

**BOROUGH OF WOODCLIFF LAKE
MINUTES**

SPECIAL MEETING, CLOSED EXECUTIVE SESSION

MAYOR AND COUNCIL

December 27, 2004

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Camella, Glaser, Heinemann, and Howley were present on roll call. Councilmembers Van Riper and Vogel were absent. Also present were Borough Attorney Madaio, Borough Clerk Sciara. The time is 9:31 p.m.

DISCUSSION.

Personnel Evaluation

Mr. Madaio stated that Administrator Sandve was offered a Rice Notice, which he declined.

Administrator Sandve's contract of employment states that he may receive an annual bonus of no more than \$5,000 after a personnel evaluation. Evaluation sheets were previously distributed to the Council, the Mayor and to Administrator Sandve. Mr. Glaser collected and tabulated these numbers.

Discussion began and all agreed that Administrator Sandve has done a great job this year and they were very pleased with his performance. It was decided Administrator Sandve would receive a bonus in the amount of \$4,500. for the Year 2004.

A motion to return to Open Session was made by Mrs. Howley, seconded by Mrs. Heinemann and approved unanimously by voice call vote.

Respectfully submitted,



Lori Sciara, Borough Clerk

**BOROUGH OF WOODCLIFF LAKE
MINUTES**

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

December 20, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Camella, Glaser, Heinemann, and Van Riper were present on roll call. Councilmembers Howley and Vogel were absent. Also present were Borough Attorney Madaio, Borough Clerk Sciara and Councilmembers-Elect Bader and Singer.

A Resolution to go into Executive Closed Session was read into the record made by Mr. Glaser, seconded by Mrs. Heinemann and approved unanimously by voice call vote. The purpose of this closed session is to discuss personnel and contractual issues. This session will last approximately 30 minutes. The time is 7:31 p.m.

DISCUSSION.

Personnel Evaluation

The Wage and Salary Committee decided in February that Mr. Sandve, Borough Administrator would be offered a base salary with a bonus of up to \$5,000 after a performance review at the end of one year. Mayor LaPaglia explained the two evaluation sheets given to each Councilmember to be used to evaluate Mr. Sandve. Mr. Glaser stated that Mr. Sandve had already filled out his own evaluation. Mayor LaPaglia continued that he would like all evaluations by Wednesday, December 22, 2004 in order to meet with Mr. Sandve before the special Mayor and Council meeting on the 27th. All present agreed that Mr. Sandve has done a terrific job over the past year.

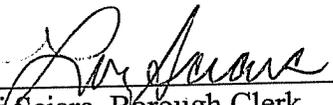
Mr. Madaio stated that the Bergen County Prosecutor's Office has required Mayor and Council permission to allow the Chief of Police to test and sign carry permits for retired police officers. This directive has been forwarded to our Risk Manager. Mr. Madaio has

spoken with several JIF representatives and was told a discussion on this issue is scheduled to be on the agenda at the end of January or in February.

Mr. Glaser stated that Police Contract Negotiations are still on-going. Mr. Van Riper reported that Tri-Boro Dispatch negotiations are no further along than his last report.

Meeting adjourned at 8:10 p.m.

Respectfully submitted,



Lori Sciara, Borough Clerk

BOROUGH OF WOODCLIFF LAKE
MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

December 6, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Glaser, Heinemann, Howley, and Van Riper were present on roll call. Councilmembers Camella and Vogel were absent. Also present were Borough Attorney Madaio, Borough Administrator Sandve, Borough Clerk Sciara and Councilmembers-Elect Bader and Singer.

DISCUSSION.

Park Ridge Water – Perchlorate contamination

Administrator Sandve updated the Council on the continued perchlorate investigation. Park Ridge Water recently sent a report to the Borough reporting there was perchlorate contamination at Belfiore Nursery in on-site containers. The nursery mixes the lawn chemical from a bag with hot water to produce the fertilizer. The mix is manufactured by Scotts which is a very standard flower fertilizer.

Park Ridge continues to ask the Borough what "our actions" will be on this issue. Park Ridge wanted Woodcliff Lake to notify the well owners of the possible contamination. Woodcliff Lake has taken the position that the Borough would notify all residents, not just well owners, by putting a article in the Borough newsletter. Park Ridge also has the most up-to-date list of well owners. It was the consensus of the Council to obtain the list of well owners from Park Ridge Water. A letter would then be mailed to those owners stating they should call Park Ridge to make an appointment to have their well tested for perchlorate. Mr. Madaio and Borough Administrator Sandve will have a draft of this letter for review by the next meeting.

Job Descriptions

Mayor LaPaglia gave a brief history of the Personnel Manual. The law firm of Ruderman

and Glickman was hired in 2003 to develop a Personnel Manual, as per JIF requirements. Their proposal included the development of a Personnel Manual and the creation of job descriptions. The fee for these services would be \$14,000 - \$10,000 for the job description creation, \$4,000 for the Personnel Manual. To date, Ruderman and Glickman has received \$10,045 for the Manual and \$1,200 for the development of job descriptions. Borough Administrator Sandve had distributed draft job descriptions to all supervisors for their input. The Borough is ready to start employee interviews, for their comments on these descriptions. This step is time consuming and should be done by professional consultants, not volunteers since there is a time constraint on this project. Borough Administrator Sandve continued that it is better to have human resource professionals conduct the employee interviews, rather than attorneys. These interviews should not be viewed by the employee as adversarial. However, job descriptions are needed in order to have job evaluations and possibly merit raises. Mayor LaPaglia stated that he has received a proposal from Richard Reilly and Diane Mautz, Human Resource professionals with extensive experience. Both have also volunteered their services for many years. The proposal was for the development of job descriptions and employee interviews, for a fee not to exceed \$5,625.00. The Council was polled as to the hiring of Mr. Reilly and Ms. Mautz rather than have Ruderman and Glickman continue.

