

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MEETING
MINUTES
MAY 17, 2010**

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 2, 2010 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

Roll Call was taken by the substituting Secretary. Councilmembers Bader, Camella, Glaser, Hoffman, Howley and Rosenblatt were present. Attorney Madaio, Administrator Sandve, and substituting Secretary Kathy Rizza were also present

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance led by Mayor LaPaglia.

**PRESENTATION OF CERTIFICATE – MUNICIPAL LEADERS
SCHOLARSHIP COMPETITION**

Mayor LaPaglia awarded a Certificate of Participation to William Fassuliotis, as a semi-finalist, who entered the New Jersey State League of Municipalities – Louis Bay Future Municipal Leaders Scholarship Competition. The Mayor read the essay written by Mr. Fassuliotis on his experience with our Local Government to all present and congratulated him on his participation in this competition.

APPOINTMENT

The Mayor appointed Gerald R. Salerno, Esq. as Public Defender in the Borough of Woodcliff Lake for a term ending 12-31-10.

RESOLVED, that this appointment is confirmed with all Councilmembers in favor.

APPROVAL OF MINUTES

RESOLVED, that the minutes of a **Meeting of the Mayor and Council on May 3, 2010** are approved as amended and are ready for release to the public.

ROLL CALL:

Introduce: Mr. Camella
Second: Mrs. Howley

Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley, Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

PUBLIC HEARING

Resolution Authorizing the Waiver of Reading in Full of the 2010 Budget

WHEREAS, N.J.S.A. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall:

- A) be posted in a public place where public notices are customarily posted, and
- B) is made available to the each person requesting the same during said week and during the public hearing, and

WHEREAS, the Borough of Woodcliff Lake has complied with the aforesaid requirements;

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full of the Municipal Budget for the year ending December 31, 2010.

ROLL CALL:

Introduce: Mr. Glaser
Second: Mr. Camella
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley, Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

Resolution Authorizing Self Review of the 2010 Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of Local Government Services, of conducting the annual budget examination, and,

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and,

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Borough of Woodcliff Lake has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2010 budget year,

SO NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Woodcliff Lake that the 2010 annual budget be examined in accordance with N.J.A.C. 5:30 7.6a & b and based upon the Chief Financial Officer's Certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges.
 - b. Deferred charges and statutory expenditures.
 - c. Cash Deficit of preceding year.
 - d. Reserve for uncollected taxes.
 - e. Other reserves and non-disbursement items.
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law.
 - a. All estimates of revenue are reasonable, accurate and correctly stated.
 - b. Items of appropriations are properly set forth.
 - c. In itemization, for, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The Budget and associated amendments have been introduced, publicly advertised, and adopted in the accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ROLL CALL:

Introduce: Mr. Glaser

Second: Mr. Camella
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley,
Mr. Rosenblatt
Nays: None
Absent: None
Abstain: None

PRESENTATION

Borough Administrator Sandve presented the 2010 Municipal Budget to the public.

The meeting was opened to the public for questions and/or comments on the 2010 Budget on a motion from Mr. Bader, seconded by Mr. Camella, and carried by all.

Gerald Meisel - 105 Brookview Drive – Mr. Meisel stated that he is not very appreciative of the fact that the Police Chief used the budget newsletter to make his campaign statement. He stated that it was wrong of the Council to allow for this. Mr. Meisel distributed an informational sheet on police budgets in the area. Mr. Bader made Mr. Meisel aware of some errors in his numbers, such as the number of police officers that this Borough has. Mr. Camella also pointed out a mathematical error. Mr. Meisel stated that he had obtained most of his information from the Record newspaper. He further stated that the Borough needs to reduce the Police force, ask for voluntary salary decreases, propose furloughs and/or freeze hiring of additional officers. Mr. Meisel feels that the Police Department is over staffed. He asked the Council to take a good look at the public safety budget – the costs are out of line, too many officers and too much of an expense.

