



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
May 20, 2013 – Tice Center, 411 Chestnut Ridge Road**

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 R. Goldsmith asked for a roll call. Council members Abene, Bae, and Rosenblatt were present. Council member Jeffrey Bader arrived at 8:40 PM. Council members Bloom and Gadaleta were absent. Borough Attorney Paul Kaufman was present as well as Administrator/Acting Borough Clerk Albrecht and Deputy Borough Clerk Dakin.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance led by Ms. Lisa Ruggiero.

PRESENTATIONS

- Pascack Pi-oneers – led by Mayor Jeffrey R. Goldsmith
- Fourth Grade Essay Winners

APPROVAL OF MINUTES

RESOLVED, that the Minutes of a Mayor and Council Meeting on May 6, 2013, copies of which have been received by all Councilpersons, are hereby approved.

ROLL CALL:

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

OLD BUSINESS

Darlene Green, Borough Planner, gave a brief overview of her proposals submitted regarding the Broadway Corridor review and Complete Streets proposal. Information was distributed to council members for their review and will continue discussion at a future meeting.

Councilman Bader offered some comments regarding the previous corridor study and asked if the planner had reviewed those documents. He further indicated his support for a continued review of the Broadway Corridor.

It was agreed that further discussion on the two topics would be scheduled in the near future.

Borough Administrator Albrecht offered the following comments regarding lifetime health benefits as requested by the Mayor. Borough Administrator Albrecht indicated that since the March 18, 2013 Mayor and Council meeting at which Chapter 88 lifetime health benefits were changed, he had heard from our insurance committee, as well as various council members, as well as the Mayor, that all have indicated that the recent change of the Borough's Chapter 88 lifetime health benefits will be revisited.

NEW BUSINESS

Mayor Goldsmith provided a recap of the 15th Anniversary of Korean War Veterans Memorial Roadway and thanked everyone for their participation.

Borough Planner Darlene Green presented a draft overview of a sample rezoning overlay proposal for Pickwick and County Roads. The overlay zone would allow for multi-family housing as well as the current zoning. This was a preliminary discussion with various examples provided by Ms. Green.

Borough Attorney, Paul Kaufman reviewed the concept and purpose of an overlay zone and suggested to the Governing Body that a draft ordinance be provided for their continued review and discussion. The Governing Body unanimously approved to move ahead with the preparation of drafting an ordinance.

INTRODUCTION OF ORDINANCE NO. 13-03

**Be it Resolved that the Ordinance Entitled,
"Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, To Revise
Chapter 227-2.H To Amend the Hours Permitting Use of Lawn Mowers/Blowers"**

WHEREAS, the General Code of the Borough of Woodcliff Lake, Chapter 227 addresses Noise;
and
WHEREAS, Section 227-2 relates to Prohibited Acts in the Borough; and

WHEREAS, the Borough would like to amend said Ordinance at Section H regarding hours permitted for the use of Lawn Mowers and Blowers,

BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE AS FOLLOWS:

Chapter 227-2H shall be amended and shall read as follows:

CURRENT:

227-2H Lawn Mowers/Blowers. The use of powered lawn mowers and/or blowers between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday;
7:00 p.m. Friday to 8:00 a.m. Saturday;
7:00 p.m. Saturday through 9:00 a.m. Sunday;
Sunday 7:00 p.m. through Monday 7:00 a.m.

PROPOSED:

227-2H Lawn Mowers/Blowers. The use of powered lawn mowers and/or blowers between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday;
6:00 p.m. Friday to **9:00 a.m.** Saturday;
5:00 p.m. Saturday through 9:00 a.m. Sunday;
Sunday **5:00 p.m.** through Monday **8:00 a.m.**

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

ROLL CALL:

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

RESOLUTION OF THE BOROUGH OF WOODCLIFF LAKE SEEKING REFERENDUM ON ITS WITHDRAWAL FROM PASCACK VALLEY

WHEREAS, the Pascack Valley Regional School District ("Pascack Valley") educates students in grades 9-12 from the Borough of Woodcliff Lake ("Woodcliff Lake"), Borough of Montvale ("Montvale"), Township of River Vale ("River Vale"), and Borough of Hillsdale ("Hillsdale"); and

WHEREAS, in an effort to explore appropriate cost-effective alternatives for educating the students from Woodcliff Lake, Statistical Forecasting, LLC and James L. Kirtland, CPA were retained for the purpose of analyzing several alternatives and preparing a feasibility study on the possible reconfigurations of the various school districts; and

WHEREAS, Statistical Forecasting, LLC, and James L. Kirtland, CPA issued a feasibility study that identified several alternatives for the education of students from Woodcliff Lake; and

WHEREAS, as a result of the analysis contained within the aforementioned feasibility study, in March 2012, Woodcliff Lake requested that the Executive County Superintendent of Schools conduct an investigation into the withdrawal of Woodcliff Lake and Montvale from Pascack Valley and issue an advisability report as required by *N.J.S.A. 18A:13-52*; and