Mr. Glaser - yes
Mrs. Heinemann - yes
Mrs. Howley - no
Mr. Van Riper - no
Mayor LaPaglia - yes

It was agreed to put the Resolution authorizing the services of Mr. Reilly and Ms. Mautz on the Consent Agenda.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,



Lori Sciara, Borough Clerk

BOROUGH OF WOODCLIFF LAKE
MINUTES
SPECIAL MEETING, CLOSED SESSION
MAYOR AND COUNCIL
October 4, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Meeting was called to order at 7:35 p.m. Mayor LaPaglia was present. Councilmembers Camella, Glaser, Heinemann, Howley, and Van Riper were present on roll call. Councilmember Vogel was absent. Also present were Borough Administrator Sandve, Borough Attorney Madaio, Borough Clerk Sciara.

DISCUSSION.

Groundwater Wells – Board of Public Works, Borough of Park Ridge

Administrator Sandve commented that representatives from the Park Ridge Water Company had attended the recent Woodcliff Lake Board of Health meeting. These representatives informed the WCL Board of Health members that a contaminant, specifically perchlorate, had been found in two of their wells located in Woodcliff Lake.

The primary sources of this chemical are rocket fuel, fireworks and is found in certain fertilizers from Chile. Administrator Sandve stated that this chemical is not like gasoline, as it does not seep into the ground. He continued that the State is taking no position on this issue since it is an unregulated contaminant. The EPA has not given any baseline numbers as to what level is considered dangerous. Park Ridge did shut down the wells in order to do additional testing and authorized cleaning. They also hired a geologist/hydrologist to determine the course of remedy.

Park Ridge Water identified a few sources located in town. Officials at Park Ridge requested that Woodcliff Lake inspect the sources and then notify only those residents who have private wells. Woodcliff Lake has taken the position that you cannot notice just 25-30 residents since word would spread. Park Ridge has stated that they will discuss notification to all their customers at their Board of Public Works meeting on Wednesday, October 6, 2004. Irregardless, Woodcliff Lake will send notification to their residents, either by a separate mailing or an insert in the Fall newsletter.

Meeting adjourned at 7:55 p.m.

Respectfully submitted,



Lori Sciara, Borough Clerk

BOROUGH OF WOODCLIFF LAKE
MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

August 23, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present on roll call. Councilmembers Camella, Heinemann, and Vogel were present on roll call. Councilmembers Glaser, Howley and Van Riper were absent. Also present were Borough Attorney Madaio, Borough Administrator Sandve, Borough Clerk Sciara and Bruce Whitaker.

DISCUSSION.

Legal strategy for Cell Tower Application on Overlook Drive

Mayor LaPaglia stated that the application for the cell tower on Overlook Drive is nearing its end after almost five years of discussion. The Mayor stated that the Council might want to revise the Borough's existing ordinance. The Borough continues to receive applications for cell tower installation within the Borough.

Bruce Whitaker gave a brief synopsis of the application. The application had been bifurcated – the zoning board of adjustment granted the use variance. The site plan has been a work in progress for over two years. The major variance required was the bulk variance which was not in compliance with our steep slope ordinance. The applicant made several concessions to ensure there was no soil erosion, land slippage and to keep the slopes pristine. The applicant agreed to a paved roadway as per Fire Officials, a series of walls were originally to be built, but the applicant conceded to two (2) 4 foot high walls. Boswell McClave Engineering has reported that all site plan criteria have been met.

Bruce Whitaker gave his opinion as to this issue. He stated that because of the concessions made by the applicant, this application will be approved at the Zoning Board meeting on August 24, 2004. This approval will be contingent upon many conditions. Previously, the Mayor and Council invited the residents to a meeting where the discussion was the placement of this tower on Borough property. It was not a popular idea and it did not happen. The reality is that cell towers are coming. The Borough needs to revisit the existing ordinance in order to regulate rather than react to applications. Mr. Whitaker continued that he would not recommend an appeal and he does not see it as successful. An appeal would also open the Borough up to a counter

claim as the use resolution was very well written by David Rutherford and it would be very tough to appeal. Mahwah has rewritten their cell tower ordinance and Mr. Madaio will ask for a copy. Mayor LaPaglia asked Mr. Madaio for a revised ordinance draft for the September 7, 2004 meeting.

Mr. Madaio reported on the following:

O'Brien case - Mr. Madaio feels the Borough has won the case and he is not worried. The Judge will render his decision within the next few weeks in writing.

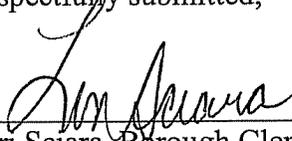
Mayor LaPaglia reported that Nick Saluzzi will be stepping down as Property Maintenance Officer at the end of the year.

Antennae Issue – Mr. Saluzzi originally stated to the resident that the satellite dish located on his property would require a variance. Subsequently, Mr. Madaio briefed Nick Saluzzi that this satellite dish was an allowable use.

Francis X. Ryan – This case will be heard in Trenton on September 2, 2004. It was the consensus of the council that Mr. Madaio approach Mr. Ryan's attorney with a 50% reduction offer.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,



Lori Sciara, Borough Clerk

BOROUGH OF WOODCLIFF LAKE
MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

July 19, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Meeting was called to order at 7:30 p.m. Mayor LaPaglia was present on roll call. Councilmembers Camella, Glaser, Heinemann, Howley, and Vogel were present on roll call. Councilmember Van Riper was absent. Also present were Borough Administrator Sandve, Borough Attorney Madaio and Borough Clerk Sciara.

