



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

**August 13, 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 on July 22, 2014 and two newspapers, The Record and The Ridgewood News, were notified on July 22, 2014.

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

APPROVAL OF MINUTES

July 14, 2014

OLD BUSINESS

PUBLIC HEARING

1. Public Hearing for Ordinance 14-08

AN ORDINANCE AMENDING WOODCLIFF LAKE CODE §250-15 SCHEDULE II: PARKING PROHIBITED AT CERTAIN TIMES OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, STATE OF NEW JERSEY

Memorandum of Settlement, PSE&G

NEW BUSINESS

Introduction of Ordinance 14-09

**ORDINANCE AMENDING WOODCLIFF LAKE CODE § 265-27 PERTAINING
TO THE PROPERTY MAINTENANCE – FAILURE TO COMPLY;
ABATEMENT BY BOROUGH ORDINANCE**

Introduction of Ordinance 14-10

**ORDINANCE AMENDING WOODCLIFF LAKE CODE § 380-84 PERTAINING
TO ZONING, GENERAL PROVISIONS**

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

ENGINEER'S REPORT

PUBLIC COMMENT

(limited to 5 minutes per speaker)

CONSENT AGENDA

Resolution No. 14-156	Resolution Authorizing Payroll & Payment of Claims
Resolution No. 14-157	Resolution of Tax Settlement – Alan and Jane Levy vs. Borough of Woodcliff Lake
Resolution No. 14-158	Resolution Authorizing Raffle License(s) to Open Doors, an Amazing Grace Foundation
Resolution No. 14-159	Resolution Authorizing Raffle License to The Colleen Giblin Foundation
Resolution No. 14-160	Resolution of Tax Settlement – Arroyo/Little vs. Borough of Woodcliff Lake
Resolution No. 14-161	Resolution Approving 2014 Contract with D&L Regarding Pascack Valley Cooperative Pricing System
Resolution No. 14-162	Resolution Authorizing Release of Escrow Balance
Resolution No. 14-163	Resolution of Tax Settlement – Quattrone vs. Borough of Woodcliff Lake
Resolution No. 14-164	Resolution Authorizing the Borough Attorney to Defend the Borough of Woodcliff Lake Against Claim Filed by Kathleen Rizza

Resolution No. 14-165
Resolution No. 14-166

Chapter 159 – Drunk Driving Enforcement Fund
Resolution Authorizing McNerney & Associates to Provide Appraisal
Services for the Borough of Woodcliff Lake in the Matter of
Woodbine Street Associates, LLC vs. Borough of Woodcliff Lake

CLOSED SESSION

Resolution No. 14-155 Resolution to Enter Into Closed Session

1. Litigation – Rizza Tort Claim/Health Insurance
2. Galaxy Gardens

ADJOURNMENT

ORDINANCE NO. 14-08

AN ORDINANCE AMENDING WOODCLIFF LAKE CODE §250-15 SCHEDULE II: PARKING PROHIBITED AT CERTAIN TIMES OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, STATE OF NEW JERSEY

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-2 and N.J.S.A. 40:49-2, the Woodcliff Lake Governing body hereby amends §250-15 Schedule II of the Woodcliff Lake Code to update the Woodcliff Lake Prohibited Parking; time limit parking; handicap parking.

Section 2. Section §250-15 Schedule II: Parking Prohibited at Certain Times is hereby amended as follows: Additions are highlighted; deletions are in strikethrough.

Parking is prohibited at certain times on the following streets:

<u>Street</u>	<u>Side</u>	<u>Time Period</u>	<u>Location</u>
Arcadia Road [Added 8-20-2007 by Ord. No. 07-12]	West	8:00 a.m. to 3:00 p.m., school days	Dorchester Road to Cambridge Road
Amy Court [Added 6-14-1976 by Ord. No. 76-7]	Both	9:00 p.m. to 6:00 a.m.	Entire length
Cambridge Road [Added 8-20-2007 by Ord. No 07-12]	North	8:00 a.m. to 3:00 p.m., school days	Arcadia Road to Berkshire Road
Campbell Avenue	South	9:00 p.m. to 6:00 a.m., any day	For a distance of 500 feet west of Kinderkamack Road
Centennial Way [Added 4-7-2004 by Ord. No. 04-3]	Both	Limited to 24 hours	All parking cutouts
Cressfield Court [Added 6-14-1976 by Ord. No. 76-7]	Both	9:00 p.m. to 6:00 a.m.	Entire length
Dorchester Road [Added 6-3-2002 by Ord. No. 02-6]	North	8:00 a.m. to 3:00 p.m., school days	Arcadia Road to Berkshire Road

