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**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
February 18, 2009
8:00 p.m.**

CALL TO ORDER.

This meeting, in accordance with the Open Public Meetings Law, P. L. 1975, C. 231, was announced at the Reorganization Meeting held on January 5, 2009 in the Municipal Building. Notice of this meeting has been posted, and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia
Councilman Bader
Councilman Camella
Councilman Glaser
Councilman Hoffman
Councilwoman Howley
Councilman Rosenblatt

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a Special [meeting of the Mayor and Council on February 2, 2009](#) copies of which have been received by all Councilpersons, are hereby approved as presented.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

RESOLVED, that the [Minutes of the Executive Closed Session Meeting of the Mayor and Council of February 2, 2009](#) copies of which have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

RESOLVED, that the Minutes of a [meeting of the Mayor and Council on February 2, 2009](#) copies of which have been received by all Councilpersons, are hereby approved as presented.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

PUBLIC HEARING.

Ordinance 09-01

A. Clerk offers Proof of Publication.

B. Ordinance is read by title only:

**Be it Resolved, that the Ordinance entitled
“An Ordinance Amending Chapter 262 of the Borough of Woodcliff Lake, County of
Bergen Entitled, “Zoning”**

C.	<u>Open to Public</u>	<u>Close to Public</u>
	Bader Camella	Bader Camella
	Glaser Hoffmn	Glaser Hoffman
	Howley Rosenblatt	Howley Rosenblatt
	La Paglia	La Paglia

D. Adoption.

**Be it Resolved, that the Ordinance entitled
“An Ordinance Amending Chapter 262 of the Borough of Woodcliff Lake, County of
Bergen Entitled, “Zoning”**

introduced at a Regular Meeting of the Mayor and Council held on February 2, 2009 and 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.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

OLD BUSINESS.

STANDING COMMITTEES. (CAPITALS indicate committee chair).

John Glaser	ADMINISTRATION/FINANCE PLANNING BOARD EDUCATION (High School) Public Information, Newsletters, Ordinances Library Senior Citizen’s Program
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Paul Camella	LIBRARY FIRE (VOLUNTEER) DPW & Roads/Sewers & Sanitation/Ecology
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Jeffrey Bader	PUBLIC SAFETY/POLICE/OEM/TRIBORO Board of Health, Mental Health & Welfare Elementary High School
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Jeffrey Hoffman

BOARD OF HEALTH, MENTAL HEALTH & WELFARE
Parks and Recreation
Building & Grounds/Building Dept., Fire (Volunteer),
Fire Prevention

Joanne Howley

PARKS AND RECREATION
PUBLIC INFORMATION, NEWSLETTERS,
ORDINANCES
SENIOR CITIZENS' PROGRAM
Administration/Finance
Library

Robert Rosenblatt

DPW & ROADS/SEWERS & SANITATION/ECOLOGY
Parks & Recreation
Public Safety/Police/OEM/TriBoro

NEW BUSINESS.

Ordinance 09-03

“An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, Authorizing the Exercise of Eminent Domain, if Advisable, to Acquire 75 Werimus Road (Block 1401, Lot 6) in the Borough of Woodcliff”

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on the 16th day of March, 2009 at 8:00 o'clock 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 an 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.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

PUBLIC FORUM.

Open to Public
Bader Camella
Glaser Hoffman
Howley Rosenblatt
La Paglia

Close to Public
Bader Camella
Glaser Hoffman
Howley Rosenblatt
La Paglia

CONSENT AGENDA DISCUSSION.

CONSENT AGENDA VOTE.

ADJOURNMENT.