DISCUSSION.

Tax Appeal Update

Mr. Madaio presented to the council a summary of residential and commercial appeals prepared by him and a summary prepared by Tax Assessor Potash. The residential appeals for 2003 are finished. There are a few Stipulation of Settlements still being read by Barbara Potash. The Appraiser gained access to Mr. Ryan's property and a court date is scheduled for September 3, 2004. Residential appeals for 2004 have been heard by the County Tax Board and the Borough has won all presented cases. There are two appeals pending – Spiro at 22 Winthrop and Towney at 29 Berkshire Road.

Mayor LaPaglia commented on the impact of the sale of the Ingersol Rand Property. The property was valued at \$44 million but sold for only \$17 million. The Mayor continued if the Borough were to reduce their ratable base by \$27 million, the 2004 tax rate would have been much higher.

Commercial appeals were discussed:

A & P – Appeal is for 2003 and 2004. Offers have been made by A&P; however, these numbers were not supported. Mr. Madaio asked the Council to authorize the services of Robert McNerney, when needed, to start the report process. The Council unanimously agreed to this request.

IPC Commercial Properties – (123 Tice) Appeal is for 2003 and 2004. Interrogatories have been served and response forwarded to Assessor Potash and Appraiser McNerney. A settlement proposal had been forwarded to Assessor Potash for comment on May 21, 2004. Mr. Madaio asked the Council to authorize the services of Robert McNerney, when needed, to start the report process. The Council unanimously agreed to this request.

126 Broadway, LLC – Appeal is for 2003 only. Interrogatories have been served and response forwarded to Assessor Potash and Appraiser McNerney. Assessment is \$552,900.

Woodcliff Lake Manor – Appeal is for 2003 and 2004. Discovery has been exchanged and supplied to Assessor Potash and Appraiser McNerney. No settlement proposals yet. Mr. Madaio asked the Council to authorize the services of Robert McNerney, when needed, to start the report process. The Council unanimously agreed to this request.

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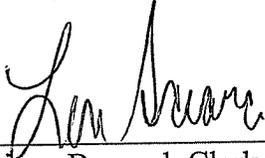
Kindercare – Appeal is for 2005. Discovery served but not yet answered.

Mack-Cali/Timeplex – Manny Toskos is handling this appeal. Stipulations are currently being circulated. The actual square footage is being assessed.

Mayor LaPaglia stated that Appraisal Systems will be hired to help the Assessor's office "catch up" with added assessments. Mrs. Heinemann stated that that Borough should set up a system so that this backlog does not happen again. Mayor LaPaglia stated that the position of the Tax Assessor should be addressed by the Council at a later date.

On a motion made and seconded and approved unanimously by voice call vote, the meeting was adjourned at 8:05.

Respectfully submitted,



Lori Sciara, Borough Clerk

BOROUGH OF WOODCLIFF LAKE
MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

May 17, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Meeting was called to order at 7:30 p.m. Councilmembers Camella, Glaser, Heinemann, Howley, Van Riper and Vogel were present on roll call. Also present were Borough Administrator Sandve, Borough Attorney Madaio, Borough Clerk Sciara.

DISCUSSION.

George Catherwood – Mr. Vogel stated that a Drainage Committee meeting had been held approximately 2 weeks ago. The water problem on Mr. Catherwood's property was discussed in an attempt to solve the problem.

Three options were discussed:

1. continue the drainage ditch parallel to Brookview Drive on the easterly edge of his property and then connect with the Musquapsink Brook.
2. a retention pond
3. a detention pond
4. acquire the property to make a park, which could be accessed from Wright St. North via a footbridge.

Mr. Catherwood had requested a piping option, which the DEP would not approve and more than the Borough is willing to do. Once the water problem is fixed, he wants to be able to sell the property as buildable lots. Mr. Vogel asked if this Council is willing to acquire this property. Mr. Catherwood has agreed to the sale. Mr. Vogel stated that the Council must make a decision before an appraisal is ordered and paid for.

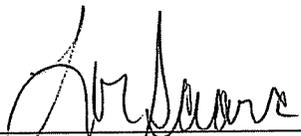
Mr. Camella commented that the Borough does not need any more land. He suggested minor work be done to the property. Maintenance, security, mosquitoes were some of the issues raised in acquiring the property. Mayor LaPaglia stated that if the Borough acquired this property, a detention pond would require the least amount of maintenance. A detention pond would resolve the drainage issue from an engineering and DEP perspective. Mr. Van Riper stated that he feels the Borough should choose the option of a retention pond. He continued that the original flooding problem was created by the

Shaw Development in the 1950's. Mayor LaPaglia stated that the Borough should continue with the idea of acquiring this property as long as the price per lot is realistic. Mr. Vogel stated that these are presently "dead" lots with a possible C-1 designation in the future. The appraisal will be realistic.

Updated tax appeals – BMW appealed 2004 and was asking for an adjustment in 2005. The property was assessed at \$35,307,000; the settlement is \$33,500,000 which equals \$163 per sq. foot which was higher than Bob McNerney thought the Borough would get in the open market. A 5.1% reduction for 2005 was agreed upon and the 2004 appeal was dropped. The Ingersoll Acquisition will be discussed sometime in the Fall. Mayor LaPaglia stated that he feels the Borough should accept the offer. Mr. Sandve stated that BMW presented very preliminary plans at a previous meeting. This plan was very low intensity. They are proposing 600,000 square footage of office space. If the property were commercially developed, there would be 900,000 square footage of office space, which would create more traffic.