Dorchester Road [Added 8-20-2007 by Ord. No. 07-12]	West to South	Limited four-hour parking on school days	Arcadia Road to Woodland Road
Dorchester Road	East	2:00 p.m. to 3:00 p.m., or early dismissal for one hour on all school days	East from Arcadia Road to the entrance of the Dorchester School upper lot driveway
Highview Avenue [Added 10-15-1979 by Ord. No. 79-16]	Both	6:00 a.m. to 9:00 a.m.	Entire length
Hillcrest Road [Added 8-20-2007 by Ord. No. 07-12]	West	8:00 a.m. to 3:00 p.m., school days	200 feet from Woodland Drive
Linda Terrace [Added 6-14-1976 by Ord. No. 76-7; repealed 5-6-1985 by Ord. No. 85-5]			Entire length
Michael Street	Both	9:00 p.m. to 6:00 a.m.	

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

ORDINANCE 14-09

ORDINANCE AMENDING WOODCLIFF LAKE CODE § 265-27 PERTAINING TO THE PROPERTY MAINTENANCE – FAILURE TO COMPLY; ABATEMENT BY BOROUGH ORDINANCE

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-2, 40:49-2, and N.J.S.A. 40A:14-118, the Woodcliff Lake Governing Body hereby amends Section 265-27 of the Woodcliff Lake Code to update the Property Maintenance , failure to comply; abatement by Borough Ordinance.

Section 2. Table of Organization. Section 265-27 is hereby amended as follows. Additions are highlighted; deletions are in strikethrough.

Notwithstanding any other remedy in this chapter, where the abatement of any condition, the correction of a defect in the premises, or the performance of work necessary to place premises in a proper condition, so as to conform to this chapter, or any other ordinance of the Borough or applicable laws of the State of New Jersey, shall not have been completed within the period required by the notice from the Enforcement Officer, the Enforcement Officer shall engage the services of a contractor to perform any and all maintenance required to bring the property in full conformance with this chapter. The full cost of the work, plus a fine not to exceed \$2,000.00 per offense, shall become a lien against the premises, collectible as provided by law. The final statement shall be filed with the Tax Collector of the Borough, who shall be responsible for the collection, and a copy of the report and statement shall be sent by certified mail, return receipt requested, to the owner. ~~present a report of work proposed to be done to accomplish the foregoing to the Mayor and Council with an estimate of the cost, along with a summary of the proceedings undertaken by the Enforcement Officer to secure compliance, including notices served upon the occupants, owners, or operators, as the case may be. The Mayor and Council may thereupon, by resolution, authorize the abatement of the nuisance or the correction of the defect or work necessary to place the premises in proper condition and in compliance with this chapter. The Enforcement Officer may thereafter cause the work to be performed in accordance with the resolution at Borough expense, not to exceed the amount specified in the resolution, and shall, upon completion thereof submit a report of the moneys expended and costs to the Mayor and Council. After a review of the report, the Mayor and Council may approve the expenses and costs, whereupon the same shall become a lien against the premises, collectible as provided by law. A copy of the resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection, and a copy of the report and resolution shall be sent by certified mail, return receipt requested, to the owner.~~

Section 3. No New Rights/No Vacancies. Unless expressly stated otherwise or required by law, this ordinance shall not create any rights that did not exist before this ordinance and this ordinance shall not be deemed to create any vacancies unless the law requires otherwise.

Section 4. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 5. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

ORDINANCE 14-10

ORDINANCE AMENDING WOODCLIFF LAKE CODE § 380-84 PERTAINING TO ZONING, GENERAL PROVISIONS

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-2, 40:49-2, and N.J.S.A. 40A:14-118, the Woodcliff Lake Governing Body hereby amends Section 380-84 of the Woodcliff Lake Code to update the Zoning, General Provisions.

Section 2. Table of Organization. Section 380-84 is hereby amended as follows. Additions are highlighted; deletions are in strikethrough.

Unless otherwise provided in this chapter, the following provisions shall apply to all zoning districts:

- A. Accessory structures. No accessory structure may be erected on any lot on which there is no principal building or structure except where adjacent lots are in common ownership and then only as an accessory structure to a principal building structure on such adjoining lot and only for so long as the adjoining lot on which the accessory structure is located is in common ownership with the adjoining lot on which the principal building or structure is located. This subsection shall not, however, supersede the provisions of § 380-12 herein, which shall control.