Tony DeVito – 8 Oakwood Drive – Mr. DeVito stated that he agrees with the direction that Mr. Meisel is going in regarding the Police Department budget. He recommended to the Council that a comprehensive analysis be done with neighboring towns. Mr. Bader stated that this past year he, Tony Jannicelli and Bob Rosenblatt have gone through the budget many times to make it better. He went on to state that the Chief is probably the best department head that we have and that there is nothing more that can be cut. He mentioned the overtime due to the shortage of men and that the town is becoming accustomed to a two-man shift now. He feels that the town deserves more, and feels that our quality of service is second to none. Mr. Bader stated that our Police Department is the finest and that we are all struggling at this time. Mr. DeVito stated that Mr. Jannicelli probably is the finest Police Chief in the Pascack Valley. Mr. DeVito also stated that he was involved in the Police negotiations in the past. He reiterated that he would like to see an analysis done for a possible merger with other towns in the future. Mr. DeVito mentioned that he feels furloughs to the non-union staff would not be fair. He suggests that the Council go to the problem and look at it.

Gerald Meisel – 105 Brookview Drive - Mr. Meisel stated that he agrees with Mr. Bader, but that the cost is exceeding!. He referred to the Park Ridge Police Department laying off four police officers. He asked that the Council please do something.

Seema Kumar – 4 Edgewood Court - Ms. Kumar inquired as to whether corporate offices in town have an impact on the taxes to the residents. Administrator Sandve responded yes and explained the four components of the tax bill to Ms. Kumar. The BMW tax appeal, which could take approximately five years, was discussed. Ms. Kumar was told that next year could be a harder economic year than this year. Ms. Kumar also asked whether or not Borough employees are contributing to the cost of their health benefits. The Administrator stated that yes; non-union employees are contributing to their benefits. Right now they are paying 7.5% of the benefit cost, but as of June 1, they will be paying 1.5% of their salary as per Governor Christie. This will also be discussed in police negotiations. Mr. Rosenblatt stated that the DPW employees could have unionized many times in the past, but have not. Mr. Glaser explained the 2.5% hard cap that will be enforced next year. Mr. Bader stated at this time he feels there should a zero salary increase for all employees. Mr. Rosenblatt stated that the Police will get a raise, but no one else will. Mayor LaPaglia explained his background in Finance and his history on the Finance Committee as a Councilman in the past. He agrees that taxes are getting too high. He referred to the budget newsletter regarding the tax impact from the school systems. The Mayor further explained the division of payments from Montvale, Hillsdale, River Vale, and Woodcliff Lake to the regional district. The Mayor is currently looking to get relief for the tax payers of Woodcliff Lake by fighting the formula that is now used to determine our payment to the regional district. Regarding the local school, the non-union employees have agreed to a zero increase in 2010, but the union employees have a very good contract with a 4-4.5% increase. Mayor LaPaglia also mentioned the portion of taxes that goes to the County. Regarding the Police Department he does agree with Mr. Meisel and Mr. DeVito that the police budget is very high, and he agrees with Mr. Bader on the number of officers that we currently have. He further explained that Woodcliff Lake has a very mature police force, meaning a lot of officers with many years of service to the Borough. He feels that our police force is the highest paid force in the Tri-Borough area. Mr. Bader stated that this information is wrong. Mayor LaPaglia stated that our Captain is the 3rd highest employee in the Borough with over 25 years of service, our Lieutenant also has over 25 years of service, and we have 5 Sergeants with over 20 years of service each. The Mayor added that we only have one police officer making less than \$100,000.00 and that we need to see some retirements or a Tri-Borough Police Department and that now would be a good time to look into that. Mr. Rosenblatt stated that he has difficulty with this idea and that Council support would be needed to further the idea. The amount of years that a police officer has in the Police and Fire Retirement Pension System was explained by the Mayor to Ms. Kumar. Mr. Rosenblatt stated that he has recommended to the Council a \$35,000 starting salary for a new officer instead of \$42,000, which could save the town half a million dollars over 20 years. Mr. Rosenblatt stated that he had recommended a small tax increase for last year and

that the CFO and the Administrator agreed with this, but the Council ignored his recommendation. Mr. Bader stated that this is incorrect, and that the taxpayers do not want to see a tax increase.

The public portion of the meeting on the 2010 budget was closed on a motion from Mr. Camella, seconded by Mr. Hoffman, and carried by all.

Adoption of the 2010 Municipal Budget

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen that the 2010 Municipal Budget is hereby adopted and shall constitute an appropriation for the purposes stated of the sum therein set forth as appropriations and authorization of the amount of \$7,941,895 to be raised for taxation for municipal purposes.