WHEREAS, in January 2013, at the request of the Executive County Superintendent, Statistical Forecasting, LLC, and James L. Kirtland, CPA issued a revised feasibility study; and

WHEREAS, the consultants have concluded that, if Woodcliff Lake were to withdraw from Pascack Valley, it could provide an equal or better educational opportunity to the students of its community at a substantial savings per year to the taxpayers of Woodcliff Lake; and

WHEREAS, in May 2013, the Executive County Superintendent completed his investigation and released his advisability report, which report was filed on May 15, 2013; and

WHEREAS, Woodcliff Lake has reviewed and considered the Executive County Superintendent's advisability report; and

WHEREAS, after due consideration, Woodcliff Lake has determined that its students can receive a thorough and efficient education if it is permitted to withdraw from Pascack Valley; and

WHEREAS, Woodcliff Lake has determined that there exists good cause to pursue a referendum on the withdrawal of Woodcliff Lake so as to provide the voters with the ability to decide how their tax dollars are spent and how their children are educated,

NOW THEREFORE BE IT RESOLVED that Woodcliff Lake seeks to have a referendum on the withdrawal of Woodcliff Lake from Pascack Valley; and

BE IT FURTHER RESOLVED that Woodcliff Lake retains and authorizes special counsel, Porzio, Bromberg, & Newman, P.C., to prepare and submit a petition, pursuant to *N.J.S.A. 18A:13-54*, to the Commissioner of Education seeking authorization to hold a referendum on the issue of the withdrawal of Woodcliff Lake from Pascack Valley; and

BE IT FURTHER RESOLVED that Woodcliff Lake authorizes special counsel, Porzio, Bromberg, & Newman, P.C., to take any and all appropriate action to obtain the aforementioned required authorization from the Commissioner of Education and implement same.

ROLL CALL:

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

PUBLIC FORUM

Motion to open the meeting to the public was made by Mrs. Abene, second by Mr. Bader, and approved unanimously by voice call vote with the exception of Mr. Bloom and Mrs. Gadaleta who were absent.

Ms. Lisa Yakomin, Stonewall Court, asked how the ordinance process works with respect to the overlay zone. Attorney Paul Kaufman answered Ms. Yacomin.

Ms. Lisa Schreiber, Ravine Drive, questioned the various townhouse examples. Ms. Green responded and provided information.

Ms. Darlene Schnure, County Road, indicated their support for such an overlay zone which would provide relief and opportunity for their future.

Mr. Tom Panso, Stonewall Court, questioned the urgency for the zoning change.

Mayor Bernie Kettler, Glen Road, asked Mayor and Council to remember that "height" is very important in regards to the ordinance for the overlay rezoning project.

Mr. John Glaser, Woodmont Drive, told Mayor and Council that the Planning Board does the "heavy lifting" with respect to the ordinance regarding the overlay rezoning project.

Mr. Mark Stevens, Prospect Avenue, made comments that Prospect and Broadway needs a traffic light. Taxes went up for him 20% in one year and it's unacceptable.

Motion to extend the meeting made by Councilman Bader and seconded by Councilwoman Donna Abene. Unanimous approval by all in attendance.

Pat Valenzano, Pickwick Lane, expressed his concern that most young people cannot afford to buy a house in Woodcliff Lake and was pleased with the idea of the overlay rezoning project.

Discussion was brought up by various residents regarding the water tank off Holly Court.

Ms. Jan Miller, Holly Court, spoke with Bill Beattie of Park Ridge Water, and he informed her that they were going to do landscaping and repaint the water tank. Ms. Miller informed the Borough that the access road is a mess and full of mosquitoes. She also expressed concern about the maintenance of the orchard.

Councilman Bader told Ms. Miller that he will handle the property maintenance of the orchard and letters will be sent to the property owners.

Mr. Jason Joseph, Woodmont Drive, also expressed concerns with the landscaping around the water tank and water pressure issues.

Motion to close the meeting to the public was made by Mr. Bader, second by Mr. Rosenblatt, and approved unanimously by voice call vote.

CONSENT AGENDA APPROVED

ROLL CALL:

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

ADJOURNMENT

Regular meeting was adjourned at 11:30 p.m.

Respectfully submitted,



Wolfgang Albrecht
Acting Borough Clerk



Deborah Dakin
Deputy Borough Clerk

CONSENT AGENDA – May 6, 2013

1. Payroll, page 9
2. Authority to Pay Claims, page 9
3. Resolution Authorizing Refund for Overpayment of Taxes Caused by Tax Court Judgment, 17
Hunter Ridge, page 9
4. Resolution Authorizing Refund for Overpayment of Taxes Caused by Tax Court Judgment, 15
Woodcrest Drive, page 10
5. Emergency Temporary Budget Appropriation, page 11
6. Resolution Authorizing New Title Within Public Works Department, page 12
7. Resolution Endorsing Floor Cleaning Partnership Between Borough and WCL School District, page
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