



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
REGULAR MEETING
December 16, 2013
7:30 PM (revised)**

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 on December 13, 2013, and two newspapers, The Record and The Ridgewood News, were notified on December 10, 2013.

ROLL CALL

Mayor Jeffrey R. Goldsmith
Councilwoman Donna Abene
Councilman Jeffrey Bader
Councilwoman Jean Bae
Councilman Eric Bloom
Councilwoman Jacqueline Gadaleta
Council President Robert Rosenblatt

PLEDGE OF ALLEGIANCE

CLOSED SESSION

Tax Litigation - BMW

APPROVAL OF MINUTES

November 25, 2013

ORDINANCES

1. Public Hearing of Ordinance 13-11

**"ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE
TO INCLUDE MITIGATION RATES FOR EMERGENCY AND FIRE SERVICE"**

2. Public Hearing of Ordinance 13-12

**“ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO
CREATE A FIRE WATCH PROGRAM”**

OLD BUSINESS

Letter from Vincent Orotelli inquiring about purchasing property from Woodcliff Lake,
led by Administrator Tom Richards

NEW BUSINESS

ADMINISTRATOR’S REPORT

ENGINEER’S REPORT

PUBLIC COMMENT

(limited to 5 minutes per speaker)

CONSENT AGENDA

Resolution No. 13-183 - Authorizing payment of Payroll

Resolution No. 13-184 - Authorizing payment of Claims

Resolution No. 13-185 – Authorizing Woodcliff Lake to Confirm Endorsement of
Community Development Projects

Resolution No. 13-186 – Resolution Requesting Approval of Items of Revenue and
Appropriation – Chap 159 – NJSA 40A 4-87 – Body Armor Replacement Fund

Resolution No. 13-187 – Resolution Requesting Approval of Items of Revenue and
Appropriation – Chap 159 – NJSA 40A: 4-87 State of NJ Recycling Tonnage Grant

Resolution No. 13-188 – Agreement to Renew Membership in the Bergen County
Municipal Joint Insurance Fund

Resolution No. 13-189 – Resolution Authorizing Agreement for Strategic Plan for
Funding Municipal Alliances

Resolution No. 13-190 – Resolution Authorizing Release of Overpaid Taxes

Resolution No. 13-191 – Resolution Authorizing Release of Escrow Balance

Resolution No. 13-192- Resolution Authorizing Mayor and Council to Enter Into
Closed Session

Resolution No. 13-193 – Budget Transfers for December 16, 2013

Resolution No. 13-194 – Resolution Authorizing the Mayor to Execute a Revised
Interlocal Services Agreement with the Borough of Paramus for the Use of the
Borough of Paramus Tax Assessor

ADJOURNMENT

**RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION AT THE
DECEMBER 16, 2013 MAYOR AND COUNCIL MEETING**

**December 16, 2013
Resolution No. 13-192**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

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. BMW Tax Appeal

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 the Mayor and Council may take formal action at the Mayor and Council Meeting on any item on the agenda.

NOW THEREFORE BE IT FURTHER RESOLVED by the Governing Body of the Borough of Woodcliff Lake, be and the same, is hereby authorized and directed to meet in closed session at the Mayor and Council meeting of December 16, 2013.

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN, STATE OF NEW JERSEY
ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO INCLUDE
MITIGATION RATES FOR EMERGENCY AND FIRE SERVICES
ORDINANCE 13-11**

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

**Be It Resolved, that the Ordinance entitled
"ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO INCLUDE
MITIGATION RATES FOR EMERGENCY AND FIRE SERVICES"**

- | | | | |
|---------------------------------|------------|-------------------------------|------------|
| C. Motion to open to the public | | Motion to close to the public | |
| Abene | Bader | Abene | Bader |
| Bae | Bloom | Bae | Bloom |
| Gadaleta | Rosenblatt | Gadaleta | Rosenblatt |

- D. Adoption

Introduced at a Regular Meeting of the Mayor and Council held on November 7, 2013 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 Deputy Borough Clerk is authorized to advertise the same according to law.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN**

**ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE
CODE TO INCLUDE MITIGATION RATES FOR EMERGENCY AND FIRE
SERVICES
ORDINANCE 13-11**

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Borough of Woodcliff Lake hereby amends Chapter 178 of the Woodcliff Lake Code to add Article VI, "Mitigation Rates." The purpose of the amendment is for the ~~Woodcliff Lake Fire Department~~Borough of Woodcliff Lake to implement a fair and equitable procedure by which to collect mitigation rates in certain circumstances for the Fire Department.

Section 2. Findings. The emergency services response activity to incidents continues to increase each year. The United States Department of Environmental Protection and Homeland Security requirements for equipment and training create additional demands on all operational aspects of the services of the Fire Department.

The Fire Department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands. Maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage.

Raising real property tax to meet the increase in service demands would not be fair when the responsible parties should be held accountable for their actions.

~~The Fire Department~~Woodcliff Lake desires to implement a fair and equitable procedure by which to collect mitigation rates in certain defined circumstances and shall establish a billing system in accordance with applicable laws, regulations, and guidelines.