ROLL CALL:

Introduce: Mr. Glaser
Second: Mr. Camella
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley,
Nays: Mr. Rosenblatt
Abstain: None
Absent: None

Mr. Rosenblatt commended all department heads and stated that last year we were in a recession and that two members of the Finance Committee recommended a 2% increase for employees. Mr. Glaser took exception to comments made by Mr. Rosenblatt, stating that they were gross distortions and mistruths and completely inappropriate.

STANDING COMMITTEE REPORTS:

John Glaser –

Planning Board - stated that K. Hovnanian has started construction on the age restricted housing. The A&P Corporation is moving ahead with their interior renovations.

Administration/Finance - stated that the memo from the Police Chief on additional compensation will be discussed at the next Personnel Committee meeting.

Paul Camella –

Library – no report

Administration/Finance - Stated that he attended the Eagle Scout graduation this past Saturday.

Mr. Camella asked for clarification as to who will be the back-up to the Administrator regarding the electronic sign in his absence. Mr. Bader stated that he was told that the license for a second user could be waived. Mr. Sandve stated that he will contact Dave Goldberg at Millennium. Mr. Bader suggested the Council President. Mr. Sandve stated that the back-up person should be an employee at Borough Hall and that he will recommend someone at the next meeting. Mr. Camella stated that he does not have an

issue in how the sign is being handled, but feels we should have an alternate in case of an emergency. Mr. Sandve stated that there has only been one instance when he was not available to post a message.

Mr. Camella stated that Woodcliff Lake Day is two months away. The Administrator is working with Jay Esposito on the event. There will be an update at the next Mayor and Council meeting. Mr. Camella is concerned since the budget was cut.

Jeffrey Bader –

Public Safety/Police/OEM/Triboro –Mr. Bader asked if it would now be appropriate to order a new police car since the budget has passed. Mr. Bader reported police department statistics on the number of calls for the month of April to all present. He also stated that the Chief and the Captain have been doing patrol duty on a regular basis due to the current shortage of police officers. Mr. Bader informed Mr. DeVito that he is able to view the police monthly report if he wishes; it is not a confidential document. Mr. Bader conveyed to all present that the Tri-Borough Public Safety Commissioners have recommended accepting the increase proposed by Northwest Bergen. The Borough will still be saving money.

Mr. Bader added that his son recently graduated from Hartford University in Connecticut and that he is very proud of him. All present congratulated him on this achievement.

Jeffrey Hoffman –

Education (Elementary) - Mr. Hoffman stated that the Environmental Club from the school cleaned up the pool area recently. Mr. Barboni of the DPW provided lunch free of charge. He also mentioned that the 5th grade Girl Scouts planted a garden at the Lydecker House.

Mr. Hoffman informed all present that the possible court consolidation issue is moving along.

Joanne Howley –

Parks and Recreation – Mrs. Howley stated that the pool has been drained, power washed and filled and looks wonderful. Minor repairs were done so that the pool may be open on May 29th, 30th and 31st – free to all residents. Mrs. Howley is looking forward to a successful summer season.

Regarding baseball and softball, the season is progressing.

Fire – Volunteer – Reported that a live fire experience was held recently in Bergenfield that was attended by our Volunteer Fire Department. This was a great experience for all involved.

On a personal note – Mrs. Howley stated that Grandson #1 recently graduated from Virginia Tech, Magna cum laude, and that she is very proud. All members congratulated Mrs. Howley on her grandson's achievement.

Robert Rosenblatt –

DPW and Roads/Sewers and Sanitation - Mr. Rosenblatt first spoke regarding the Rinzler Field scoreboard that has been broken for approximately twelve years. It has recently been paid for by residents Jon and Elissa Grabow, and will be installed shortly.

The Borough Administrator will send a thank you letter to Mr. and Mrs. Grabow. Councilwoman Howley stated that she had never been advised that the scoreboard had arrived.

At this time Administrator Sandve stated that the DPW did the retaining wall and the ramp up to the Rinzler Field. Mr. Rosenblatt stated that the DPW did an outstanding job as usual. Mayor LaPaglia stated that they also did a nice job on the Borough ball fields.

OLD BUSINESS:

Winding Way Street Lighting Survey – As per Administrator Sandve survey results are as follows: 12 no votes and 11 yes votes. Mr. Bader suggested following up with letter to the residents. Administrator Sandve will do this. Spot lighting on Winding Way was discussed. Mr. Rosenblatt stated that this was attempted on his street. He feels that uniformity is needed.

Leasing of Borough owned property (Freedman House) was next to be discussed. A memo from Mark Madaio was received by all on this matter. Mayor LaPaglia stated that he feels that from an economic standpoint the Borough should entertain the idea of leasing the house. He feels that the Borough could possibly get \$1500.00 a month for the Freedman House. The Lydecker house was never rented, just the cottage. There are many possible problems that could be encountered, such as animals and water issues, which could cost additional money to the Borough. Mr. Rosenblatt stated that a neighbor of Mrs. Howley had inquired as to renting the Freedman House. Attorney Madaio stated that we are bound by the Local Land and Buildings Law and that we would have to go out to public bid. We could reserve the right to reject certain bids and go from there. He additionally stated that it is nice house in a nice area and that it is suitable to lease. Mr. Madaio further stated that most people lease with a vision to stay and that the Borough could not offer this. Mr. Madaio explained an additional side to this situation – the landlord-tenant side. In New Jersey tenants are tenants forever, and you can only evict the tenant in compliance with the New Jersey anti-eviction Act. If the structure is being permanently retired, 18 months of notice must be given, which is the time frame that the Borough would be looking at. As soon as the tenants moved in, we would have to serve an eviction notice. Mr. Bader recommended requiring a bond to make sure that the tenant would leave when requested. Mr. Rosenblatt suggested raising the rent substantially after the 18 month period to force the tenant to vacate. Attorney Madaio stated that we cannot circumvent the law. Mr. Rosenblatt stated that he would rather not be a landlord. Mr. Madaio asked if the Council was interested in possibly raising thirty-thousand dollars from renting this house. The Mayor stated that the money would help the Borough. Mr. Madaio stated that we would have to make sure that renting would not affect grant funding. Mr. Rosenblatt asked if we could stipulate age-restricted housing at this site. He was told no by Attorney Madaio. Mr. Rosenblatt stated that any proposed tenant would have to have a lawyer and would have to be the highest bidder of secret bids. Mr. Bader would like to see a performance bond put in place. Mrs. Howley stated that a security deposit is common practice. Mr. Bader recommended both a performance bond and security deposit. The Mayor asked the Council if they were interested in leasing the property for not less than 18 months for \$1,500.00 a month from July 1st. Mr.

Bader stated that he has no problem with leasing, he is just concerned with the end result. Mr. Rosenblatt stated that if the Council follows his advice they will be successful. Mr. Camella reminded all that we have a neighborhood to protect. A poll was taken of all Council members as to whether to lease the property or not:

Roll Call:

Mr. Bader	No – needs details
Mr. Glaser	No
Mrs. Howley	Yes
Mr. Camella	No
Mr. Hoffman	Yes
Mr. Rosenblatt	Yes
Mayor LaPaglia	Yes

(Yes to lease)

New Policy for Personnel Manual - Jeff Hoffman distributed a policy for submission into the personnel manual on prohibiting the use of recording devices in Borough Hall. He stated that the copy he was given by Administrator Sandve was insulting. It was made known that the copy that he received was intended as a joke by the Mayor. Mr. Hoffman stated to Mayor LaPaglia that he thought this was an important matter and didn't appreciate his joking about it. Mr. Bader stated that an employee wearing a recording device around his or her neck is disgusting. Mr. Rosenblatt stated that to prohibit it is illegal. Administrator Sandve stated that Labor Counsel says it is ok to do so, and that it is not illegal to tape conversations. Attorney Madaio disagrees with this. The Mayor suggested sending both versions of the proposed policy to the Labor Counsel.

A motion was made by Mr. Hoffman, contingent on Labor Counsel approval, to insert this proposed policy in the Personnel Manual, seconded by Mr. Bader, and carried by roll call vote as follows:

Roll Call:

Introduce:	Mr. Hoffman
Second:	Mr. Bader
Ayes:	Mr. Bader, Mr. Camella, Mr. Glaser, Mrs. Howley, Mr. Hoffman
Nays:	Mr. Rosenblatt – stated that it is an improper violation.
Absent:	None
Abstain:	None

Purchase Order Procedure – Mr. Bader stated that the minutes from May 3rd are correct regarding this issue. Attorney Madaio stated that the By-Laws can be waived for a 90 day trial period. Mr. Bader would rather the By-Laws be amended. Attorney Madaio stated that the By-Laws will be amended at the next meeting Mr. Camella asked that this be put on the next agenda.