Mr. Madaio reported that he and Barbara Potash attended a ½ day County Tax Board Hearing. He is expecting all the Borough's values to be affirmed. They will both attend another ½ day hearing on 5/28/04. Virtually all the appeals are residential. Mr. Madaio reported that the Borough is still trying to schedule a site visit to Mr. Ryan's home.

Respectfully submitted,



Lori Sciarra, Borough Clerk

BOROUGH OF WOODCLIFF LAKE
MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

May 3, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Meeting was called to order at 7:30 p.m. Councilmembers Glaser, Heinemann, Howley, Van Riper and Vogel were present on roll call. Also present were Borough Administrator Sandve, Borough Attorney Madaio, Borough Clerk Sciara. Councilmember Camella arrived at approximately 7:35.

DISCUSSION.

Fire Prevention Request for Fire Inspector

Mr. Van Riper stated that he agrees with the appointment of Greg Stalb as a part-time fire inspector. However, he feels that the personnel within the Bureau that are not showing up should be removed. He feels strongly that the Fire Official should be a member of the Fire Department. Mayor LaPaglia stated that since inspectors get paid if only they do inspections, there really is no need to remove anyone from the roster. Mrs. Heinemann was asked to monitor the Fire Prevention Bureau and report back to the Council.

Personnel Policies and Procedure Manual

Mr. Vogel stated that the disclaimer in the manual that "the Borough may terminate any employees employment at any time with or without good cause" should be revisited. He continued that the language is too strong. Mr. Vogel was advised that this language was recommended by our Labor Attorney and that New Jersey is an "at-will" state. Mr. Glaser suggested the Borough see what language the other towns use and report back to the Council.

Mr. Madaio reported on the Francis Ryan lawsuit. The case had been previously bifurcated. The judge threw out the claims against Judge Pizzutto, the County Tax Board and all Woodcliff Lake defendants. What is left is the tax appeal for 2003. Mr. Madaio is trying to have this appeal dismissed, since Mr. Ryan will not allow officials inspect the

property.

Mr. Vogel reported on the 10 year old girl reported missing early this morning. The Tice Center was used as Command Center with the Police, OEM and NJ Search and Rescue joining in the search. Fortunately, the young girl was found.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lori Sciara".

Lori Sciara, Borough Clerk

**BOROUGH OF WOODCLIFF LAKE
MINUTES**

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

April 19, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Meeting was called to order at 7:10 p.m. Councilmembers Camella, Glaser, Heinemann, Howley, Van Riper and Vogel were present on roll call. Also present were Borough Administrator Sandve, Borough Attorney Madaio, Borough Clerk Sciara and Ken Glemby, Planning Board chairperson. Mayor La Paglia arrived approximately at 7:20.

DISCUSSION.

Kevin O'Brien update – Borough Attorney Madaio distributed a complete package of correspondence between himself and Mr. O'Brien. Mr. Madaio has conveyed to Mr. O'Brien that all correspondence from Mr. O'Brien should be sent to Mr. Herten, cc. to Mr. Madaio. The compromise for settlement seems to be the following:

1. Pay for filing fees (\$290.00 + a possible \$30.00 additional)
2. Nick Saluzzi will extend violation notices as called for in the property maintenance code.

The court has mandated that written certification as to the accuracy and completeness of all Mr. O'Brien's OPRA requests be given by the Borough Clerk. Mr. Madaio will have these certifications by Thursday.

Acquisition of Property –

Faccuito Property – the previous Borough Administrator had stated in early December that the owners of this property did not wish to negotiate.

Hatheway Property – 3 appraisals have been received –

\$1,650,000
1,450,000
1,200,000

The owners of the property are asking \$1,890,000 as per their attorney and will not go any lower. Mayor LaPaglia stated that the highest the Borough should offer is \$1,750,000. Mr. Glemby stated that the owner's attorney asked "Why doesn't the town just take the property?" Mr. Camella stated that the Borough needs to put out more feelers. This property is between two properties already owned by the Borough. Make an offer for the lowest appraisal price. If the owners decline, then the Borough should go for condemnation. It was the consensus of the Council to start the condemnation process on the Hatheway property.

The Rink – Meetings have been held between Montvale and Woodcliff Lake as to this property. Montvale has already modified their Master Plan to allow age restricted housing in this zone. Woodcliff Lake must take action. The Borough has received two proposals for the updating of the Master Plan for this specific piece of property. It was the consensus of the Council to accept Burgis Associates proposal in the amount of \$7,000.00. It was the also the consensus of the Council to update all ordinances to fit the Master Plan at a later date. Mr. Glemby informed the Council that future testimony on The Rink Property will be held jointly by Montvale and Woodcliff Lake. He stressed that these hearings cannot take place until Woodcliff Lake has an ordinance allowing this use.

Tax Appeal Updates

Mark Madaio reported on the following:

300 Tice Realty – assessed at \$44,000,000
possible loss in 2003 = \$124,000
possible loss in 2004 = \$130,000

has been dismissed.

A & P – assessed at \$15,600,000. They are appealing for an assessed value of \$13,300,000. The tax impact would be approximately \$34,000. A step down reduction is being proposed – 10% reduction in 2004, 5% reduction in 2005 and 2003 will be dismissed.

IPC Properties – the lease for Sony is due to be renewed in May. If the lease is renewed, this appeal will be researched. The assessed value is 21 million.

