



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL MINUTES  
October 21, 2013  
8:00 PM**

**MINUTES OF THE MEETING ARE NOT VERBATUM**

**CALL TO ORDER**

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted, and two newspapers, The Record and The Ridgewood News, have been notified.

**ROLL CALL**

Mayor Jeffrey Goldsmith asked for a roll call. Council members Bader, Bae, Bloom, Gadaleta and Rosenblatt were present. Councilwoman Abene arrived at 9:40 p.m. Marc Leibman was present for Borough Attorney Paul Kaufman. Interim Administrator Thomas Richards, Deputy Borough Clerk Debbie Dakin and Borough Clerk Joyce Larena were also present.

The Mayor stated that he has the ability to move things around. He is going to do so because we have a full house. Closed session will be moved to the end.

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance which was led by Joanne Siegel.

**Moment of Silence for Joseph Higgins**

**APPROVAL OF MINUTES**

**RESOLVED**, that the Minutes of a Mayor and Council Meeting on September 25, 2013, copies of which have been received by all Councilpersons, are hereby approved.

**ROLL CALL:**

Introduced: Mr. Rosenblatt  
Second: Mrs. Bae  
Ayes: Mr. Bader, Mrs. Bae, Mr. Bloom, Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: Mrs. Abene  
Not eligible: Mrs. Gadaleta

**MAYORAL COMMITTEE APPOINTMENT – (no Council confirmation needed):**

**(MAYOR)** I appoint Jeff Schneider to the Pascack Valley High School Funding Formula Committee for a term of one (1) year, ending December 31, 2013.

**(MAYOR)** I appoint Stan Goldberg to the Citizen Police Contract Advisory Committee for a term of one (1) year, ending December 31, 2013.

Mayor stated that we are going to move certain things around on the Agenda. Mayor believes that everyone here is to find out what is happening with Galaxy Gardens and that will be addressed this evening. Before he does that he would like also address other matters that are going on in this municipality and in the newspaper recently.

Mayor addressed the Wolfgang Albrecht matter first by thanking the Bergen County Prosecutor's Office and the Woodcliff Lake Police Department for their due diligence in this investigation. He thanks the good people of Woodcliff Lake for their trust and confidence in him as the outcome is clear and evident. Under the advice of counsel he was not allowed to comment. As he stated since day one of office, he will be open, transparent and truthful. We need to know what occurred, my involvement, and address the unnecessarily aggressive questions posed to him at the last Mayor and Council Meeting.

First, why did the former Republican Mayor and Councilman ask questions knowing that he could not answer? When a matter is in litigation, one cannot compromise the position of this municipality. Tonight will be a night of facts, not fiction or innuendoes or rumors. I wish to share with you the facts and the testimony from the September 11, 2013 meeting with Mr. Albrecht and the Prosecutor's Office. Some Facts: Mr. Albrecht is a registered Republican, was hired by an all Republican Council in 2011, and the Republican majority gave Mr. Albrecht a contract in 2012. This contract was negotiated by former Republican Councilman John Glaser for a period ending December 31, 2015. 2013 Council recognized the work that he had done on behalf of the wonderful community, appointed Mr. Albrecht as the Borough Administrator.

## Comments from September 11 Prosecutor's Meeting

Question – what is the name of your Mayor?

Answer – Mayor Goldsmith

Question – did he ask you to backdate either the political party affiliation declaration form?

Answer - No

Question – the resignation letter of either Amy Goldsmith or Joseph Langschultz?

Answer - Not at all

Question - did anyone from the Council ask you to backdate them?

Answer – no one

Question – did anyone from Borough Hall ask you to backdate them?

Answer – No

Question – did anyone of the political party representatives from the political party name on this document ask you to backdate them?

Answer – no

Wolfgang further commented that he was quite frankly overwhelmed with 2 office and I am not certified in that office.

The Mayor further stated that on Tuesday, June 25<sup>th</sup> was when Wolfgang appraised him of what he had done and the Mayor instructed him to call our Borough Attorney.

I believe the residents should be heard loud and clear. Rumors are going to end and they will be addressed. Let's move forward with Galaxy Gardens. Sorry I was a little late, but I wanted to make sure that I had all my facts correct.

I had a conversation recently with Councilwoman Jean Bae and she stated that she was part of a conversation that she was a part of at a neighboring event. I asked that this be placed on the Agenda so that .

As of today, no one has purchased the Galaxy Garden parcel. There is no application in front of our Board of Adjustment or our Planning Board. I ask that anyone here please contact anyone on our Planning Board or Zoning Board or Kathy Rizza and ask them if they have seen an application. I believe this property is the center of Woodcliff Lake and needs to remain

Tonight we will separate fact from fiction. I have not supported, nor endorsed, the purchase of this property by Valley Chabad.

I open the floor to the council for discussion and open the floor to Council President Rosenblatt.

### **Councilman Rosenblatt**

Councilman Rosenblatt had in front of him of several mailings, both local and political. Here is a letter sent by this woman with a code. Every document that I have has that particular barcode. They are exactly the same. Is this a fact? It's a fact. I don't think it's a coincidence. In my opinion, everyone in this room has been duped by the Woodcliff Lake Republican Club. They are sending you this to scare you so we can divide – resident against resident, Jew against Jew, Catholic against Catholic, Catholic against Jew to divide this community. This breaks my heart. I have been on this Council for 10 years and I have never been so heartbroken as to what I see here. Don't be fooled. People are trying to get you here under scare tactics. People are trying to get you here to scare you. Valley Chabad has not bought the property – they are contracted to buy. If they do, they would hire a lawyer and submit a site plan. If they do, they would submit an application probably next summer. Why are we here? If it has never been before the Planning Board, it has never been before the Mayor and Council. The answer is scare tactics to get you vote a certain way in the election. Do not be fooled. You are an intelligent community. I will not say anything further. I told you my opinion. Do your own research. Look at the letter. Do your homework. Thank you.

