent Agenda-8)**

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

Block 2201.02

Lot 2

Address 8 Mullholland Drive, Woodcliff Lake, NJ

**Year 2010**

**Added County Board Tax**

**Assessment Judgment Court Judgment**

Land NA NA NA

Improvements $257,300 $257,300 $72,300

Six months Prorated to Six months Six months

$128,650 Prorated to $36,150

1. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and/or information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district and with respect to this settlement and has concurred.
2. Based upon the foregoing, the undersigned represent to the court that this settlement will result in an assessment at the fair assessable value of this property consistent with assessing practices generally applicable in the taxing district as required by law.
3. Plaintiff waives interest on any refund amounts due to it by virtue of this Stipulation of Settlement, other than statutory interest to which it would be entitled in the event the refund of excess taxes paid is not made within sixty (60) days of entry of Judgment.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 003596-2011 FOR THE YEAR 2011**

**(Consent Agenda-9)**

**WHEREAS**, the owners of Block 1701 Lot 11, 225 Glen Road, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

**2011 Assessment from Tax Duplicate Tax Court Judgment**

**280,000.00 LAND 280,000.00 LAND**

**936,300.00 IMPROVEMENTS 696,900.00 IMPROVEMENTS**

**1,216,300.00 TOTAL ASSESSMENT 976,900.00 TOTAL ASSESSMENT**

**27,208.63 taxes paid 21,853.25 taxes**

**WHERFEAS,**  this has resulted in their overpaying their property tax for the year **2011** in the amount of **$5355.38**  and,

**TOTAL REFUND FOR 2011= $5355.38**

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$5355.38** for the year **2011** to the owner of record **BEATTIE PADAVANO ESQ. C/O SANDBERG STEVAN & DEBORAH**

**MAIL VOUCHER TO:**

**BEATTIE PADAVANO ESQ.**

**50 CHESTNUT RIDGE ROAD**

**PO BOX 244**

**MONTVALE, NJ 07645**

Abene Bader Bae Glaser Rosenblatt Struk **Goldsmith**

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 015520-2011 FOR THE YEAR 2011**

**(Consent Agenda-10)**

**WHEREAS**, the owners of Block 2503 Lot 2, 9 MILL ROAD, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

**2011 Assessment from Tax Duplicate Tax Court Judgment**

**223,800.00 LAND 221,000.00 LAND**

**208,000.00 IMPROVEMENTS 104,000.00 IMPROVEMENTS**

**431,800.00 TOTAL ASSESSMENT 325,000.00 TOTAL ASSESSMENT**

**9,659.37 taxes paid 7,270.25 taxes**

**WHEREAS,** this has resulted in their overpaying their property tax for the year **2011** in the amount of **$2,389.12**  and,

**TOTAL REFUND FOR 2011= 2389.12**

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$2,389.12** for the year **2011** to the owner of record **BEATTIE PADAVANO ESQ. C/O HESSLER, ERIKA**

**MAIL VOUCHER TO:**

**BEATTIE PADAVANO ESQ.**

**50 CHESTNUT RIDGE ROAD**

**PO BOX 244**

**MONTVALE, NJ 07645**

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

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| --- | --- | --- | --- |
| **2012 Budget Transfers for January 7, 2012 Sine Die Meeting** | | (Consent Agenda – 11) | |
|  |  |  |  |
| **DEPARTMENT** | **ACCOUNT NUMBER** | **FROM** | **TO** |
|  |  |  |  |
| Tax Assessment - Other Expenses | 2-01-20-150-020 | 9,000.00 |  |
| Legal - Other Expenses | 2-01-20-155-020 |  | 9,000.00 |
|  |  |  |  |
| Parks and Recreation - Other Expenses | 2-01-28-370-020 | 800.00 |  |
| Parks and Recreation - Salaries and Wages | 2-01-28-370-010 |  | 800.00 |
|  |  |  |  |
| Parks and Recreation - Other Expenses | 2-01-28-370-020 | 22,000.00 |  |
| Vehicle Maintenance - Other Expenses | 2-01-26-315-020 | 16,000.00 |  |
| Street Lighting | 2-01-31-435-000 | 10,000.00 |  |
| Electricity | 2-01-31-430-020 | 22,000.00 |  |
| Road Department - Other Expenses | 2-01-26-290-020 | | 70,000.00 |
|  |  |  |  |
| Building and Grounds - Salaries and Wages | 2-01-26-310-010 | 200.00 |  |
| Buildings and Grounds - Other Expenses | 2-01-26-310-020 | | 200.00 |
|  |  |  |  |
| **TOTAL** |  | **80,000.00** | **80,000.00** |

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***

**Resolution Authorizing a Refund of Ovepaid Taxes Caused by a County Board Judgment for the Year 2012**

**WHEREAS,** the owners listed below were successful in their appeal to the County Tax Board New Jersey and have won a judgment adjusting their assessed value for year 2012; and

**WHEREAS**, this has resulted in their overpaying their property tax for year 2012; and

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

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

**Block/Lot Owner Refund**

2801/20 Weite 149.83

1108/6 Piantino 136.64

Abene Bader Bae Glaser Struk Rosenblatt  ***Goldsmith***