

**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL MINUTES**

**April 22, 2014  
8:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Mayor Jeffrey Goldsmith asked for a roll call. Council members Abene, Belgiovine, Gadaleta, Rendo and Rosenblatt were present. Marc Leibman was present for Borough Attorney Paul Kaufman. Administrator Thomas Richards and Acting Borough Clerk Debbie Dakin were also present.

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance which was led by Senator Cardinale.

**APPROVAL OF MINUTES**

Motion to approve the Minutes of March 25, 2014 (Closed Session) was made by Councilwoman Abene, seconded by Councilman Rosenblatt and approved by Councilwoman Abene, Councilman Belgiovine, Councilwoman Gadaleta, Councilman Rendo and Councilman Rosenblatt. Councilman Bloom abstained.

Motion to approve the Minutes of April 2, 2014 (work session) was made by Councilwoman Abene, seconded by Councilwoman Gadaleta and approved by Council members Abene, Belgiovine, Bloom, Gadaleta, Rendo and Rosenblatt.

Motion to approve the Minutes of April 7, 2014 was made by Councilman Bloom, seconded by Councilman Rendo and approved by Council members Abene, Belgiovine, Bloom, Gadaleta, Rendo and Rosenblatt.

Motion to approve the Minutes of April 7, 2014 (closed session) was made by Councilwoman Abene, seconded by Councilwoman Gadaleta and approved by Council members Abene, Belgiovine, Bloom, Gadaleta, Rendo and Rosenblatt.

Mayor Goldsmith thanked Acting Borough Clerk Dakin for keeping the Borough up to date on the Minutes. Mayor Goldsmith stated that this is the first time he could remember that Minutes were kept current.

## **PRESENTATION**

### **Senator Cardinale**

Senator Cardinale was our Guest Speaker. Senator Cardinale spoke about 3 specific pieces of legislation. Following the Senator's presentation, there was a question and answer period where any member from the public could ask questions.

### **Shade Tree – Tree City USA**

Marilyn Clark explained that this is the 8<sup>th</sup> year in a row that Woodcliff Lake has received the Tree City USA Award. Additionally, Ms. Clark stated that this is the 3<sup>rd</sup> year in a row that Woodcliff Lake has received the Growth Award.

### **Millennium Strategies**

Peter Blanos from Millennium Strategies was present to speak about NJ DOT Transportation Alternatives Grant, as well as to give an update on the current grants that are being applied for on behalf of Woodcliff Lake.

### **Introduction of Ordinance 14-03**

## **AN ORDINANCE TO AMEND CHAPTER 240-9(M), PARKS AND PLAYGROUNDS, OF THE REVISED CODE OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, STATE OF NEW JERSEY**

**WHEREAS**, the New Jersey Smoke-Free Air Act (NJSFAA) (N.J.S.A. 26:3D-63) specifically authorizes local restrictions on smoking "equivalent to, or greater than those provided in the NJSFAA for purposes of "protecting public health"; and

**WHEREAS**, Woodcliff Lake has a partial smoke free parks ordinance since 1999 as codified in Chapter 240-9(M), which banned smoking of tobacco or the outward appearance of smoking tobacco at some municipal park areas, specifically on any ball field, ball field spectator area or Old Mill Park pool area; and

**WHEREAS**, the New Jersey State Department of Health, through the Bergen County coalition on smoke free parks, currently has free aluminum signage to provide to New Jersey communities that have 100% smoke free parks and recreational areas ordinances, to help with self-enforcement and education on smoke free parks; and

**WHEREAS**, there is no constitutional right to smoke, and smoking is not a protected class under the Equal Protection Clauses of United States or New Jersey Constitutions; and

**WHEREAS**, the Woodcliff Lake Board of Health encourages protecting the health of children and adults at all of the municipality's outdoor parks and recreation areas, by providing an environment that decreases the likelihood of children starting to smoke or use of tobacco, of children and small animals ingesting tobacco waste and of the pollution to the environment; and

**WHEREAS**, the Borough Council of the Borough of Woodcliff Lake has reviewed the Parks and Playgrounds Ordinance and desires to amend the Ordinance so as to make all outdoor municipal public parks and recreation areas 100% smoke free and to participate in the free signage program to allow for self-enforcement.

**NOW THEREFORE BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE AS FOLLOWS:**

Chapter 240-9(M) of the Parks and Playgrounds Ordinance of Woodcliff Lake is hereby amended and supplemented as follows:

**SECTION I SMOKING; POSSESSION OF TOBACCO AND VAPOR PRODUCTS**

- (1) No person shall smoke any tobacco, e-cigarette or vapor product, including but not limited to cigarettes, e-cigarettes, cigars and pipes, nor shall any person possess such tobacco, e-cigarette or vapor product in their hand or mouth in a manner which outwardly appears to be an act of smoking and regardless of whether the tobacco, e-cigarette or vapor product is lit or unlit on any outdoor municipal public park, recreation area and Senior Center/Community Center.
- (2) For purposes of this subsection, "outdoor municipal public park, recreation area and Senior Center/Community Center" shall be defined as any public park, playground, ball field, Senior Center/Community Center or pool owned or leased by or situated within the Borough of Woodcliff Lake upon which the public is invited or upon which the public is permitted and where individuals may gather for any recreational activity including areas adjacent to such areas such as parking areas, driveways, or drive aisles.
- (3) Insofar as this subsection may be applicable to property owned by the Borough of Woodcliff Lake Board of Education, and insofar as §240-3 of this article construes

the provisions of this subsection as being applicable to parks, ball fields or recreation areas owned by the Board of Education, the provisions of this subsection shall apply to property owned by the Woodcliff Lake Board of Education to the extent it is not expressly superseded by any state statute or Board of Education rule or policy adopted expressly in furtherance of state statutes providing for the prohibition of smoking on school properties.

## SECTION II

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

## SECTION III

All Ordinances or any provisions of any Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies.

## SECTION III

This Ordinance shall take effect immediately upon final publication as required by law.

Councilwoman Abene asked that this Ordinance include the Senior Center/Community Center. It was unanimously approved to amend this Ordinance.

## ROLL CALL:

Introduction: Mr. Rendo  
Second: Mrs. Gadaleta  
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

## CONSENT AGENDA

Motion to approve the Consent Agenda was made by Councilman Rosenblatt, seconded by Councilwoman Gadaleta and unanimously approved.

A 10 minutes recess was taken.

### Honoring the Heroes at Pascack Hills

Councilwoman Jacqueline Gadaleta explained that the Mayor and Council of Woodcliff Lake would like to recognize the men who saved the life of the young track student who had a severe asthma attack while on the track at Pascack Hills High School. The names of the 4 men were: Matt Frederick, Head Coach for the Girls Track Tteam at Pascack Hills High School; Mike Vercellone, former student and volunteer EMT who was present helping the track team practice; Steve Papa, Pascack Hills High School Athletic Trainer; and Scott Ernest, Head Coach for the Girls Soccer Team. Mayor Goldsmith and Councilwoman Gadaleta presented all 4 men with Certificates of Recognition and Appreciation. A cake was served afterwards to celebrate their successful efforts.

### Proposed (THO) Overlay Zone

Mayor Goldsmith asked the Council if they would like to proceed with the Proposed (THO) Overlay Zone. All Council members were in agreement to proceed. Attorney Marc Leibman stated that there were 5 items that needed to be resolved.

#### 1. Minimum Lot Area – No recommendation by Planning Board

Eric Bloom – agrees with all or nothing

Corrado Belgiovine – agrees with all or nothing. The development will look whole and not broken up.

Jacqueline Gadaleta – agrees with all or nothing. Aesthetically makes sense.

Robert Rosenblatt – agrees with all or nothing. Sees both points of view – no perfect solution.

Donna Abene – agrees with all or nothing. Makes good sense of the area but also agrees with Mr. Rosenblatt's statement.

Councilman Belgiovine stated that the finished product will be better as a whole.

Councilman Rendo stated that the concerns of the residents of Stonewall Court need to be addressed. There are many residents against it. We must look at the big picture and put our faith in the Planning Board.

#### 2. Minimum Setbacks

All in agreement with Mark Follender's letter.

#### 3. Density -- 5.34 - 40 units

All Council members were in agreement.