[Amended 1-2-2001 by Ord. No. 00-7]

- B. Corner lot (two front yards, side yards and rear yard). Any building to be constructed on a corner lot fronting on two streets, commonly known as a "corner lot," shall on each street be set back the number of feet required for a front yard on each street, it being the intention of this chapter that the side of a building on any corner lot shall be aligned with the front yard setback requirement for a building located on an interior lot. The yard opposite the designated front of the building shall meet the rear yard setback, and the remaining yard shall meet the minimum side yard setback.

[Amended 12-2-2002 by Ord. No. 02-15]

- C. Frontage on public street. Every lot shall have frontage on a public street, and said frontage shall not be less than the required frontage in the district in which the lot is located.
- D. Payment of taxes as condition of approval. As a condition of approval of any development application, there shall be submission of proof that no taxes or assessments for local improvements are due or delinquent on the property for which any subdivision, site plan or planned development is made.

E. Projections and encroachments. No part of any building or structure attached to a building shall project into any required yard or setback except as follows:

- (1) Leaders, windowsills, belt courses and similar features projecting no more than four inches.
- (2) Ornamental features not extending to the foundation walls or chimneys, in either case projecting not more than two feet.
- (3) Eaves projecting not more than 16 inches.

[Amended 12-2-2002 by Ord. No. 02-15]

- (4) Window air-conditioning units projecting not more than 18 inches and outside air-conditioning condenser units on the ground projecting not more than three feet.
- (5) Uncovered entrance steps may project a maximum of four feet into a required setback.

F. Required area or space. No lot, yard, parking area or other space shall be reduced in area or dimension so as to make said area or dimension less than the minimum required under this chapter. If already less than the minimum required under this chapter, said area or dimension shall not be further reduced.

G. Temporary structures. Temporary structures such as tents, platforms, reviewing stands and other similar structures are prohibited except that the Zoning Officer may issue a temporary permit for a period of seven days or less when, in his opinion, the same would be of sound construction, would not create any hazard and would not interfere with any movement of traffic within the municipality. This subsection shall not apply to municipal government and its boards and agencies and the Board of Education with respect to their properties.

H. No driveway for any lot within the Borough shall be closer than five feet from any adjacent lot or lot line, excluding that portion of a lot line that abuts a dedicated and accepted right-of-way.

[Added 1-2-2001 by Ord. No. 00-7]

I. Retaining walls to be a maximum of three feet high measured from the lowest elevation of the finished grade pursuant to § 380-111B and be a minimum of five feet from any property line.

[Added 12-2-2002 by Ord. No. 02-15]

Section 3. No New Rights/No Vacancies. Unless expressly stated otherwise or required by law, this ordinance shall not create any rights that did not exist before this

ordinance and this ordinance shall not be deemed to create any vacancies unless the law requires otherwise.

Section 4. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 5. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

Resolution No. 14-155

August 13, 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. Litigation – Rizza Tort Claim/Health Insurance
2. Galaxy Gardens

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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

August 13, 2014

Resolution No. 14-156

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 7/31/2014 \$204,897.65

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:	\$ 270,706.93
Animal:	\$ 725.00
Capital:	\$ 16,204.36
Escrow:	\$ 1,746.25

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

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 August 13, 2014.

Deborah Dakin
Acting Borough Clerk

**RESOLUTION OF TAX SETTLEMENT
LEVY V. BOROUGH OF WOODCLIFF LAKE**

**August 13, 2014
Resolution No. 14-157**

WHEREAS, Alan and Jane Levy is the owner and taxpayer of property located at 25 Old Farms Road, also known as Block 1002, Lot 3, Woodcliff Lake, New Jersey; and

WHEREAS, the taxpayers have filed a tax appeal for the year 2013 against the Borough of Woodcliff Lake in a matter entitled Alan and Jane Levy vs. Borough of Woodcliff Lake, which is presently pending in the Tax Court; and

WHEREAS, it is 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 Alan and Jane Levy vs. Borough of Woodcliff Lake, Docket No. 001427-2013, so that for tax year 2013, the complaint will be withdrawn, and the assessment of \$1,997,100 will be reduced to \$1,718,625; and

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

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 August 13, 2014.

Deborah A. Dakin
Acting Borough Clerk

RESOLUTION AUTHORIZING RAFFLE LICENSE TO OPEN DOORS, AN AMAZING GRACE FOUNDATION

**August 13, 2014
Resolution No. 14-158**

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

WHEREAS, application has been made by Open Doors, an Amazing Grace Foundation for a tricky tray and 50/50 on Sunday, August 24, 2014 at Old Mill Park, Old Mill Road, Woodcliff Lake, New Jersey; and

WHEREAS, said applications have been submitted to the Woodcliff Lake Police Department for investigation and have been found to be in good standing;

NOW, THEREFORE, BE IT RESOLVED that the application of Open Doors, an Amazing Grace Foundation is approved and the Borough Clerk is hereby authorized to issue Raffle License(s) No. R14-06 and R14-07.