CONSENT AGENDA – February 18, 2009

1. Payroll, **page 5**
2. Authority to Pay Claims, **page 5**
3. Legal Newspapers Designated, **page 5**
4. Resolution Authorizing a Refund of Overpayment of Taxes Due to State Refund of Homestead Rebate, **page 5, 6**
5. Resolution Authorizing a Refund of Overpaid Taxes Caused by a Tax Court Judgment Docket No. 004784-2007 001616-2008 for the Year 2008, **page 6**
6. Resolution Authorizing the Mayor and Borough Clerk to Enter into an Agreement with the County of Bergen Open Space Trust Fund to Receive a Grant Award in the Amount of \$800,000 for the Acquisition of Lot 6, Block 1401, 75 Werimus Road and known as “Hathaway Property”, **page 7**
7. Resolution Authorizing Appraisal Systems to Provide a Complete Revaluation for the Borough of Woodcliff lake for Tax Year 2010, **page 7**
8. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket No. 004297-2007 for the Years 2007 & 2008, **page 8**
9. Resolution Authorizing Release of Escrow Balance, **page 8, 9**
10. Resolution Authorizing Raffle License for the YMCA of Ridgewood, NJ, **page 9**

RESOLVED, that the Consent Agenda is approved as presented.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Payroll.

(Consent Agenda – 1)

RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby are ratified and approved:

Payroll released 02/13/09	\$	196,398.08
Adjusted payroll	\$	115.68

CLAIMS AND BILLS.

Authority to Pay Claims.

(Consent Agenda - 2)

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	\$	122,127.61
State Unemployment	\$	110.34

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Legal Newspapers Designated.

(Consent Agenda – 3)

RESOLVED, that the following newspapers are designated the legal newspapers of the Borough:

The Record
The Ridgewood News

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES DUE TO STATE REFUND OF HOMESTEAD REBATE

(Consent Agenda – 4)

WHEREAS. The property tax on the following parcel were overpaid and,

WHEREAS, this has resulted in the overpayment of property tax on this parcel by \$2000.00 and,

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

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 \$2000.00 to the owner listed below:

B/L	OWNER	AMT.	REASON
105/4	THOMAS & ERIN GALLAGHER	\$2000.00	OVERPAYMENT

MANUAL CHECK ISSUED
February 4, 2009
CHECK # 004741

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET NO. 004784-2007 001616-2008 FOR THE YEAR 2008
(Consent Agenda – 5)

WHEREAS, the owners of Block 202 Lot 4, 520 Chestnut Ridge 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:

<u>2008 Assessment from Tax Duplicate</u>		<u>Tax Court Judgment</u>	
10,710,000.00	LAND	10,710,000.00	LAND
4,115,000.00	IMPROVEMENTS	3,790,000.00	IMPROVEMENTS
<u>14,825,000.00</u>	<u>TOTAL ASSESSMENT</u>	<u>14,500,000.00</u>	<u>TOTAL ASSESSMENT</u>
\$303,764.25	taxes paid	\$297,105.00	taxes

WHEREAS, this has resulted in their overpaying their property tax for the year **2008** in the amount of **\$6,659.25**; and

TOTAL REFUND FOR 2008 \$6,659.25

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 **\$6,659.25** for the year **2008** to the owner of record **GREAT ATLANTIC & PACIFIC TEA CO. C/O HENDON, DINAH E. ESQ.**

MAIL VOUCHER TO:

**GREAT ATLANTIC & PACIFIC TEA CO.
2 PARAGON DRIVE
MONTVALE, NJ 07645**

PAY BY: MARCH 23, 2009

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Resolution Authorizing the Mayor and Borough Clerk to Enter into an Agreement with the County of Bergen Open Space Trust Fund to Receive a Grant Award in the Amount of \$800,00 for the Acquisition of Lot 6, Block 1401, 75 Werimus Road and known as "Hathaway Property"
(Consent Agenda – 6)

WHEREAS, the Bergen County Board of Chosen Freeholders at its meeting on January 21, 2009 approved the above referenced project to receive a grant award from the 2008 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund in the amount of \$800,000; and

WHEREAS, Resolution 08-90 of the Borough of Woodcliff Lake authorized the submission of an application to the Bergen County Open Space Trust Fund for the Acquisition of the Hathaway Property (75 Werimus Road).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk of the Borough of Woodcliff Lake are Authorized to enter into an Agreement with the County of Bergen Open Space Trust Fund to receive a grant award in the amount of \$800,000 for the Acquisition of Lot 6, Block 1401, 75 Werimus Road and known as "Hathaway Property"