126 Broadway LLC - assessed at \$552,000. They are appealing for an assessed value of \$483,000. The impact would be an approximate \$1,000 tax loss to the Borough.

02 and 2003

Woodcliff Lake Manor (Chestnut Ridge Road) – assessed at \$8,600,000. Per bed occupancy records have been requested by not received as yet. These records are needed to ascertain if this is an assisted living facility or a nursing home.

Residential Tax Appeals are not significant. Most claims will be in the \$600 - \$800 range. A complete list of appeals has been compiled by Assessor Potash.

Fire Prevention Request for Fire Inspector – to be discussed at the May 3, 2004 closed session meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "L. Sciara", is written over a horizontal line.

Lori Sciara, Borough Clerk

**BOROUGH OF WOODCLIFF LAKE
MINUTES**

Approved

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

April 7, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Camella, Glaser, Heinemann, Howley and Vogel were present on roll call. Councilmember Van Riper was absent. Borough Attorney Madaio had a previously scheduled meeting and would be present at the Public Meeting. Also present were Borough Administrator Sandve and Borough Clerk Sciara

DISCUSSION.

Stipulation of Settlement – Tierman Tax Appeal - Administrator Sandve reported that this tax appeal is for the year 2003. Mr. Madaio, Ms. Potash and Administrator Sandve agree that this is a good settlement. Most residential appeals are being settled at a 8% reduction; this one is only 3.45

Administrator Sandve reported on the following closed session items:

1. Vehicle Damage Reimbursement to Police Officer Foley's for an accident on Borough Property is not required by our insurer to be paid. However, it was the consensus of the Council to reimburse Officer Foley \$264.35 for the costs associated with vehicle damage to his car while parked in the Borough Hall parking lot during a snow storm last year.
2. A committee will be set up to begin PBA negotiations. Mayor LaPaglia recommended Administrator Sandve, Mr. Vogel, Mr. Glaser and Mr. Danser, Labor Attorney. Mayor LaPaglia stated that negotiations will start sometime in September. Mr. Vogel questioned whether he should be placed on the committee, since he will not be seeking re-election. Administrator Sandve will call Mr. Danser to schedule a meeting sometime this month to establish timelines.

3. Hiring of a Full time Receptionist – Mayor LaPaglia commented on the overall good atmosphere at Borough Hall. It was the recommendation of the Borough Administrator to hire the present Temporary Agency employee as a full-time Borough employee. Her salary will be \$26,000 + benefits. A resolution will be placed on the agenda for the next meeting. The final pay out number needs to be obtained from the Employment Agency.
4. Paul Melcon, Building and Grounds Employee, has resigned as of April 8, 2004. Administrator Sandve stated that he would like to move forward to hire a building/maintenance person. The new job description would entail the new employee to be a “jack of all trades”. Main responsibilities will include maintenance of the Borough Hall and the Tice Senior/Community Center.
5. Administrator Sandve stated that he had a discussion with Ken Gabbert, Administrator at Westwood re: tax assessor inter-local agreement between Westwood, New Milford and Woodcliff Lake. Mayor LaPaglia stated that he hopes the tax assessor will work a full day + a possible two evenings. He wants to be sure that Woodcliff Lake is not burdened with high retirement pension costs.
6. Burgis Associates has submitted a proposal for professional services to make necessary amendments to the Borough Master Plan. The proposal is two phased – 1). to amend just the necessary zoning issues; 2). a comprehensive site plan amendment. It was questioned why Burgis Associates and why just one bid. It was the consensus of the Council to retain a proposal from Vollmer Associates also.

Mr. Vogel brought up the Drainage Committee and their attempts to resolve the drainage issues of the 80 acres North of Woodcliff Avenue. All agreed that the water drains onto Mr. Catherwood's property. The Borough has attempted to solve his drainage problems. Mrs. Heinemann stated that she has just received a copy of Mr. Catherwood's lengthy report. She suggested the committee meet with Administrator Sandve to discuss the Borough's next step. Mr. Vogel stated that the intent of this Council needs to be know as to which direction to take in this matter.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,



Lori Sciarra
Borough Clerk

BOROUGH OF WOODCLIFF LAKE

MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

March 15, 2004

7:30 p.m.

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Camella, Glaser, Heinemann, Howley and Van Riper were present on roll call. Mr. Vogel was absent. Borough Administrator Sandve was on vacation. Also present were Borough Attorney Madaio and Borough Clerk Sciara.

DISCUSSION.

Sidewalk near Dorchester School –

The homeowner, Mr. Marion is still requesting relief from the snow removal of this sidewalk which abuts his property. This sidewalk is used by children walking back and forth to school. The Board of Education has denied requests to remove snow from this sidewalk due to liability. A past Mayor and Council authorized the removal of snow from this sidewalk. However, Mr. Madaio is concerned with the liability issue. It was the consensus of the council to have Mr. Madaio contact MEL/JIF to see if the Borough could help this homeowner in some way, i.e., by paying the contractor who removes snow from Dorchester School separately for this 100 foot sidewalk.

Update – Police negotiations-

Preliminary letters have been received from the police. Mayor LaPaglia suggested that Mr. Glaser be a part of the negotiations as the finance chair, as well as Mr. Vogel.

Accounting and Audit Advisory Committee-

All councilmembers have received a copy of the Audit Advisory Committee. Mayor LaPaglia, Mr. Sandve, Mr. Lerch, Kathy Rizza and Lissa Mayer will meet to discuss in-house accounting procedures and job responsibility (re)allocation.