### **Councilwoman Bae**

This is not about religion. It is about safety. I live right across the street and my neighbors are telling me it's not safe. We cannot even turn at that intersection. I just want to stress that the near potential of traffic accidents that happen on that corner and this is not a Republican vs. Democrat issue. I know that there are quite a few Democrats on that Committee that are against it. People have their own personal opinions but it is primarily a safety issue and traffic. I heard of this first hand from a Saddle River resident. Everyone is asking what is going on with this development. I called Jeff right away and asked him. This is about keeping Woodcliff Lake the town that it is.

### **Councilman Bader**

So far the only thing that I can tell you that what Bob Rosenblatt said is accurate is that if anybody turns around and buys this property and wants to put anything that they want and it meets our codes and our zoning, we cannot fight it. We might not like it, but at the end of the day if it meets codes and it meets zoning, we are going to lose. There are alternatives out there. Tonight is probably the worst experience that I have ever had up here and I have been up here for 4 terms. Watching the people attack each other and I don't think that this issue has nothing to do with religion or politics. No matter how much you fight you can only fight so much. There are things that could be done. Your leaders are up here are not going to let something happen that the majority of the town does not want. The property is 2.1 acres, the zoning in WCL says 3 acres to put up a house of worship. I did my homework. That is why you have zoning boards, planning boards to look at these issues. I urge you all to stay calm. Rest assured that I might not be sitting up here on council next year, but I am not going away. Let

your elected officials do their work and have confidence in them. We are Woodcliff Lake residents and we do not want the character of the town to change.

### **Eric Bloom**

I want to echo some of the sentiments that I have heard this evening. This should not under any circumstance be anything political. Safety and community come first. It was the beauty of the town that brought my family to the town. This is a great place to live and a phenomenal place for our kids to grow up. When my son went to school he told me that he would love to come back here one day to raise his family. I had a wonderful opportunity last year walking the streets and was able to see all the beautiful spots that we have and we need to preserve that. That is the utmost important issue. With that I would like to read a Resolution to be put into the Agenda.

Mr. Rosenblatt asked Mr. Bloom to explain the Resolution to the public. Councilman Bloom deferred to Councilman Rosenblatt to explain the Resolution.

When you pay your taxes part of that money goes into an Open Space Trust Fund. We currently have 1.2 million in that account. This Resolution would allow Woodcliff Lake to research that we could use Open Space funds to buy Galaxy Gardens and keep it as Woodcliff Lake open space. This town believes that there are better uses for that property.

Councilman Bader believes that we might be able to negotiate. He asks that we can form a Citizen's Committee to come up with a plan first. We don't need to endorse the Resolution tonight. Let's have a reason for purchasing it before we spend the money. Let's study it before we adopt a Resolution – we only received this Resolution 35 minutes ago.

Mayor stated that 1 percent of the tax dollars that we raised goes to Open Space. Each year we collect \$185,000 to go to open space. This Resolution allows the Borough Attorney explore what our options are. All we are looking to do is to explore the opportunities. This Council understands our budget and our debt. The real issue you should be here is for BMW that could cripple this municipality financially. The person that owns Galaxy has the right to do what they want. WCL has the right to try and preserve the land. We are asking our attorney to provide this council with guidance as to what our options are with negotiations with the owner, with eminent domain, grants, or going to county and asking what can we use our open space money. This is not personal. My heart and my passion are with this Community. That is why I am here and I am proud. You as residents should be proud to call this your home. This Resolution makes sense.

Marc Leibman stated that this Resolution authorizes the Borough Attorney to prepare and file an application for a grant with the Bergen County Open Space Trust Fund Committee. That's all it is.

Jeff Bader stated that now since he has had a chance to read the Resolution he agrees with it.

### **Councilwoman Gadaleta**

Councilwoman Gadaleta ran for council so she can help the town in any way that she could. She is very proud to say that she is a WCL resident. As a little girl her dream was to live in Woodcliff Lake. Let's try and save this piece of property and use it to beautify and enhance our town. To concur with Councilwoman Bae, part of the issue is a safety issue.

### **Open to Public**

Mayor asked for motion from the Council to open to the public. Motion was made by Councilwoman Gadaleta, second by Mrs. Bae and unanimously approved by voice call vote.

Cheryl Dispoto stated that she should be able to speak first because of the outburst from Councilman Rosenblatt. Woodcliff Lake resident for 11 years. She wrote the letter that everyone is talking about. She is President of the Concerned Neighbors and Residents of Woodcliff Lake Inc. She came here to discuss what her organization is and why she sent that letter out. She is not a member of the Republican Club. She lives in close proximity to Galaxy Gardens. The mailing is paid for by her organization and hired legal counsel to prepare themselves for any over development for any property that might be proposed in Woodcliff Lake. As residents that have that right. They have heard about this development for months, not weeks. Biggest issue is with parking, traffic and safety. They are getting all different kinds of information as to what might go up there. Was glad to hear what they Mayor said because she heard that the Mayor was a proponent for the Chabad and a negotiator for them. How could your councilman throw religion into this? Residents have a right as a taxpayer to try and stop overdevelopment of Woodcliff Lake. Nothing in that mailing that puts Catholics against Catholics or Jews against Jews and that does not belong here in this building. Happy to hear that the Mayor and Council are exploring other alternatives.

Mayor stated that this will come out positive for her. Ms. Dispoto stated that she hopes so. This was her first experience at a Mayor and Council meeting and the first thing that happened was Councilman Rosenblatt shouting over the Mayor and accused her of pinning Catholics against Catholics and Jews against Jews and that was wrong. Mayor agrees wholeheartedly. Strong council, weak mayor and everyone has their opinion. Mayor apologizes on behalf of Woodcliff Lake if anyone feels that were not treated properly.

Mr. Mofrad, Woodcliff Lake, how committed is Counsel to keeping open space as open space?

Campaign manager for Republicans stated that he wants an apology from Councilman Rosenblatt because the Republican candidates are not affiliated with Ms. Dispoto's organization. Mayor stated that he apologized on behalf of Woodcliff Lake but cannot do it on someone else's behalf. If were up to him, he would apologize. Mayor stated that the Republicans also owe him an apology.

Councilman Rosenblatt stated that Ms. Dispoto is a registered Republican.

Mayor stated that we are stronger if we are united and we are not here to beat each other up.

Jeanine Chiavelli, Woodcliff Lake, highly offended by with what Councilman Rosenblatt. This is her first town meeting. She is very concerned with what is going to happen. There are people getting out of cabs and walking the streets and pointing to their house. We are lucky to have a town that is thriving but we do not need to bring an influx of people from other towns. She doesn't want to be told that they are panicked or crazy for coming to the meeting.

Eric Hahn, Woodcliff Lake, walks a lot around town and to cross Werimus Road is a life threatening experience even today. Putting a building there is just going to lead to casualties. His idea of a good use for that property is a medical facility or a basketball court.

Ron Zalare, Woodcliff Lake, came to the meeting because he thought we were going to have cookies. Thank you for the new roads in Woodcliff Lake.

Lisa Yacomin, Woodcliff Lake, thanked the Mayor for adding this item to the Agenda and that it is not too soon to be here. People are scared. There are no formal applications but this is real. She thanked the Mayor and Council for letting people speak at the meeting because at the Planning Board meeting the public does not get to speak. Please keep the residents informed! Council should never question why people are here. She asked that the Council take a breath, hear from the residents and think before passing a Resolution.

Mayor stated that Lisa is welcome at every meeting.

Darlene Schnure, Woodcliff Lake, wasn't planning on talking, just wanted to listen. But she finds it ironic that Ms. Yakomin, who voluntarily moved into a development with twice the density of anything in the Town at that point, she finds it interesting that she is concerned about density. Nobody wants to hear development.

Mr. Lenrow, Woodcliff Lake, updated minutes need to be posted.

Joseph LaPaglia, Woodcliff Lake. Regarding the Wolfgang Albrecht situation, as a matter of accuracy, the Committee that recommended hiring him was a Bipartisan Committee and is was made up of Christine Hembree whom is a three of fourth Democratic Council. At the last Mayor and Council meeting I asked you about your participation in the Wolfgang Albrecht matter. You didn't answer under the advice of Counsel. I don't believe I owe you an apology for asking that question. If you did not bring the documents in late, the situation would not have happened and Wolfgang Albrecht would still have his job if you brought them in on time. As you said Wolfgang did a lot for this municipality.

Mayor stated that this is open to the public on one issue only. We are just going to address Galaxy Gardens.

Josepha LaPaglia stated that he just wanted clarification on that issue. He also stated that he wanted to talk about the Mayor's overdevelopment ideas. Two (2) acres is too small of a parcel for any religious use on that property and that is overdevelopment. Rushing into the Resolution is absurd. We have the Hathaway that we purchased that is vacant and all the other lots because we didn't want to overburden the town with additional taxes. This is another example of acting in haste and repenting in leisure.

Mayor Goldsmith stated to Mr. LaPaglia that he is coming to meetings for purely political reasons. Mr. LaPaglia replied "bullshit". Mr. LaPaglia stated that we should develop the property for residential use. We have 10 acres of vacant properties – why are we looking to buy more.

Debbie Cazaz, Woodcliff Lake, stated that there is misinformation going around. Everyone wants a beautiful and better community. Residents should become informed before speaking. People are afraid of what they don't know so please keep everyone informed. Everyone is entitled to their opinion, but we need to be respectful and that she does reside at Valley Chabad.

Jay Ferreira, Woodcliff Lake, resident for 18 years and a volunteer, stated that there are no zoning or planning applications filed within Woodcliff Lake. Everyone should make an effort to attend every meeting to become more informed. Make love grow.

John Chiavelli, Woodcliff Lake, asked what the process for zoning is and how does it work.

Marc Leibman responded how the process works and that it is a slow process.

Gene Quigley, Woodcliff Lake, former Councilman, stated that a lot of things haven't changed. Lion and lamb could get along if you try. Loves Green Acres concept. Do not politicize this issue. Safety and aesthetics should be the main concern. He urges the Council to vote on the Resolution this evening to get the ball rolling.

Sherry Fabio, Woodcliff Lake, stated that she is trying to understand what options there are but finding it difficult to understand and asked Mr. Leibman to please restate his comments about "religious land uses". Mr. Leibman reiterated his statements and explained further about religious uses.

Dave Zislin, Woodcliff Lake, asked how the Resolution helps and how long could the process take? Marc Leibman responded to Mr. Zislin that it allows Mr. Kaufman to make application to the Bergen County Open Trust Fund Committee to see if there is money available and he has no idea how long it could take. Mr. Zislin also asked that if the counsel has said anything tonight that could be used later on in litigation against them?

Mr. Leibman explained the process further.

Ben Jardino, Woodcliff Lake, does eminent domain supersede a hard contract? Mr. Leibman stated that he does not specialize in that field but government can seize property as long as the property is paid.

Jim Abrams, Woodcliff Lake, stated that this should not be a political issue but a safety issue. He would like to see 1 person from Mayor and Council communicate with the public on updates on this issue. Keep website updated with information regarding this issue.

Mayor Goldsmith stated that we will figure out how to keep communication open with the public and the Mayor and Council.

Ron Ferrari, Woodcliff Lake, asked if Mayor and Council communicated with Galaxy Gardens to see if they have a hard contract.

Theresa Tortora, Woodcliff Lake, asked if there was a definite contract on Galaxy Gardens. Mayor Goldsmith responded that he didn't know. Councilman Rosenblatt responded yes, there is a contact.

Jan Miller, Woodcliff Lake, asked that if Mayor and Council knew we were having a meeting tonight, how come we did not find out ahead of time about the contract.

John Chiavelli, Woodcliff Lake, asked how fast is the Council going to move to be able to move forward with the purchase of this property. Is this Resolution worthwhile?

Attorney Leibman responded to his questions and explained the process again.

Victoria Guez, Woodcliff Lake, asked how many other council members knew about this contract. Mayor replied that everything they heard is here say. Councilman Rosenblatt replied that he did within the last couple of days and that he has not seen the contract.

Mrs. Dolicter, Woodcliff Lake, asked how Committees are formed and asked how many council members are involved in the Chabad. Councilman Rosenblatt replied that he is involved with the Chabad and Temple Emanuel.

Mayor asked that if anyone would like to serve on a Committee regarding the Galaxy Gardens to please e-mail him and explain why they wish to be on the Committee.

### **Closed to Public**

Motion to close to the public was made by Councilman Bader, second by Councilwoman Gadaleta and unanimously approved by a show of hands.

**Resolution Authorizing the Borough Attorney to Prepare and File an Application for an Open Space Trust Fund Grant**

**WHEREAS**, pursuant to N.J.S.A. 40:12-15.1 to 15.9, the Municipal Trust Fund Act, was enacted to confer authority upon a county and municipalities to create an open space trust fund; and

**WHEREAS**, pursuant to N.J.S.A. 40:12-15.2, the governing body of any county may seek authorization to impose an annual levy for an amount or at a rate deemed appropriate for any or all of the following purposes, or any combination thereof, as determined by the governing body:

- (a) acquisition of lands for recreation and conservation purposes;
- (b) development of lands acquired for recreation and conservation purposes;
- (c) maintenance of lands acquired for recreation and conservation purposes;
- (d) acquisition of farmland for farmland preservation purposes;
- (e) historic preservation of historic properties, structures, facilities, sites, areas or objects, and the acquisition of such properties, structures, facilities, sites, areas, objects for historic preservation purposes;
- (f) payment of debt service on indebtedness issued or incurred by a county for any of the purpose set forth in subparagraph (a), (b), (d), (e) or (g) of this paragraph;  
or
- (g) Blue Acres projects; and

**WHEREAS**, pursuant to N.J.S.A. 40:12-15.1 to 15.9, Bergen County has created an Open Space Trust Fund Grant upon identifying lands within its municipality which it deems appropriate for use as an open space; and

**WHEREAS**, the Borough of Woodcliff Lake has determined it would be in the best interest of the Borough to preserve the use of certain lands within the Borough for open space, recreation and conservation purposes; and

**WHEREAS**, the governing body of the Borough of Woodcliff Lake has identified a property which the Governing Body believes is appropriate for open space use pursuant to N.J.S.A. 40:12-15 et. seq.; and

**WHEREAS**, such qualifying property as identified on the Tax Map of the Borough of Woodcliff Lake as Block 1402, Lot 7 or "Galaxy Garden," and

**WHEREAS**, in order to acquire a grant from the Bergen County Open Space Trust Fund, the Borough of Woodcliff Lake must first file an application with the County; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake hereby authorizes the Borough Attorney to prepare and file an application for a

grant with the Bergen County Open Space Trust Fund committee pursuant to the program.

**ROLL CALL:**

Introduce: Mr. Bloom  
Second: Mrs. Abene  
Ayes: Mrs. Abene, Mr. Bader, Mrs. Bae, Mr. Bloom, Mrs. Gadaleta, Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

**PUBLIC HEARING**

**13-08**

- A. Acting Clerk offers Proof of Publication.
- B. Ordinance is read by title only:

**Be it Resolved, that the Ordinance entitled  
"An Ordinance to Fix the Compensations of Certain Officers and Employees  
Of The Borough of Woodcliff Lake, County of Bergen, State of New Jersey"**

- C. Open to Public

**ROLL CALL:**

Introduce: Mr. Bader  
Second: Mrs. Bae  
Ayes: Mrs. Abene, Mr. Bader, Mrs. Bae, Mr. Bloom, Mrs. Gadaleta,  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

- D. Close to Public

**ROLL CALL:**

Introduce: Mr. Bader  
Second: Mr. Bloom  
Ayes: Mrs. Abene, Mr. Bader, Mrs. Bae, Mr. Bloom, Mrs. Gadaleta,  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

E. Adoption.

**Be it Resolved, that the Ordinance entitled  
"An Ordinance to Fix the Compensations of Certain Officers and Employees  
Of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey"**

Introduced at a Regular Meeting of the Mayor and Council held on September 16, 2013 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.

**ROLL CALL:**

Introduce: Mr. Bader  
Second: Mr. Bloom  
Ayes: Mrs. Abene, Mr. Bader, Mrs. Bae, Mr. Bloom, Mrs. Gadaleta, Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

**Administrator's Report**

- Four Seasons Condos has requested that the Borough provide trash and garbage pickup, snow plowing, salting and pay for street lighting. It should be noted that Montvale is already providing these services. Ms. Rizza has provided both the Planning Board and Borough Attorney with copies of their agreement with Montvale.
- As reported last month, the sanitary sewer line on Kinderkamack Road, just south of the Blue Moon, was in danger of collapsing due to a breach in the pipe. Dave Antoine received 3 quotes with the lowest bid being \$14,100. The Borough Engineer recommended that we repair this as soon as possible. CFO Laufeld confirmed that we have sufficient funds to make this repair. There is also another problem on West Hill Road. Corrections must be made to the drainage system. Because of the existing condition, there is a resident whose garage floods. This problem can be corrected at a cost of \$4,200.00.
- During the milling of Heritage Court, the machine doing the milling struck a sanitary sewer manhole causing the steel cover and rim to shatter and about half of the metal fell into the manhole. The hole is from 10 to 12 feet deep. In order to go deeper, they must have confined space training and proper equipment. Dave Antoine received a price to clean the manhole which totaled \$1,750.00. Mr. Richards called Paramus' Superintendent Guy Picone and asked him if he could help us out. He sent a certified team and cleared the problem at no expense to Woodcliff Lake.
- A discussion was held with Mr. Richard and Mr. Saluzzi, Construction Code Official regarding a generator for the municipal building. They agreed that an outside connection be installed as the first step. Mr. Richards was in contact Maywood who has an old generator that they are not using. The generator was transported to the DPW in Woodcliff Lake to see if it is in working order. Mr. Richards stated that if it in working

- order the price would be minimal.
- Montvale no longer has a mechanic that can do the work to maintain the Senior Van. Dave Antoine thought it would not be a problem for Woodcliff Lake to take over that responsibility.
  - Woodcliff Lake received a 6 month extension for the Open Space Grant for the Old Mill Recreation Complex.
  - The Open Space Grant for the ball field and pool improvements expires on December 19, 2014. The grant is for \$50,000 with the same amount to be matched from Woodcliff Lake's Open Space account. An additional \$59,000 to complete this project may need to be bonded.
  - The Borough C-2 license (required position by the DEP) is being paid \$2,500 per year. The person that hold that license states that Mr. Albrecht had agreed to increase the pay to \$3,600 per year and if the Borough does not agree, he plans on resigning. Mr. Berliner of Neglia Engineering agrees that \$3,600 is the going rate.

**Engineer's Report** – The Engineer's Report was available at the Mayor and Council meeting. However, due to time constraints, Neglia Engineering did not have time to give their report. They will report at the next Mayor and Council Meeting which will be held on November 7, 2013.

## **STANDING COMMITTEE REPORTS**

### **Administration/Finance/Planning Board**

DONNA ABENE/Eric Bloom

- Finance – all departments are within budget to date. New policy of no extra purchasing after November 1<sup>st</sup> except on an emergency basis.
- DPW – Road paving project is underway and on schedule (one day delay due to rain). Few problems with curbing in some instances.

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

DONNA ABENE/Jeffrey Bader

### **Parks & Recreation**

ERIC BLOOM/Jacqueline Gadaleta

- We are currently pursuing the Lightning Detection System with Thoroguard. We are waiting for the final price which might come in around \$21,000. It will also be available for implementation sometime in March 2014.
- The tennis program has concluded and Bill Howley did a fantastic job in reinventing the program. Many new and old residents participated and we look forward to a new and improved Spring program.

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

ROBERT ROSENBLATT/Eric Bloom

**Buildings & Grounds/Building Dept.**

ROBERT ROSENBLATT/Jacqueline Gadaleta

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

JEFFREY BADER/Jean Bae

- Flu vaccines were given on Friday October 18<sup>th</sup> at the Tice Center. The clinic was open to all seniors and borough employees.

**Education**

**(elementary)  
(high)**

JEAN BAE/Donna Abene

JACQUELINE GADALETA/Jean Bae

- Woodcliff Lake Middle School is having a wonderful Halloween fundraiser on Tuesday, October 29, 2013 from 6:30 – 8:30 PM. Adults and children are welcome. Admission: \$5 per person, \$3 per person in costume. Come watch Josh Turi, special effects and lead makeup artist for Saturday Night Live, two-time Emmy winner and local resident! There will be a Halloween Costume Contest (under 6, 7-10, 11+ up). Makeup & special effects tutorials, Fear Factor Booth, Face Painting, Bake Sale, Carved Pumpkin Contest. Bring your carved pumpkin & enter it to win ghoulish prizes.
- The year's Woodcliff Lake PFA Ladies Night Out event will feature culinary offerings from all over the globe. Support the PFA by attending this wonderful event scheduled for November 13 at Seasons for a festive evening of good food and great friends, and dance the night away to the sounds of cover band the Willies!
- The Pascack Valley Coalition had a presentation on October 23<sup>rd</sup>. Topics discussed were preventing and becoming and aware of drug and substance abuse by young high school students and helping them handle the difficult transition from middle school to high school. It was very informative and helpful to the large crowd of parents that attended.

**Public Information,  
Newsletters, Ordinances**

JEAN BAE/Robert Rosenblatt

- The next Woodcliff Lake newsletter is scheduled for November 21, 2013 release.

**Fire – Volunteer/Fire Prevention**

JACQUELINE GADALETA/Jeffrey Bader

- Open House and Fire Prevention was held on October 10. Largest crowd in the

history of Woodcliff Lake. Our fire department did an outstanding job demonstrating and advising our residents on the safety and prevention of fires.

**Library**

ERIC BLOOM/Robert Rosenblatt

**Senior Citizens' Program**

DONNA ABENE/Jacqueline Gadaleta

### **OLD BUSINESS**

The Mayor spoke about the upcoming event at BMW. Mayor received clearance from the Department of Community Affairs and the State Ethics Committee and they ruled that the Mayor could attend the event. He was proud to say that Councilwoman Bae would be accompanying him.

### **NEW BUSINESS**

- Best Practices Discussion - Best Practice Inventory prepared by the Chief Financial Officer – led by Tom Richards
- Purchasing Process – led by Tom Richards. Mr. Richards indicated that he wishes to change the way purchases are made. Councilman Bader asked to be involved. Councilwoman Abene stated that she would love to have his input.
- Policy Issues Regarding League of Municipalities – led by Tom Richards – It was decided that Police Chief Anthony Jannicelli and DPW Superintendent Dave Antoine can attend the League of Municipalities in Atlantic City. This was a matter of discussion because policy states that you can attend 1 seminar/convention per year.
- Mayor and Council Meetings November 7, 2013 and November 25, 2013 – led by Mayor Jeffrey Goldsmith – We will have 2 Mayor and Council meetings for the month of November. Mayor would like to have a meeting on November 7, 2013 right after the election. Also, we should have a meeting on November 25, 2013 for the council-elect to be able to attend.

### **CONSENT AGENDA DISCUSSION**

Councilman Bader asked if #5 and #6 were recommended by Mr. Laufeld. Mayor replied yes. Consent Agenda Item #10 needs to be voted on separately. Councilman Bader needs to abstain from this vote. Councilman Bader asked that we pull the check in the amount of \$14,710.10 from the bill list so that this can be looked into further. Councilman Bader asked for a

spreadsheet of all contracts for 2013.

**CONSENT AGENDA VOTE**

Motion to approve Consent Agenda Items #1 - #9 was made by Mr. Bader, second by Mrs. Abene.

**ROLL CALL:**

Introduce: Mr. Bader  
Second: Mrs. Abene  
Ayes: Mrs. Abene, Mr. Bader, Mrs. Bae, Mr. Bloom, Mrs. Gadaleta, Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

Motion to approve Consent Agenda Item #10 was made by Mrs. Abene and second by Mrs. Gadaleta.

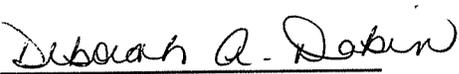
**ROLL CALL:**

Introduce: Mrs. Abene  
Second: Mrs. Gadaleta  
Ayes: Mrs. Abene, Mrs. Bae, Mr. Bloom, Mrs. Gadaleta, Mr. Rosenblatt  
Nays: None  
Abstain: Mr. Bader  
Absent: None

**ADJOURNMENT**

The meeting adjourned at 11:30 p.m.

Respectfully submitted,



Deborah A. Dakin  
Deputy Borough Clerk

**CONSENT AGENDA – October 21, 2013**

1. Payroll
2. Authority to Pay Claims
3. Resolution Requesting Approval of Items of Revenue and Appropriation – Chapter 159 – N.J.S.A. 40A 4-87 – Body Armor Replacement Fund
4. Resolution of Tax Settlement – Marolda v. Borough of Woodcliff Lake
5. Resolution Authorizing Cancellation of Appropriated Reserves in the Current and Capital Funds
6. Resolution Authorizing Cancellation of Federal and State Grant Receivables in the Current and Capital Funds
7. Resolution Authorizing the Flu/Pneumococcal Professional Agreement in Accordance with Health Insurance Portability and Accountability Act of 1996 (HIPPA) Between Borough of Woodcliff Lake and County of Bergen
8. Resolution Authorizing Woodcliff Lake to Enter Into a Grant Agreement with the County of Bergen for 2012-2014 ADA Door and Hardware Replacement at Borough Hall
9. Resolution Authorizing Woodcliff Lake to Enter Into a Grant Agreement with the County of Bergen for 2013-2014 Handicapped Accessible Panic Exit Device at Senior Center
10. Resolution Authorizing the Mayor of the Borough of Woodcliff Lake to Sign Professional Services Agreements for the Year 2013
11. Resolution Authorizing the Borough of Woodcliff Lake to Pay Wolfgang Albrecht Unused Sick/Vacation

**CLAIMS AND BILLS**

**Authority to Pay Claims**

**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:	\$ 5,381,533.78
Animal Control	\$ 728.60
Trust Other:	\$ 91.20
Capital Fund:	\$ 36,740.71
Escrow:	\$ 4,833.62

**Payroll**

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

Payroll released 9/30/2013: \$175,235.70  
Payroll released 10/15/2013: \$187,210.85

**Resolution Requesting Approval of items of Revenue and Appropriation – Chap 159 – NJSA40A 4-87 – Body Armor Replacement Fund**

**WHEREAS**, N.J.S.A 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget: and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amounts;

**NOW, THEREFOR BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2013 Budget in the sum of \$ 1,275.00 which is now available from Body Armor Replacement Fund

**BE IT FURTHER RESOLVED**, that a like sum of \$ 1,275.00 is hereby appropriated under the caption

General Appropriations

Operations Excluded from CAPS  
State and Federal Programs Offset by Revenues  
Body Armor Replacement Fund

**Resolution of Tax Settlement – Marolda v. Borough of Woodcliff Lake**

**WHEREAS**, Stephen and Jennifer Marolda are the owners and taxpayers of property located at 2 Hunter Ridge, also known as Block 1207, Lot 1, Woodcliff Lake, New Jersey; and

**WHEREAS**, the taxpayers have filed a tax appeal for the year 2011 against the Borough of Woodcliff Lake in a matter entitled Stephen and Jennifer Marolda vs. Borough of Woodcliff Lake, which is presently pending in the Tax Court; and

**WHEREAS**, it has been recommended by the Tax Appeal Attorney, the Borough Appraiser and the Borough Assessor that the matter be settled at this time, and that such settlement is in the best interests of the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Stephen and Jennifer Marolda vs. Borough of Woodcliff Lake, so that for tax year 2011, the assessment of \$1,719,500 will be reduced to \$1,370,000, resulting in a refund of \$7,818; and

**BE IT FURTHER RESOLVED** that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the refunds are paid within 60 days of the Tax Court Judgments.

**RESOLUTION AUTHORIZING CANCELLATION OF APPROPRIATED RESERVES  
IN THE CURRENT AND CAPITAL FUNDS**

**WHEREAS**, certain appropriated reserve balances remain open on the Borough's records, and;

**WHEREAS**, these balances represent old and completed projects and it is necessary to formally cancel these balances as recommended by Borough Auditor.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, that the following balances in the current and capital funds be cancelled:

Current Fund – Appropriated Reserves

<u>DESCRIPTION</u>	<u>ACCOUNT BALANCE</u>
Municipal Alliance	\$ 1,190.95 Cancel State Grant Receivable
Handicap Opportunities Recreation Grant	\$ 4,726.59 Cancel State Grant Receivable
NJDOT Grant – Overlook Ave	\$ 72,340.06 Cancel State Grant Receivable
NJDOT Grant – Highview Ave	\$ 42,485.68 Cancel State Grant Receivable
County of Bergen – Senior Citizen	\$ 1,260.32 Cancel State Grant Receivable
Clean Communities Grant	\$ 65.40 Cancel State Grant Receivable
NJ Highway – Over the Limit	\$ 2,236.13 Cancel State Grant Receivable
Municipal Alliance	\$ 2,152.26 Cancel to Fund Balance
NJDOT – Overlook Ave	\$ 4,477.91 Cancel to Fund Balance
NJDOT – Highview Ave	\$ 4,040.67 Cancel to Fund Balance
Clean Communities	\$ <u>10,663.18</u> Cancel to Fund Balance
 Total Current Fund	 \$ 145,639.15

Capital Fund

Ord 03-3 Various Improvements	23,360.71 Cancel State Grants Receivable
Ord 05-24 Westervelt/Lydecker Imprvts	37,205.25 Cancel State Grants Receivable
Ord 09-19 Acq of Property	<u>15,117.79</u> Cancel State Grants Receivable
 Total Capital Fund	 75,683.75

**RESOLUTION AUTHORIZING CANCELLATION OF FEDERAL AND STATE GRANT RECEIVABLES  
IN THE CURRENT AND CAPITAL FUNDS**

**WHEREAS,** certain receivable balances remain dedicated to programs or projects which have been completed; and

**WHEREAS,** these balances represent completed programs or projects in prior years and it is necessary to formally cancel balances.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, St New Jersey, that the following balances in the Current and Capital Funds be cancelled as per the recommendation of the Borough Auditor.

<u>DESCRIPTION</u>	<u>ACCOUNT BALANCE</u>
<u>Current Fund – Grants Receivable</u>	
NJDOT – Overlook Ave.	\$ 72,340.06 Cancel Appropriated Reserve Balance
NJDOT – Highview Ave	42,485.68 Cancel Appropriated Reserve Balance
Municipal Alliance Grant	1,190.95 Cancel Appropriated Reserve Balance
Clean Communities Grant	65.40 Cancel Appropriated Reserve Balance
Handicap Recreation Opportunities Grant	4,726.59 Cancel Appropriated Reserve Balance
NJ Highway – Over the Limit	2,236.13 Cancel Appropriated Reserve Balance
County of Bergen – Senior Citizen	1,260.32 Cancel Appropriated Reserve Balance
Body Armor Grant	.15 Cancel to Fund Balance

NJ Highway – Drive Sober Grant	2,096.60	Cancel to Fund Balance
Handicap Recreation Opportunities Grant	3,473.41	Cancel to Fund Balance
County of Bergen – Senior Citizens Grant	<u>1,683.68</u>	Cancel to Fund Balance
<b>Total Current Fund</b>	<b>\$131,558.97</b>	

Capital Fund – Grants Receivable

NJ Preservation Trust Fund – Ord 03-3 Various Imprvts	26,639.29	Cancel Deferred Charges – Unfunded
County of Bergen – Open Space – Ord 5-24 Westervelt/Lydecker	1,344.75	Cancel Deferred Charges - Unfunded
County of Bergen –Open Space Ord 08-02 Old Mill Impvt	7,352.50	Cancel Deferred Charges – Unfunded
County of Bergen – Open Space Ord 09-19 Acq of Property	59,882.21	Cancel Deferred Charges – Unfunded
Community Development Ord 5-24 Westervelt/Lydecker	35,768.00	Cancel Deferred Charges - Unfunded
NJ Preservation Trust Fund – Ord 03-3 Various Imprvts	23,360.71	Cancel Improvement Auth Balance
County of Bergen – Open Space – Ord 5-24 Westervelt/Lydecker	37,205.25	Cancel Improvement Auth Balance
County of Bergen – Open Space Ord 09-19 Acq of Property	<u>15,117.79</u>	Cancel Improvement Auth Balance
<b>Total Capital Fund</b>	<b>206,670.50</b>	

**Resolution Authorizing the Flu/Pneumococcal Professional Agreement in Accordance with Health Insurance Portability and Accountability Act of 1996 (HIPPA) Between Woodcliff Lake and County of Bergen**

**WHEREAS**, this Agreement is made as of the date set forth between Borough of Woodcliff Lake and the County of Bergen, Paramus, New Jersey; and

**NOW, THEREFORE, IT IS AGREED** by and between the Borough of Woodcliff Lake and the County of Bergen to have the County of Bergen provide vaccines and will bill the Borough; and

**WHEREAS**, the County of Bergen Department of Health Services has submitted a proposal to perform such services for the 2013-2014 flu program; and

**WHEREAS**, the contract is a valid contract for Professional Services which may be awarded without competitive bidding in accordance with NJSA 40A:11(a) of the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Woodcliff Lake that the Mayor and Interim Borough Administrator are hereby authorized and directed to execute an agreement with the County of Bergen Department of Health Services for the 2013-2014 flu program.

**Resolution Authorizing Woodcliff Lake to Enter Into a Grant Agreement with the County of Bergen 2012-2014 ADA Door and Hardware Replacement at Borough Hall**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake wish to enter into a grant agreement with the County of Bergen for the purpose of using \$4,804.00 in 2012-2014 Community Development Block Grant funds for the purpose of installation of ADA door opener front door at Borough Hall; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Mayor Jeffrey Goldsmith, Mayor and/or Thomas Richards, Interim Borough Administrator, to be a signatory for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council authorize Thomas Richards, Interim Borough Administrator, to sign all County of Bergen Vouchers submitted in conjunction with the aforesaid project; and

**BE IT FURTHER RESOLVED** that the Mayor and Council recognize that the Borough of Woodcliff Lake is liable for dollar match for any funds awarded in accordance with the Trust Fund's requirements.

Abene          Bader          Bae          Bloom          Gadaleta          Rosenblatt          Goldsmith

**Resolution Authorizing Woodcliff Lake to Enter Into a Grant Agreement with the County of Bergen 2013-2014 Handicapped Accessible Panic Exit Device at Senior Center**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake wish to enter into a grant agreement with the County of Bergen for the purpose of using \$5,929.00 in 2012-2014 Community Development Block Grant funds for the purpose of installation of panic exit device on the door at Senior Center; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Jeffrey Goldsmith, Mayor, and/or Thomas Richards, Interim Borough Administrator, to be a signatory for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council authorize Thomas Richards, Interim Borough Administrator, to sign all County of Bergen Vouchers submitted in conjunction with the aforesaid project; and

**BE IT FURTHER RESOLVED** that the Mayor and Council recognize that the Borough of Woodcliff Lake is liable for dollar match for any funds awarded in accordance with the Trust Fund's requirements.

**Resolution Authorizing the Mayor of the Borough of Woodcliff Lake to Sign Professional Services Agreements for the Year 2013**

**WHEREAS**, the Borough of Woodcliff Lake has previously appointed the professionals listed herein pursuant to a non-fair and open process as authorized by N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Borough Attorney has prepared the Professional Services Agreements for the professionals listed herein; and

**WHEREAS**, the execution of the Professional Services Agreements was inadvertently overlooked as a result of the resignation of the Clerk (Lori Sciara) and the subsequent resignation of the Acting Clerk (Wolfgang Albrecht); and

**WHEREAS**, the Borough is desirous of entering into Professional Services Agreements with the professionals previously appointed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council that the Mayor is hereby authorized to sign Professional Services Agreements, as follows:

Borough Attorney:	Kaufman, Semeraro & Leibman, LLP
Bond Attorney:	Rogut McCarthy, LLC
Labor Counsel:	Eric Bernstein, Esq.
Residential Tax Appeal Attorney:	Diktas Gillen, P.C.
Commercial Tax Appeal Attorney:	Gittleman, Muhlstock & Chewcaskie, LLP
Borough Planner:	Maser Consulting
Borough Planner:	DMR Architects
Borough Auditor:	Lerch, Vinci & Higgins
Borough Engineer:	Neglia Engineering
Traffic Engineer:	Jacobs Engineering
Planning Board Attorney:	Mark K. Follender, Esq.
Passaic Valley Regional High School District (PVRHS)	Porzio, Bromberg & Newman

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to publish a copy of this Resolution in The Record within ten (10) days from the date hereof.

**Resolution Authorizing the Borough of Woodcliff Lake to Pay Wolfgang Albrecht Unused Sick/Vacation**

**WHEREAS**, on August 5, 2013, the Borough of Woodcliff Lake Administrator and Acting Municipal Clerk, Wolfgang Albrecht, was charged with violating N.J.S.A. 2C:21-4A; and

**WHEREAS**, Wolfgang Albrecht retained Counsel, Albert Wunsch, Esq., to represent his interest in connection therewith; and

**WHEREAS**, through Counsel, Wolfgang Albrecht requested a leave of absence to “concentrate on his defense”; and

**WHEREAS**, following discussions with Counsel, Wolfgang Albrecht submitted a memorandum dated August 8, 2013 to the Borough requesting A sixty (60) day leave of absence; and

**WHEREAS**, the Woodcliff Lake Governing Body accepted Wolfgang Albrecht’s 60-day leave of absence without pay but subject to the use of his accumulated sick, vacation, and personal days in lieu thereof, as the same to be certified by Woodcliff Lake’s Chief Financial Officer, Harold Laufeld (hereinafter “CFO Laufeld”); and

**WHEREAS**, simultaneously with the execution of this Resolution and made a part hereof, CFO Laufeld has certified that accumulated sick/vacation time due to Wolfgang Albrecht, less an overpayment of five (5) days inadvertently paid to him for the pay period August 1, 2013 through August 15, 2013, is \$4,991.07; and

**WHEREAS**, CFO Laufeld has further Certified that the funds to be expended by this Resolution are available.

**NOW THEREFORE BE IT RESOLVED** that the Woodcliff Lake Governing Body shall tender payment of \$4,991.07 to Wolfgang Albrecht representing all accumulated sick, vacation, and personal days owed to him, less an overpayment of five (5) days inadvertently paid to him for the pay period August 1, 2013 through August 15, 2013.

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of October 21, 2013.

**CERTIFICATION OF DEBORAH DAKIN**

\_\_\_\_\_  
Deborah Dakin  
Deputy Borough Clerk

**CERTIFICATION OF HAROLD LAUFELD**

I, Harold Laufeld, do hereby certify as follows:

1. I have reviewed the payroll and employment records of the Borough of Woodcliff Lake with respect to Wolfgang Albrecht's employment as Borough of Woodcliff Lake Administrator and Acting Municipal Clerk.
2. I have determined that Mr. Albrecht is owed three (3) sick days for the calendar year 2011 at a daily rate of \$346.15; six (6) sick days for the calendar year 2012 at a daily rate of \$439.18 and three and a half (3.5) sick days for the calendar year 2013 at a daily rate of \$439.18.
3. I have further determined that Mr. Albrecht is owed four and a half (4.5) vacation days for the calendar year 2013 at a daily rate of \$439.18.
4. Additionally, I have determined that at the time of Mr. Albrecht's unpaid leave of absence which began on August 8, 2013, he had been paid in full for the pay period August 1, 2013 through and including August 15, 2013. As such, an overpayment of five (5) days, at a daily rate of \$439.18 or \$2,195.90 in total was inadvertently paid to Mr. Albrecht.
5. Accordingly, the amount of accumulated sick and vacation pay owed to Mr. Albrecht, less the overpayment of \$2,195.90, is \$4,991.07.
6. I have further reviewed the financial books and records of the Borough of Woodcliff Lake and determined that the Borough of Woodcliff Lake has available funds to make this payment.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Harold Laufeld