NEW BUSINESS: none

PUBLIC FORUM: A motion to go into public session was made by Mr. Rosenblatt, seconded by Mr. Bader, and carried by all present.

Ms. Darlene Schnure – 24 County Road – Inquired as to how less Police Officers will affect scheduling and suggested that the Borough ask other towns how they handle this situation. She mentioned that if the three Tri-Borough towns combined Police Departments it would be like policing Ridgewood. Mr. Rosenblatt stated that in a larger area you lose good relationships with your Police Officers.

Tony DeVito – 8 Oakwood Drive – Stated the people want the town to examine this possibility (merger) to find a solution. He feels that the town deserves this. Mr. DeVito asked about the court consolidation effort taking place. Mr. Hoffman provided a brief summary for the public. He stated that there are pros and cons to the possibility of merging courts with Park Ridge and Montvale. We have to consider overtime costs, possible messenger service, not being in our own town and the other town opinions. Administrator Sandve stated that good progress in being made at this time. Mrs. Howley stated that she will drop off the recent status report to Mr. DeVito. The Mayor stated that Woodcliff Lake and Park Ridge would be outsourcing their courts. He also stated that he had written a letter to the Council on this subject and that he feels we would lose the local touch. Mr. Sandve explained that plea bargaining would be done differently, in Montvale it is done by phone, which saves overtime money.

Nick Letizia – 74 Heritage Court – Reminded the Council of the problem at 95 Woodcliff Avenue with rubbish that needs to be removed. The Administrator stated that he believes Nick Saluzzi sent a letter regarding this. He will verify with Mr. Saluzzi. Mrs. Howley stated that this is one of the two homes that we hired landscapers for.

The meeting was closed to the public on a motion from Mr. Camella, seconded by Mr. Bader, and carried by all present.

CONSENT AGENDA DISCUSSION:

Mr. Bader asked that item #5 (revision to the Personnel Policy Manual regarding benefit coverage for certain employees) be tabled for one meeting. The Chief's Attorney has asked for this to avoid potential litigation.

A motion was made to table item #5 by Mr. Bader, seconded by Mr. Rosenblatt, as follows:

Roll Call:

Introduce: Mr. Bader
Second: Mr. Rosenblatt
Ayes: Mr. Bader, Mr. Camella, Mrs. Howley
Nays: Mr. Glaser, Mr. Hoffman, Mr. Rosenblatt, Mayor LaPaglia
Absent: None
Abstain: None
(No to table)

A motion was made to approve item #5 with the condition that the Chief accept what was offered to him by May 20th, by Mr. Hoffman, seconded by Mrs. Howley, as follows: Administrator Sandve mentioned that he too has a contract and that this should also apply to him.

Roll Call:

Introduce: Mr. Hoffman
Second: Mrs. Howley
Ayes: Mr. Bader, Mr. Camella, Mr. Hoffman., Mrs. Howley, Mr. Rosenblatt
Nays: Mr. Glaser
Absent: None
Abstain: None

Mr. Rosenblatt suggested that we offer the same arrangement to the Chief as we did to the Captain as an amendment to Mr. Hoffman's motion.

Mr. Bader also stated that he is close friends with the residents involved in items #'s 8 and 9 and therefore will recuse himself from voting on these items.

CONSENT AGENDA VOTE: on items 1 -4 and 6-11

The consent agenda was approved, as amended for item 4, as follows:

Roll Call:

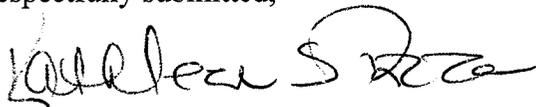
Introduce: Mrs. Howley
Second: Mr. Camella
Ayes: Mr. Bader – recused from #'s 8 and 9
Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley, Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

Item # 4 was amended to state that the fees are for the first child in a family, a 10% discount is offered for additional children in the same family.

ADJOURNMENT:

The meeting was adjourned on a motion from Mr. Camella, seconded by Mr. Bader, and carried by all present.

Respectfully submitted,



Kathleen S. Rizza, Substituting Secretary