Mrs. Heinemann asked about the timeliness of the Borough's bill paying. A few bills on the bill list were from the year 2002. It was the consensus of the council to put stickers on all vendor purchase orders that states that bills must be submitted in a timely fashion. This will help with bookkeeping. Mr. Madaio will draft the language to be put on the stickers.

Bruce Whitaker has been in contact with Mr. Madaio to follow up on the Cell Tower issue. The Council stated that wanted to see a site plan and drawings. Mr. Madaio stated he would convey this to Mr. Whitaker.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Lori Sciara, Borough Clerk

**BOROUGH OF WOODCLIFF LAKE
SPECIAL MEETING, CLOSED SESSION
MAYOR AND COUNCIL**

MINUTES

March 1, 2004

7:00 p.m.

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia arrived at 7:10 p.m. Councilmembers Camella, Glaser, Heinemann, Howley and Van Riper were present on roll call. Councilmember Vogel was absent. Also present were Borough Administrator Sandve, Borough Attorney Madaio and Borough Clerk Sciara.

DISCUSSION.

**Retainer Agreement for Realty Appraisal vs. Frank Ryan –
(Authorizing Resolution on Consent Agenda)**

Mr. Madaio stated that the courts have bifurcated out the assessment portion of Mr. Ryan's claim. Therefore, if the assessment holds up in court, the other claims could be considered void. When this case goes to court, Mr. Madaio wants the Borough to be strong on the appraisal side. Therefore, he is requesting the services of Realty Appraisal Company. The services of Bob McNerney have also been retained for this litigation.

Tice's Corner – Subdivision (By-Pass Road) Performance Bond

Mr. Madaio stated that Price, Meese, Shulman & D'Arminio are requesting the release of the Tice's Corner Subdivision (By-Pass Road) Performance Bond. It was discussed and it stands that the Council is willing to release these bonds upon the posting of a maintenance bond and arrangements for funding for landscaping at the Senior Center. Mr. Madaio will convey these sentiments to Ms. DeLisi of Price Meese.

Kevin O'Brien vs. The Borough of Woodcliff Lake and United Water

Mr. Madaio reported that Mr. O'Brien's discovery motion was denied. The judge has ruled that the Borough has produced all documents pertaining to this suit. Mr. O'Brien is stating, however, that there are three (3) documents missing. There will be a trial at some later date, and the Borough will accommodate the courts every directive.

Cell Tower

Mr. Madaio reported that there had been a meeting of the cell companies, engineers and attorneys regarding the cell tower. It is the consensus to move the tower onto Lot 7 (borough property). The tower will be moved downhill 13 feet and 7 feet will be removed from the top for an overall height of 130'. It will be a wood pole tree, able to accommodate 5 carriers. Nextel, Sprint, Verizon, and T-Mobile have already expressed interest. Mr. Madaio cautioned that there

are no guarantees that United Water will not lease their property to another cell tower provider. However, any cell tower applicant will have to go through the lengthy process before the zoning board. The access to the cell tower will be from Overlook Drive. Mayor LaPaglia asked Mr. Madaio to convey to Mr. Whitaker that a drawing and preliminary site plan are needed.

The length of Mayor and Council meetings were discussed. The by-laws of the Borough clearly state that there be a work session the first meeting of the month and a regular meeting the second meeting of the month. The engineer need not be at both meetings and the floor will not be given to the public after the Borough Engineer report. It was discussed that committee meetings are too long and should only be highlights of the month's activities. The public portion of the meeting should be streamlined with all comments being directed to the Mayor. Residents should have some time constraints.

The Old Mill Pool was discussed. Ray Palmer, Inc., who did not send a representative to the mandatory pre-bid meeting, has written to the Borough, stating they should be able to bid in light of the extension of the finish date. Mr. Madaio advised that Ray Palmer's bid should not be opened at the bid opening since the specifications clearly stated the requirement of the mandatory attendance at the pre-bid meeting. Ray Palmer did not submit a bid, alleviating this problem.

Mrs. Howley stated that Bob Schroeder from Washington Township contacted her to extend the same invitation as last year for Woodcliff Lake residents to join the Township pool. Mrs. Howley stated that she wants to extend the reimbursement policy to all residents, as long as they were a member of the Old Mill for two years. Mayor LaPaglia stated that residents should only be able to join a pool within a 20 mile radius.

The Employee Handbook will be presented to the Mayor and Council with a recommendation from the Wage and Salary Committee on March 15, 2004.

Resignation – Joseph Mauro

Mr. Sandve stated that Mr. Mauro has handed in his resignation. It is necessary for him to separate employment with the Borough for thirty (30) days in order to assure compliance with the Division of Pension and Benefits. The Borough will accept his resignation and re-hire him on May 1, 2004.

A Mechanics Lien has been served by Cooper Electric in conjunction with Margonis Electric. Mr. Sandve met with John Belle, Joanne Howley, Ed Barboni, Jeff Schneider and Steve Silverman to discuss the Borough's concerns over the field conditions. Mr. Sandve stated that John Belle was very cooperative. Mr. Belle stated that the Borough would receive a "draft" copy of the letter being sent to Margonis Electric.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,


Lori Sciarra
Borough Clerk

**BOROUGH OF WOODCLIFF LAKE
SPECIAL MEETING, CLOSED SESSION
MAYOR AND COUNCIL
MINUTES**

February 18, 2004
7:00 p.m.

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Camella, Glaser, Heinemann, Howley and Van Riper were present on roll call. Councilman Vogel was absent. Also present were Borough Administrator Sandve, Borough Attorney Madaio, Borough Clerk Sciara and Manny Toskos, former Borough Attorney.

DISCUSSION.