BE IT FURTHER RESOLVED that a certified copy of this Resolution will be forwarded to the County of Bergen along with the executed Trust Fund Grant Agreement.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Resolution Authorizing Appraisal Systems to Provide a Complete Revaluation for the Borough of Woodcliff Lake for Tax Year 2010
(Consent Agenda – 7)

WHEREAS, the Borough of Woodcliff Lake has been ordered by the State of NJ to conduct a Revaluation of its properties for the tax year 2010; and

WHEREAS, the Tax Assessor and Finance Committee have met and recommend the Borough proceed with authorizing Appraisal Systems, Inc. of Glen Rock, NJ to begin the revaluation and;

WHEREAS, the Borough has received a Proposal from Appraisal Systems, inc. in the amount of \$215,000 and \$5,960 for extras (computer and laser printer) for a total of \$220,960; and

WHEREAS, the CFO has indicated that there are sufficient funds available for this project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize Appraisal Systems, Inc. to proceed with a complete revaluation program for the Borough as of October 1, 2009 for the 2010 tax year subject to entering into an agreeable contract.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET NO. 004297-2007 FOR THE YEARS 2007 & 2008

(Consent Agenda – 8)

WHEREAS, the owners of Block 301 Lot 3.03,300 Tice Blvd., 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:

<u>2007 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
16,000,000.00 LAND	16,000,000.00 LAND
25,993,400.00 IMPROVEMENTS	20,300,000.00 IMPROVEMENTS
<u>41,993,400.00 TOTAL ASSESSMENT</u>	<u>36,300,000.00 TOTAL ASSESSMENT</u>
\$831,469.32 taxes paid	\$718,740.00 tax court judgment taxes

MUNICIPAL TAX RATE FOR YEAR 2007=\$1.98 PER 100 OF ASSESSED VALUE

2007 TAX REFUND= \$112,729.32

<u>2008 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
16,000,000.00 LAND	16,000,000.00 LAND
25,993,400.00 IMPROVEMENTS	20,300,000.00 IMPROVEMENTS
<u>41,993,400.00 TOTAL ASSESSMENT</u>	<u>36,300,000.00 TOTAL ASSESSMENT</u>
\$860,444.77 taxes paid	\$743,787.00 tax court judgment taxes

MUNICIPAL TAX RATE FOR YEAR 2008=\$2.049 PER 100 OF ASSESSED VALUE

2008 TAX REFUND= \$116,657.77

WHEREAS, this has resulted in their overpaying their property tax for the years 2007 and 2008 in the amount of **\$229,387.09** 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 of **\$229,387.09** for the year **2007 and 2008** to the owner of record 300 TICE BLVD. LLC C/O IRWIN LAW FIRM

CHECK MAILED TO
 THE IRWIN LAW FIRM, PA
 80 MAIN STREET SUITE 410
 WEST ORANGE, NJ 07052

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Resolution Authorizing Release of Escrow Balance **(Consent Agenda – 9)**

WHEREAS, A request has been made for the release of the escrow balances with respect to the following in the Borough of Woodcliff Lake:

**REDMOR ASSOCIATES
ESCROW RELEASE
\$28.50**

**SANTORO
17 OAKWOOD
CASH BOND RELEASE
\$1,000.00**

WHEREAS, the Borough Construction Official has confirmed that all is satisfactory and has recommended that the escrow balances be released;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of the escrow balances in the amount of **\$1,028.50** in connection with the aforementioned.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Resolution Authorizing Raffle License for the YMCA of Ridgewood, NJ
(Consent Agenda - 10)

WHEREAS, application has been made by the YMCA of Ridgewood, NJ, for one (1) off-premise draw raffle on April 17, 2009 to be held at the Woodcliff Lake Hilton, Woodcliff Lake, New Jersey; and

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

NOW, THEREFORE, BE IT RESOLVED, that the application of the YMCA of Ridgewood, NJ is approved and the Borough Clerk is hereby authorized to issue Raffle License(s) No. 09-379.

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia