**BOROUGH OF WOODCLIFF LAKE**
**MAYOR AND COUNCIL AGENDA**
**September 15, 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 Borough Hall and two newspapers, The Record and The Ridgewood News, have been notified.

## ROLL CALL

Mayor Jeffrey R. Goldsmith
Council President Donna Abene
Councilman Corrado Belgiovine
Councilman Eric Bloom
Councilwoman Jacqueline Gadaleta
Councilman Carlos Rendo
Councilman Robert Rosenblatt

## PLEDGE OF ALLEGIANCE

## CLOSED SESSION

Resolution No. 14-186 Resolution to Enter Into Closed Session

1. Emergency Appropriation

## MAYORAL COMMITTEE APPOINTMENTS (no Council confirmation needed)

Contract Negotiation Committee for Police Chief & Captain

Councilman Robert Rosenblatt to the Contract Negotiation Committee (Police Chief and Captain) for a term ending on December 31, 2014.

Councilman Carlos Rendo to the Contract Negotiation Committee (Police Chief and Captain) for a term ending on December 31, 2014.

Josephine Higgins to the Contract Negotiation Committee (Police Chief and Captain) for a term ending on December 31, 2014.

Bernie Kettler to the Contract Negotiation Committee (Police Chief and Captain) for a term ending on December 31, 2014.

**PRESENTATION**

- Girl Scouts

**APPROVAL OF MINUTES**

September 2, 2014
September 2, 2014 (Closed Session)

**NEW BUSINESS**

- Bank of New Jersey, led by Mayor Goldsmith
  - ✓ Savings of $14,000

**RESOLUTIONS**

| | |
|---|---|
| Resolution No. 14-179 | Resolution Authorizing Appraisal and Public Auction of Surplus Real Property |
| Resolution No. 14-180 | Resolution Authorizing Protection of New Jersey Palisades Viewshed |
| Resolution No. 14-184 | Resolution Authorizing Emergency Appropriation |

**PUBLIC COMMENT**

(limited to 5 minutes per speaker)

**CONSENT AGENDA**

| | |
|---|---|
| Resolution No. 14-181 | Resolution Authorizing Payroll & Payment of Claims |
| Resolution No. 14-182 | Resolution of the Governing Body Certification of the Annual Audit |
| Resolution No. 14-183 | Resolution to Approve the Corrective Action Plan for the Fiscal Year 2013 Audit Report of the Borough of Woodcliff Lake |
| Resolution No. 14-185 | Resolution Designating Bank of New Jersey as the Official Depository for the Borough of Woodcliff Lake |

**ADJOURNMENT**

## RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**Resolution No. 14-186**
**September 15, 2014**

**WHEREAS,** the Mayor and Council of the Borough of Woodcliff Lake, pursuant to the provisions of N.J.S.A. 10:4-12(b), may meet in closed session; and

**WHEREAS,** the following is the subject matter to be discussed in closed session:

1. Emergency Appropriation

**WHEREAS,** these Minutes will be kept and once the matter involving the confidentiality of the aforementioned no longer requires that confidentiality, then the minutes can be made public.

**NOW THEREFORE BE IT RESOLVED** that formal action may be taken at the Meeting.

## 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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**

## RESOLUTION AUTHORIZING APPRAISAL AND PUBLIC AUCTION OF SURPLUS REAL PROPERTY

Resolution No. 14-179
September 15, 2014

| Council Member | Motion | Second | Yea | Nay | Abstain | Absent |
|---|---|---|---|---|---|---|
| Abene | | | | | | |
| Belgiovine | | | | | | |
| Bloom | | | | | | |
| Gadaleta | | | | | | |
| Rendo | | | | | | |
| Rosenblatt | | | | | | |
| Mayor | | | | | | |

**WHEREAS**, the Borough of Woodcliff Lake is the owner of real property identified on the Borough Tax Map as Block 2801, Lot 2 (the "Property"); and

**WHEREAS,** the Property has no capital improvements and the Borough has never used the Property for any beneficial use and as such, the Property has been identified as surplus property; and

**WHEREAS,** the Borough has determined it is in the best interest of the Borough to obtain an appraisal of the Property and sell the Property; and

**WHEREAS,** pursuant to N.J.S.A. 40A:12-13 and N.J.S.A. 40A:12-13.1 the Borough may fix a minimum price for sale of the Property by way of a public auction.

**NOW THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake hereby authorize an appraisal of the Property be performed, said appraisal to be used to fix the minimum price at the public sale. The public sale shall be advertised and conducted in accordance with N.J.S.A. 40A:12-13.

## 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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**

## RESOLUTION ENCOURAGING PROTECTION OF NEW JERSEY PALISADES VIEWSHED

Resolution No. 14-180
September 15, 2014

| Council Member | Motion | Second | Yea | Nay | Abstain | Absent |
|---|---|---|---|---|---|---|
| Abene | | | | | | |
| Belgiovine | | | | | | |
| Bloom | | | | | | |
| Gadaleta | | | | | | |
| Rendo | | | | | | |
| Rosenblatt | | | | | | |
| Mayor | | | | | | |

**WHEREAS**, the New Jersey Palisades are among the most dramatic geologic features in the region, with lush, green, rugged cliffs that inspired many of the Hudson River School painters; and

**WHEREAS,** this landscape is so important that the National Park Service has designated the New Jersey Palisades as both Natural Landmark and National Historic Landmark under the National Historic Preservation Act; and

**WHEREAS,** it is the responsibility of all New Jersey residents to be proud stewards of this naturally and historically significant treasure and fight for their continued protection; and

**WHEREAS,** the Palisades Interstate Park Commission has found that the height of the proposed LG USA Headquarters building above the tree line is not in accordance with its stewardship mission and the public trust to preserve the scenic beauty of the Palisades and would create a precedent inconsistent with its mission;

**WHEREAS,** with a fourfold increase upon existing zoning, the 143-foot height of the proposed development of the LG USA Headquarters in Englewood Cliffs, New Jersey, poses a new threat and precedent to the scenic beauty of the Hudson River shoreline north of Fort Lee; and

**WHEREAS,** the development needs of an LG USA headquarters on this 27-acre site can be achieved at a lower building height that would not pose such a threat and precedent to the scenic beauty of the Palisades; and

**WHEREAS,** we are obligated to retain the vision of the Federation of Women's Clubs, which, one hundred years ago, collected funds from the resident of New York and New Jersey to purchase the land that would keep the Palisades pristine for all time;

**NOW THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, New Jersey that it opposes the height of the LG USA headquarters building, as currently planned, and strongly urges the management of LG USA, Inc. to lower the proposed height of the building to below the tree line in order to preserve the scenic beauty of the Palisades.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to William Cho, CEO, LG Electronics USA, 920 Sylvan Avenue, Englewood Cliffs, NJ 07632, Governor Chris Christie, Senator Robert Menendez, Senator Cory Booker, Congressman Scott Garrett, Congressman Bill Pascrell, State Senator Gerald Cardinale, State Senator Loretta Weinberg, Assemblywoman Holly Schepisi, Assemblyman Robert Auth, Assemblywoman Valerie Huttle, Assemblyman Gordon Johnson, County Executive Kathleen Donovan, the Bergen County Board of Chosen Freeholders, and the governing bodies of eastern Bergen County municipalities.

**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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS**
**September 15, 2014**
**Resolution No. 14-181**

**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 | 9/15/2014 | $185,311.86 |

**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: | $ 108,343.98 |
| Escrow: | $ 5,419.60 |

**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.

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Harold Laufeld
Chief Financial Officer

**CERTIFICATION**

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 September 15, 2014.

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Deborah Dakin
Acting Borough Clerk

## RESOLUTION OF THE GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

Resolution No. 14-182
September 15, 2014

| Council Member | Motion | Second | Yea | Nay | Abstain | Absent |
|---|---|---|---|---|---|---|
| Abene | | | | | | |
| Belgiovine | | | | | | |
| Bloom | | | | | | |
| Gadaleta | | | | | | |
| Rendo | | | | | | |
| Rosenblatt | | | | | | |
| Mayor | | | | | | |

**WHEREAS,** N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its book, accounts and financial transactions; and

**WHEREAS,** the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the "Borough Clerk" pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS,** R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS,** the Local Finance Board has promulgates N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

**WHEREAS,** the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS,** such resolutions of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS,** all members of the governing body have received and familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS,** failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

**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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**

**RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2013 AUDIT REPORT OF THE BOROUGH OF WOODCLIFF LAKE**

Resolution No. 14-183
September 15, 2014

| Council Member | Motion | Second | Yea | Nay | Abstain | Absent |
|---|---|---|---|---|---|---|
| Abene | | | | | | |
| Belgiovine | | | | | | |
| Bloom | | | | | | |
| Gadaleta | | | | | | |
| Rendo | | | | | | |
| Rosenblatt | | | | | | |
| Mayor | | | | | | |

**WHEREAS**, the Division of Local Government Services requires the Chief Financial Officer to file a "Corrective Action Plan" outlining the actions to be taken by the Borough relative to findings and recommendations in the annual audit report; and

**WHEREAS,** the "Corrective Action Plan" shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

**WHEREAS,** the Governing Body is required by resolution, to approve said "Corrective Action Plan", as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the Borough Clerk's office;

**NOW THEREFORE, BE IT RESOLVED,** that the Borough Council of the Borough of Woodcliff Lake hereby approved the "Corrective Action Plan" for the Fiscal Year 2013 Audit Report submitted by the Chief Financial Officer.

## 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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION**

**Resolution No. 14-184**
**September 15, 2014**

**WHEREAS,** an emergency has arisen with respect legal expenses due to various legal issues regarding personnel, police negotiations, and other matters that will exceed the 2014 budget and there are no additional funds from other accounts to transfer from.

**WHEREAS,** no adequate funds were not provided for in the 2014 Current Fund budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above, and

**WHEREAS,** the total amount of the emergency appropriations created to date, including the appropriation to be created by this resolution is $ 180,000 and three (3) percent of the total operating appropriations in the budget for 2014 is $ 294,830.00 and

**WHEREAS,** the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2014.

**NOW, THEREFORE BE IT RESOLVED,** (by not less then 2/3 of all governing members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Legal – Other Expenses in the amount of $ 125,000.00.

2. That said emergency appropriation shall be provided for in full in the 2015 budget, and is requested to be excluded from CAPS pursuant to NJS 40-45.3.c(1).

3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

## 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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**

**RESOLUTION DESIGNATING BANK OF NEW JERSEY AS THE OFFICIAL DEPOSITORY FOR THE BOROUGH OF WOODCLIFF LAKE**

**Resolution No. 14-185**
**September 15, 2014**

| Council Member | Motion | Second | Yea | Nay | Abstain | Absent |
|---|---|---|---|---|---|---|
| Abene | | | | | | |
| Belgiovine | | | | | | |
| Bloom | | | | | | |
| Gadaleta | | | | | | |
| Rendo | | | | | | |
| Rosenblatt | | | | | | |
| Mayor | | | | | | |

**WHEREAS**, N.J.S.A 40A:5-14 provides that each local unit shall, by resolution, designate a depository as part of its Cash Management Plan; and

**WHEREAS,** the Borough is desirous of designating Bank of New Jersey as the depository for the Borough as part of its Cash Management Plan.

**NOW THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake hereby designate Bank of New Jersey as the official depository for the Borough of Woodcliff Lake.

**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 September 15, 2014.

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**DEBORAH DAKIN**
**ACTING BOROUGH CLERK**