Manny Toskos reported on the Mack-Cali/Timplex Tax Appeal. Although no longer the Borough Attorney, Mr. Madaio and the Council felt it was important to retain Mr. Toskos for the sake of continuity in this regard. All four tax appeals relate to two properties, 400 Chestnut Ridge Road and 470 Chestnut Ridge Road. There was a presumptive settlement that was never acted upon. Compounding to this delay was the retirement of the tax assessor, a new attorney for the plaintiff being assigned to the case and stipulations of settlement being received from both the tenant and the owner. Mr. Toskos explained that there was also a dispute with the square footage of the buildings and that he was trying to ascertain the correct square footage. Mr. Madaio stated that any settlement should be agreed upon by all involved parties. Mr. Toskos continued that for the sake of a settlement, all parties agree on the 2001 assessment number. Tax Assessor Potash explained the different approaches for calculating value.

It was the consensus of the council to accept the proposed stipulation of settlement for 470 Chestnut Ridge Road and 400 Chestnut Ridge Road with the following additions:

1. Settlement is subject to the receipt of the actual square footage, certified by either a professional engineer or a licensed architect.
2. a signed release from all affected parties.
3. There will be no 2004 tax appeal
4. In the event this stipulation of settlement is not generated by the courts by 4/1/04, an appeal will be filed and withdrawn upon acceptance of the stipulations

Mr. Madaio will contact Judge Pizutto to inform him that a settlement is forthcoming.

Mayor LaPaglia requested from Mrs. Potash and Mr. Madaio a list of pending tax appeals.

Memo from P.O. James Uhl – re: reimbursement for accident - Mr. Sandve was asked by Mr. LaPaglia to research this request and report back to the Council at the March 12, 2004 closed session.

Margonis Electric – letter from Pete Margonis dated 2/9/04 – the Council has received several pieces of correspondence from Kinsey Associates. The consensus of the council is that they are very unhappy with the work done by Margonis Electric. The Council is also displeased with the supervision of the job by Kinsey Associates. It was the consensus of the Council not to release any payments to Margonis Electric until Mr. Sandve does his own research.

Cell Tower – letter from Bruce Whitaker - Mayor LaPaglia stated that this issue has been “dragging” through the Zoning Board for over four years. The Zoning Board has ruled that the Borough cannot preclude having a cell tower. The question is where to put the cell tower. Mayor LaPaglia stated that the applicant may be willing to move the cell tower onto Borough property. There will be a meeting to discuss a possible settlement and transfer of cell tower location with the applicant on February 23, 2004, 3:00 p.m. at Borough Hall. Mayor LaPaglia asked Mr. Sandve, Mr. Madaio, Mr. Van Riper and Mr. Camella to attend this meeting. He asked that the town get the same consideration from the applicant, i.e. shrubbery placement, maximum height etc.

Mr. Madaio commented on the property formerly known as the Roller Rink. Montvale has rezoned this property to include age restriction as an accepted usage. Woodcliff Lake was to do the same. This item will be discussed at the next closed session.

Meeting adjourned at 8:10.

Respectfully submitted,


Lori Sciara, Borough Clerk (2/19/04)

BOROUGH OF WOODCLIFF LAKE

MINUTES

SPECIAL MEETING, CLOSED SESSION

February 2, 2004

7:00 p.m.

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor La Paglia was present. Councilmembers Camella, Glaser, Heinemann, Howley, Van Riper and Vogel were present. Also present were Borough Attorney Madaio and Borough Clerk Sciara.

DISCUSSION.

Mr. Van Riper reported on the Tri-Boro agreement. He stated that the Commissioners of each town have verbally agreed to this agreement. Mr. Van Riper continued that salaries were brought up to an acceptable level. The dispatchers requested paid retirement benefits to be included in this contract. Since their benefits are paid by Montvale which does not offer retirement benefits to their employees, this was not included in the contract. This contract is five years in the making and it will be retroactive.

Mr. Madaio suggested that we contact our risk manager about the amendment to the soliciting ordinance to be sure it is not too restrictive.

Mrs. Heinemann reported that the Borough has received bids for the replacement of several doors within the Borough. Nick Saluzzi, Construction Code Official has recommended Shaw's Complete Security to replace the doors at a cost not to exceed \$13,731 for five (5) doors. Mr. Saluzzi also recommended that the Borough continue with the services of the current cleaning company, Integrated Maintenance.

A memo from Chief Jannicelle re: background check for coaches was discussed. The fee is \$50.00 per per search. Mr. Madaio stated that the repercussion of not doing a background check is greater than the upfront cost. Mr. Vogel stated that the association (i.e., soccer, baseball, basketball) should charge each participant more to cover the cost of the background check. Mr. Camella stated he would bring this item to the next Park and Recreation meeting and report back to the Council.

Mr. Madaio stated that John Belle and Joanne Howley must visit the field in order to agree on a final punch list. Margonis Electric is seeking payment. It was the consensus of the council to wait on this final punch list until Borough Administrator Sandve arrives on February 17, 2004.

Mr. Madaio stated that he has requested from Nick Saluzzi a list of zoning violations as to the issue of Houses of Worship in a Residential Area/Use. This is in response to the request of tax exemption for a chabad located at 100 Overlook Avenue.

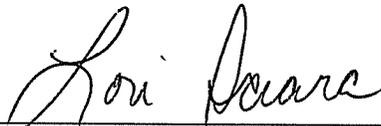
A decision on the Westervelt-Lydecker rehabilitation project needs to be made. Mr. Camella stated that the Borough is investigating alternate uses for this property.