Section 3. Mitigation Rates. Chapter 178 of the Woodcliff Lake Code is amended to add Article VI, "Mitigation Rates," with Section 38 to read as follows:

- (a) The Fire Department shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies, and equipment to the

scene of emergency and non-emergency incidents as listed in the Mitigation Appendix adopted with this ordinance. The Mitigation Appendix shall be kept on file with the Borough Clerk. The mitigation rates shall be based on actual costs of services and that which is usual, customary, and reasonable, which may include any services, personnel, supplies, and equipment and with baselines established by necessary addendums to the Mitigation Appendix, which must be approved by the Woodcliff Lake Governing Body.

(b) A claim for mitigation rates shall be served on the responsible party through their insurance carrier, if any. ~~In some circumstances, the responsible party will be billed directly.~~ Responsible party means the party responsible for the accident/incident giving rise ~~to~~ Fire Department services; if there is more than one responsible party, mitigation rates may be proportioned accordingly. If there is a dispute over whether someone or something is a responsible party, that party may raise any purported lack of responsibility as a defense to the bill. In addition, if there is litigation (broadly construed) arising from the accident/incident, the Fire Department may await the outcome of the litigation to bill the responsible party, as determined by the litigation.

(c) The Fire Department Board may from time to time amend, revoke, or add rules and regulations to the Mitigation Appendix to the extent consistent with this ordinance, but which must be approved by the Woodcliff Lake Governing Body. ~~Any such rules or amendments shall be filed with the Borough Clerk, who shall notify the Woodcliff Lake Governing Body.~~

(d) Mitigation rates will ~~generally only~~ apply to persons and companies who are not residents of Woodcliff Lake. Residents within Woodcliff Lake currently subsidize these emergency service costs through their property taxes. ~~However, responses involving intoxicated drivers, hazmat clean-up, intentional and negligent acts, or any act that violates any ordinance, local, state or federal statute may be subject to all applicable rates regardless of residency.~~ For purposes of this section a resident is defined as: (a) any person who maintains his or her ~~full time~~ primary residence within the Woodcliff Lake; ~~or~~ (b) is the majority owner (including corporate ownership) of a business that operates from real property owned by the business located within the Woodcliff Lake; and (c) any employee who works in

Woodcliff Lake and is working in Woodcliff Lake at the time a mitigation rate event occurs. (For purposes of this section, a business includes any type of business no matter the character of its formation.)

Section 4. Mitigation Fund. ~~Any mitigation rates paid under this ordinance shall be paid to the Borough of Woodcliff Lake for approved use by the Fire Department. The Woodcliff Lake Chief Financial Officer shall set up a "mitigation rate fund" for any mitigation rates paid under this ordinance. The purpose of the "fund," as set forth in this ordinance, will be to offset the cost of certain Fire Department services. The Fire Department shall request use of the "fund" for such purpose, which request shall be subject to the Chief Financial Officer's Borough Administrator's approval. Copies of all requests must be sent to the Borough Clerk and the Woodcliff Lake Governing Body, which has ultimate approval over the request.~~

Section 5. 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 6. 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 Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

Section 7. Codification. This ordinance shall be codified as Article VI, "Mitigation Rates," Chapter 178-38 of the Woodcliff Lake Code.

Section 8. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

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EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$495.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 - \$1,800.00

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). We will bill at this level if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Level 4 - \$2,200.00

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter is utilized to transport the patient(s).

Level 5

Itemized Response: We have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

HAZMAT

Level 1 - \$700.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 - \$5,900.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - each additional hour @ \$300.00 per HAZMAT team.

PIPELINE INCIDENTS / POWER LINE INCIDENTS

(Includes, but not limited to: Gas, Sewer, Septic to Sewer, and Water Pipelines)

Level 1 - \$400.00

Basic Response: Claim will include engine response and first responder assignment, perimeter establishment, evacuations, first responder set-up and command. Includes inspection without damage or breakage.

Level 2 - \$1,000.00

Intermediate Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair.

Level 3 - Itemized Claim Charges

Advanced Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair of intermediate to major pipeline damage. May include set-up and removal of decon center, detection, recovery and identification of material. Disposal and environment clean up.

FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

OPTIONAL: We have the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$400 plus \$50 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$800 plus \$50 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels", and are typical for the incident responses listed; however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN, STATE OF NEW JERSEY
ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO
CREATE A FIRE WATCH PROGRAM
ORDINANCE 13-12**

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

**Be It Resolved, that the Ordinance entitled
"ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO
CREATE A FIRE WATCH PROGRAM"**

C. Motion to open to the public

Abene Bader
Bae Bloom
Gadaleta Rosenblatt

Motion to close to the public

Abene Bader
Bae Bloom
Gadaleta Rosenblatt

D. Adoption

Introduced at a Regular Meeting of the Mayor and Council held on November 7, 2013 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 Deputy Borough Clerk is authorized to advertise the same according to law.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN

ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE
TO CREATE A FIRE WATCH PROGRAM
ORDINANCE 13-12

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Borough of Woodcliff Lake hereby amends Chapter 178 of the Woodcliff Lake Code to add Article VII, "Fire Watch Program." The purpose of the amendment is to create a fire watch program where, for example, a fire protection system is temporarily out of service.