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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

RESOLUTION AUTHORIZING RAFFLE LICENSE TO THE COLLEEN GIBLIN FOUNDATION

**August 13, 2014
Resolution No. 14-159**

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

WHEREAS, application has been made by The Colleen Giblin Foundation for a 50/50 on December 4, 2014 at the Woodcliff Lake Hilton, 200 Tice Boulevard, Woodcliff Lake, New Jersey; and

WHEREAS, said application has been submitted to the Woodcliff Lake Police Department for investigation and have been found to be in good standing;

NOW, THEREFORE, BE IT RESOLVED that the application of The Colleen Giblin Foundation is approved and the Borough Clerk is hereby authorized to issue Raffle License No. R14-08.

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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION OF TAX SETTLEMENT
ARROYO/LITTLE v. BOROUGH OF WOODCLIFF LAKE**

**August 13, 2014
Resolution No. 14-160**

WHEREAS, Manuel Arroyo and Kelly Little are the owners and taxpayers of property located at 27 Mill Road Extension, also known as Block 906, Lot 9, Woodcliff Lake, New Jersey; and

WHEREAS, the taxpayers have filed a tax appeal for the year 2013 against the Borough of Woodcliff Lake in a matter entitled Manuel Arroyo & Kelly Little vs. Borough of Woodcliff Lake, Docket No. 017822-13, which is presently pending in the Tax Court and a tax appeal for 2014 before the Bergen County Board of Taxation; and

WHEREAS, it is 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 Manuel Arroyo & Kelly Little vs. Borough of Woodcliff Lake, Docket No. 017822-13, so that for tax years 2013 and 2014, all appeals will be withdrawn, and the assessment of \$758,300 for tax years 2013 and 2014 will be reduced to \$700,000;

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.

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 August 13, 2014.

Deborah A. Dakin
Acting Borough Clerk

RESOLUTION TO ENTER INTO CONTRACT WITH D&L PAVING REGARDING 2014 ROAD RESURFACING PROGRAM, PASCACK VALLEY COOPERATIVE PRICING SYSTEM

RESOLUTION NO. 14-161

August 13, 2014

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

WHEREAS, on prior Resolution the Borough of Woodcliff Lake agreed to participate in the 2014 Road Resurfacing Program, Pascack Valley Cooperative Pricing System along with the municipalities of Westwood, Emerson, Hillsdale, Old Tappan, Paramus, River Vale, Rochelle Park, and Washington Township; and

WHEREAS, on June 11, 2014 the Borough of Westwood, acting as lead agency for the Pascack Valley Cooperative Pricing System, received bids for the award of the 2014 Road Resurfacing Program; and

WHEREAS, by Resolution dated June 25, 2014 the Borough of Westwood authorized the acceptance of the bid submitted by D&L Paving Contractors, Inc. ("D&L") and awarded the Master Contract to D&L in the total amount not to exceed \$4,041,612.65; and

WHEREAS, pursuant to the terms of the Master Contract, D&L has agreed to perform certain work and services for the Borough of Woodcliff Lake for \$1,191,217.85; and

WHEREAS, D&L has presented the Borough with an Agreement outlining the terms and conditions of the road resurfacing project to be performed within the Borough of Woodcliff Lake; and

WHEREAS, it is in the best interest of the Borough to execute the Agreement with D&L authorizing D&L to perform the work for the sum of \$1,191,217.85; and

WHEREAS, the Chief Financial Officer for the Borough of Woodcliff Lake, Harold Laufeld, has certified funds are available for the payment of these services.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake hereby approves entering into the Agreement with D&L Paving Contractors, Inc., for the sum of \$1,191,217.85, as set forth in the attached Agreement.

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

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 August 13, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK

Resolution Authorizing Release of Escrow Balance

Resolution No. 14-162
August 13, 2014

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

WHEREAS, a request has been made for the release of the escrow balance with respect to the following in the Borough of Woodcliff Lake:

**DiMino
20 DiMino Ct
Escrow Release
\$1,500.00**

WHEREAS, the Borough Construction Official has confirmed that all is satisfactory and has recommended that the escrow balances be released;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of the escrow balance in the amount of **\$1,500.00** in connection with the aforementioned.

CERTIFICATION

I, Deborah Dakin, Acting Borough 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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION OF TAX SETTLEMENT
QUATTRONE V. BOROUGH OF WOODCLIFF LAKE**

**August 13, 2014
Resolution No. 14-163**

WHEREAS, Robert and Tiziana Quattrone are the owners and taxpayers of property located at 30 Amy Court, also known as Block 2902, Lot 21, Woodcliff Lake, New Jersey; and

WHEREAS, the taxpayers have filed a tax appeal for the year 2013 and 2014 against the Borough of Woodcliff Lake in a matter entitled Robert and Tiziana Quattrone vs. Borough of Woodcliff Lake, Docket No. 001914-2013 & 001481-2014, which are 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 matters 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 Robert and Tiziana Quattrone vs. Borough of Woodcliff Lake, Docket No. 001914-2013 & 001481-2014, so that for tax years 2013 and 2014, all appeals will be withdrawn, and the assessments of \$1,282,400 for tax years 2013 and 2104 will be reduced to \$1,235,000 for 2013 and \$1,175,000 for 2014;

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.

CERTIFICATION

I, Deborah Dakin, Acting Borough 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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO DEFEND THE BOROUGH OF
WOODCLIFF LAKE AGAINST CLAIM FILED BY KATHLEEN RIZZA**

**RESOLUTION NO. 14-164
August 13, 2014**

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

WHEREAS, the Borough of Woodcliff Lake has been served with an Action in Lieu of Prerogative Writ (the "Complaint") in the matter captioned Kathleen Rizza v. The Borough of Woodcliff Lake in the Superior Court of New Jersey, Law Division, Docket Number BER-L-4890-14 (the "Litigation"); and

WHEREAS, the Complaint alleges, among other things, that Plaintiff is entitled to post-retiree health benefits and the Borough's resolution passage of resolution eliminating paid medical benefits to retirees was arbitrary, capricious and unreasonable; and

WHEREAS, the Borough believes it is in the best interests of the Borough to defend the Litigation.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Woodcliff Lake that the Borough Attorney, Paul Kaufman, Esq. of Kaufman, Semeraro & Leibman be and the same is hereby authorized and directed to defend the Litigation and otherwise protect the Borough's interests therein.

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 Mayor and Council at the meeting of August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**CHAPTER 159 – DRUNK DRIVING ENFORCEMENT FUND
RESOLUTION NO. 14-165
AUGUST 13, 2014**

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; and

WHEREAS, the Borough of Woodcliff Lake has received \$ 1,213.80 from N J Highway Safety- Drunk Driving Enforcement Fund and wishes to amend its 2014 Budget to include this amount as a revenue;

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 2014 Budget in the sum of \$1,213.80 which is now available as a revenue from State and Federal Grants off-set by revenue;

BE IT FURTHER RESOLVED, that a like sum of \$ 1,213.80 and the same is hereby appropriated under the caption:

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by Revenues
Drunk Driving Enforcement Fund

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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING MCNERNEY & ASSOCIATES TO PROVIDE
APPRAISAL SERVICES FOR THE BOROUGH OF WOODCLIFF LAKE IN THE MATTER OF
WOODBINE STREET ASSOCIATES, LLC VS. BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 14-166
AUGUST 13, 2014**

WHEREAS, Woodbine Street Associates, LLC, is the owner and taxpayer of property located at 450 Chestnut Ridge Road, also known as Block 402, Lot 1.01; and

WHEREAS, the taxpayer filed tax appeals for tax year 2013 and 2014 against the Borough of Woodcliff Lake in a matter entitled Woodbine Street Associates, LLC vs. Borough of Woodcliff Lake, presently pending in the Tax Court; and

WHEREAS, McNerney & Associates, Inc. submitted a proposal for appraisal services in the amount of \$3,500, which proposal is annexed hereto and made a part hereof; and

WHEREAS, the Borough has deemed that McNerney & Associates, Inc. is qualified to provide appraisal services for the Borough in defense of this matter; and

WHEREAS, the retention of McNerney & Associates, Inc. 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 McNerney & Associates, Inc. is authorized to provide appraisal services at the above facilities in connection with pending real property Tax Court appeals entitled Woodbine Street Associates, LLC vs. Borough of Woodcliff Lake; and

BE IT FURTHER RESOLVED that the services to be provided by McNerney & Associates, Inc. do not require public bidding or solicitation; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute such contract; and

BE IT FURTHER RESOLVED that McNerney & Associates, Inc. shall be compensated for their services, in accordance with their proposal, in the amount of \$3,500; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has or will certify the

existence of current funds which are necessary for the payment to McNerney & Associates, Inc. for the services to be rendered; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to maintain a copy of this Resolution and a copy of the proposal of McNerney Associates, Inc. in her offices, for public inspection.

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 August 13, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**