Mrs. Heinemann stated that there will be a presentation by the H2M Group on the Conceptual Plan for the renovation to the Train Station. The grant must be submitted by February 15, 2004.

Mr. Madaio reported that Alice Lee, the previous Tax Collector for the Borough, was served her notice from the court re: Francis Ryan vs. Woodcliff Lake. Mr. Madaio asked that a motion be made to indemnify and defend Mrs. Lee in her position as Tax Collector at the time of this lawsuit.

Meeting adjourned at 8:02 p.m.

Respectfully submitted,



Lori Sciara, Borough Clerk 2/10/04

BOROUGH OF WOODCLIFF LAKE

MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

January 21, 2004

7:00 p.m.

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor La Paglia was present. Councilmembers Camella, Glaser, Heinemann, Howley and Van Riper were present. Councilmember Vogel was absent. Also present were Borough Attorney Madaio and Borough Clerk Sciara.

DISCUSSION.

LEGAL

Mr. Madaio gave a copy of an article from The Record. The article discussed the \$350,000 settlement received by the former Borough Clerk of Rivervale. Mr. Madaio stated that all borough employees and officials need to be aware of what could happen.

Mark Madaio –advised to the following:

Mark Hewitt has reviewed the pre-qualification applications for the restoration of the Westervelt-Lydecker House. Mr. Hewitt has identified five (5) qualified contractors. The Borough needs to address this issue as there are grants and an architect to deal with.

Request for Tax Exemption – “parsonage” – 100 Overlook Drive – Mr. Madaio stated that this is a private home that holds small scale prayer meetings. The homeowner has applied for the tax exemption based on this fact. Barbara Potash researched this issue with the input of Mr. Madaio. Based on this research, they both agreed that this property does not meet the criteria for a parsonage. The homeowner has appealed the assessor’s decision. However, Mr. Madaio feels the Zoning Board is the only entity that can rule on this request. Mr. Madaio will contact Nick Saluzzi to discuss.

Del Zotto vs. Borough of WCL - Mr. Madaio commented that this property backs up to the parkway and the homeowner is requesting a high reduction. The assessor and the revaluation company have already allowed for the parkway in their assessment. It was the consensus of the Council to retain McNerney Associates should the Borough need appraisal services.

Chakin vs. Borough of WCL – no agreement has been reached. The homeowner walked out of tax court, therefore abandoning this appeal.

Mack – Cali/Timplex vs. Woodcliff Lake

M. Toskos comments

Proposed Stipulation of Settlement – this appeal has been on-going. After discussion, it was the consensus of the council to have Manny Toskos come to closed session to discuss. The issue seems to be clarity. Mr. Madaio will try to schedule him for the February 2, 2004 closed session meeting.

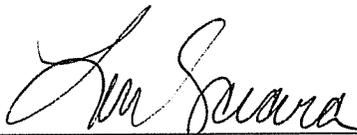
Frank Ryan vs. WCL – Mr. Ryan has filed numerous appeals – he is questioning the method of assessment, his home classification as well as topographical issues not being credited properly. JIF is representing the Borough on ½ of the complaint. Mr. Madaio is representing the Borough for the other ½. Because Judge Pizzuto is named in the suit, the case has been moved to Trenton with Judge Small. Mr. Madaio has asked the Judge to try “the issue of value” first. If the Borough is successful with this issue, the rest of the lawsuit is moot. The judge agreed and the trial date has been set for 4/19/04 in Trenton for the issue of value only. It was the consensus of the Council to retain McNerney Associates should the Borough need appraisal services.

CONTRACTUAL

The library contract was discussed. There were several items that needed to be changed. Mr. Camella will prepare these changes and present amended contract to Upper Saddle River and Hillsdale. This contract will be voted on at the February 2, 2004 Council meeting.

Meeting adjourned at 8:00 p.m.

Respectfully submitted,



Lori Sciara, Borough Clerk 1/28/04

BOROUGH OF WOODCLIFF LAKE

MINUTES

SPECIAL MEETING, CLOSED SESSION

MAYOR AND COUNCIL

January 15, 2004

CALL TO ORDER.

In accordance with the "Open Public Meetings Law, P.L. 1975, C.231, notice of this Special Meeting has been posted and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor La Paglia was present. Councilmembers Camella, Glaser, Heinemann and Howley were present. Councilmembers Van Riper and Vogel were absent. Also present were Borough Attorney Madaio, Borough Clerk Sciara and Dee Mautz, Chairwoman of the Bi-Partisan Search Committee. Mrs. Mautz explained that the Bi-Partisan Search Committee was formed in early December to advertise, collect and interview possible candidates for the Borough Administrator Position and/or the Chief Financial Officer Position. Many applications were received and after an initial round of 12 prospective candidates, the committee selected two candidates to be interviewed by Mayor and Council.

DISCUSSION.

Edward Sandve was interviewed in matters regarding respective employment for the position of Borough Administrator.

Wolfgang Albrecht, Jr. was interviewed in matters regarding respective employment for the position of Borough Administrator.

After discussion, it was the consensus of the Council to offer Mr. Sandve the position of Borough Administrator at a starting salary of \$114,000. with 3 weeks vacation.

The position of Chief Financial Officer was discussed. To date, the Bi-Partisan Search Committee has not found a candidate for the position of CFO. The committee hopes to retain the services of an interim temporary CFO within a few days.

The position of tax assessor was discussed and the possibility of entering into an inter-local agreement with Westwood and New Milford.

Meeting adjourned at 12:00 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lori Sciara", is written over a horizontal line.

Lori Sciara

Borough Clerk 1/23/04