#### 4. Building Height

Councilman Belgiovine stated that there should be 3 stories.

Attorney Marc Leibman stated that Council could decide to go over 35 feet. Mr. Leibman stated that the original draft Ordinance had 42 feet and 3 stories – therefore you could have higher ceilings.

Councilwoman Abene asked what the average height of a house was.

Councilman Belgiovine answered 35 feet.

Bob Nathin asked why push 3 stories? Mr. Nathin stated that obviously Mr. Kaufman spoke to Mr. Leibman. Mr. Nathin also stated that there is no new home in Woodcliff Lake more than 2 stories and 3 stories do not belong in Woodcliff Lake.

George Fry asked Mr. Leibman what the height is of the commercial buildings on Chestnut Ridge Road.

Councilman Bloom asked if we are boxing ourselves into too small of a footprint. Mr. Fry answered that that answer is no and that the planner did the scenarios.

Councilwoman Abene stated that why is everyone assuming this will look ugly and that we should try and hide it.

#### Number of Stories

Robert Rosenblatt – 3 stores  
Jacqueline Gadaleta – 3 stories  
Donna Abene – 3 stories  
Eric Bloom – 3 stories  
Carlos Rendo – 2 ½ stories  
Corrado Belgiovine – 3 stories

#### Height

Robert Rosenblatt – 40 feet  
Jacqueline Gadaleta – 35 feet  
Donna Abene – 40 feet  
Corrado Belgiovine – 42 feet  
Carlos Rendo – 35 feet  
Eric Bloom – 41 feet

## 5. Basements

All in favor to allow basements if the developer wants to include them.

MOTION was made by Councilwoman Gadaleta and seconded by Councilman Rosenblatt to Introduce Ordinance to Amend Chapter 380, Zoning, of the Revised Code of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, in Order to Establish a Townhome Overlay Zone subject to the changes made tonight. This Ordinance will be sent to the Planning Board in which they will have 35 days to review it and get back to the Mayor and Council.

### ROLL CALL:

Introduce: Councilwoman Gadaleta  
Second: Councilman Rosenblatt  
Ayes: Council members Abene, Belgiovine, Bloom, Gadaleta and Rosenblatt  
Nays: Councilman Rendo  
Abstain: None  
Absent: None

### PUBLIC COMMENT

MOTION to open to the public was made by Councilman Bloom, seconded by Councilman Belgiovine and unanimously approved.

Lisa Yakomin, Woodcliff Lake, stated that she is floored by the Council with the disregard of the Planning Board's recommendations. Ms. Yakomin also stated that Council does not live in the Stonewall Court community and that ignorance is not funny. Ms. Yakomin also stated that not one member of the Council is an architect and that Saddle River Grand is only 34 ¼ feet in height.

George Fry, Planning Board Chairman, Woodcliff Lake, expressed his disappointment and frustration with the Council. He is not sure if their decision works and that they lit the fuse with giving the Planning Board 35 days to get back to the Council. Ordinance should not have been introduced.

Cheryl Dispoto, Woodcliff Lake, concurs with Ms. Yakomin and Mr. Fry. Ms. Dispoto also stated that Mr. Dattoli is a licensed architect and why is the Council making a decision when they are not licensed architects. Ms. Dispoto also asked for an update on Galaxy Gardens.

Councilman Belgiovine responded that we are awaiting the results from the environmental testing that is being performed.

Joseph LaPaglia, Woodcliff Lake, stated that he made 3 observations.

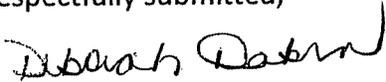
1. Maximum number of units should be 36
2. Major mistake going away from the 35 feet
3. Should be 55 years and older facility

### **ADJOURNMENT**

Motion to adjourn was made by Councilman Bloom, seconded by Councilman Rosenblatt and approved unanimously by voice call vote.

Meeting was adjourned at 11:50 PM.

Respectfully submitted,



Deborah Dakin  
Acting Borough Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

April 22, 2014

Resolution No. 14-90

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

Payroll Release	4/15/2014	\$175,814.00
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**BE IT FURTHER 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:	\$4,223,087.56
Escrow:	\$ 6,047.25

### **ROLL CALL:**

Introduction: Mr. Rosenblatt  
Second: Mrs. Gadaleta  
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

### **CERTIFICATION OF FUNDS:**

I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

\_\_\_\_\_  
Harold Laufeld  
Chief Financial Officer



# BOROUGH OF WOODCLIFF LAKE

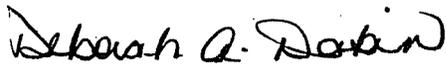
188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

## CERTIFICATION

201-391-4977  
Fax 201-391-8830

I, Deborah Dakin, Municipal 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 Mayor and Council at the meeting of April 22, 2014.



Deborah Dakin  
Acting Borough Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

**A RESOLUTION TO AFFIRM WOODCLIFF LAKE'S CIVIL RIGHTS  
POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES,  
PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT  
CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO  
CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND  
VOLUNTEERS**

**RESOLUTION NO. 14-91  
APRIL 22, 2014**

**WHEREAS**, it is the policy of Woodcliff Lake to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

**WHEREAS**, the governing body of Woodcliff Lake has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT RESOLVED** by the Woodcliff Lake Governing Body that:

**Section 1:** No official, employee, appointee or volunteer of the Woodcliff Lake by whatever title known, or any entity that is in any way a part of Woodcliff Lake shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of Woodcliff Lake's business or using the facilities or property of Woodcliff Lake.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from Woodcliff Lake to provide services that otherwise could be performed by Woodcliff Lake.



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of Woodcliff Lake as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within Woodcliff Lake. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Woodcliff Lake's web site.

**Section 9:** This resolution shall take effect immediately.



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

## ROLL CALL:

Introduction: Mr. Rosenblatt  
Second: Mrs. Gadaleta  
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

## CERTIFICATION

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 April 22, 2014.

Deborah Dakin  
Acting Borough Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE TO GO OUT TO BID FOR ONE (1) 65' ARBORTECH FORESTRY TRUCK

RESOLUTION NO. 14-92

April 22, 2014

**WHEREAS**, by Resolution dated October 21, 2013, the Woodcliff Lake Governing Body accepted a conditional grant by Vanguard Charitable Endowment Program of \$150,000.00 to be used solely and exclusively for the purchase of an Arbortech Forestry Truck; and

**WHEREAS**, pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-1 et. seq., the Borough is required to go out for bid for the purchase of the Arbortech Forestry Truck; and

**WHEREAS**, the purpose of the Local Public Contracts Law is to benefit the taxpayers by securing competition and guarding against favoritism, improvidence, extravagance or corruption in the award of certain contract.

**NOW THEREFORE BE IT RESOLVED** that the Borough of Woodcliff Lake authorizes the going out to bid for the purchase of a 65' Arbortech Forestry Truck.

### ROLL CALL:

Introduction: Mr. Rosenblatt

Second: Mrs. Gadaleta

Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,  
Mr. Rosenblatt

Nays: None

Abstain: None

Absent: None



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

## CERTIFICATION

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 April 22, 2014.

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DEBORAH DAKIN  
ACTING BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor  
THOMAS RICHARDS, Borough Administrator

201-391-4977  
Fax 201-391-8830

## **RESOLUTION DESIGNATING THOMAS RICHARDS, BOROUGH ADMINISTRATOR, AS THE PUBLIC COMPLIANCE OFFICER**

**Resolution No. 14-93  
April 22, 2014**

**WHEREAS**, N.J.A.C. 17:27-1 et. seq. requires every public agency to annually designate an employee to serve as its Public Compliance Officer (P.A.C.O.); and

**WHEREAS**, the Borough of Woodcliff Lake is required to notify the Department of Consumer Compliance of this designation.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that Thomas Richards be designated the Public Compliance Officer for a term ending December 31, 2014.

### **ROLL CALL:**

Introduction: Mr. Rosenblatt  
Second: Mrs. Gadaleta  
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,  
Mr. Rosenblatt  
Nays: None  
Abstain: None  
Absent: None

### **CERTIFICATION**

I, Deborah Dakin, Acting Municipal 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 Mayor and Council at the meeting of April 22, 2014.

DEBORAH DAKIN  
ACTING BOROUGH CLERK