Section 2. Fire Watch Program. Article VII, "Fire Watch Program," is added to Chapter 178 of the Woodcliff Lake Code:

(a) "Fire watch" is defined as a temporary measure ordered by the Woodcliff Lake Bureau of Fire Prevention intended to insure continuous and systematic surveillance of and response to the Borough or a portion thereof, or a building or portion thereof, by one or more qualified individuals, for the purpose of identifying and controlling fire and other life/property hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants, notifying the Woodcliff Lake Fire Department and engaging in firefighting or other emergency response.

(b) A fire watch may be ordered by the Fire Official with the preapproval of the Borough Administrator or his/her designee, except that in an emergency the Fire Official, or in his/her absence the ranking Fire Department officer present, may act on his/her own. A fire watch may be posted in any portion of the Borough in public and privately owned buildings and/or properties. As the Borough may direct, a fire watch shall be paid for by the Borough, or by a building owner, tenant, lessee, or organization under only the following circumstances: required fire protection systems are out of service; a fire watch is directed by the Borough or is requested by the building owner, tenant, or lessee; public and private events where 100 people or more are in attendance; events where with the approval of the Fire Official or his assigned designee the posted occupancy load is exceeded; all other situations deemed necessary by the Fire Official or his assigned designee.

(c) A fire watch may include firefighting, rescue, recovery, and other emergency responses; the maintaining of posted fire lanes, means of egress, and posted occupancy loads; enforcement of no smoking in posted areas; area and building surveillance; checking for proper permits; inspecting for proper safety precautions of cooking equipment; and such other functions as required by the Fire Official or his assigned designee.

(d) Fire Prevention shall create a list of individuals authorized by law pursuant to N.J.A.C. 5:73-1.1 et seq. to perform a fire watch and available to the Borough of Woodcliff Lake for a fire watch, should one be deemed necessary. Any qualified individuals used for the purposes of a fire watch shall report directly to the Fire Official or his/her assigned designee, who will, in turn, report to and be subject to the direction of the Borough Administrator. Persons on the fire watch list shall be independent contractors who shall indemnify the Borough of Woodcliff Lake for their performance of a fire watch. They shall be paid by Fire Prevention, which shall bill the subject building owner for the fire watch. Whenever possible, the subject building owner shall be given notice of the cost for the fire watch prior to the watch and shall have the option to utilize its own private personnel to perform the fire watch, so long as the personnel is authorized by law to perform a fire watch.

(e) All fire watch services incurred and paid on behalf of the Borough directly shall be at the rate of \$17 per hour per person. All fire watch services ordered for the benefit/protection of private property shall be paid at the rate of \$40 per hour per person, and there shall be a minimum payment of four hours per worker plus an administration fee of 15% applied for the individual and the vehicle used. Additionally, there will be a fee of \$10 per hour for the use of a regular Borough motor vehicle and a fee of \$25 per hour for the use of each Borough fire apparatus. All payments shall be made within 10 days after service is provided. Payments shall be made payable to Fire Prevention, except that Borough-incurred payments shall be made to individual fire watchers directly.

(d) Fire Prevention, in conjunction with the Woodcliff Lake Chief Financial Officer, shall establish a "fire watch fund" for payments under this ordinance. This "fund" shall be solely for payment of fire watches under this ordinance.

Section 3. 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 4. 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 Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

Section 5. Codification. This ordinance shall be codified as Article VII, "Fire Watch Program," Chapter 178-39 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 PAYMENT OF PAYROLL

**December 16, 2013
Resolution No. 13-183**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

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

Payroll Released 11/30/2013 - \$242,455.35

Payroll Released 12/15/2013 - \$186,261.41

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

RESOLUTION AUTHORIZING PAYMENT OF CLAIMS

**December 16, 2013
Resolution No. 13-184**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

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:	\$280,904.08
Animal Control:	\$ 787.40
State Unemployment Insurance:	\$ 329.11
General Capital:	\$826,238.68

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

Resolution for Municipalities to Confirm Endorsement of Community Development Projects

December 16, 2013

Resolution No. 13-185

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

WHEREAS, a Bergen County Community Development grant of \$4,000 has been proposed by Woodcliff Lake for Senior Citizen Activities in the municipality of Woodcliff Lake; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Woodcliff Lake; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Woodcliff Lake hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

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

**December 16, 2013
Resolution No. 13-186**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

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 \$ 2,554.97 which is now available from Body Armor Replacement Fund

BE IT FURTHER RESOLVED, that a like sum of \$ 2,554.97 is hereby appropriated under the caption

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

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

**Resolution Requesting Approval of items of Revenue and Appropriation – Chap 159-
NJSA40A: 4-87 – State of NJ Recycling Tonnage Grant**

**December 16, 2013
Resolution No. 13-187**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

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 \$16,547.05 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 \$ 16,547.05 and the same is hereby appropriated under the caption

General Appropriations
 Operations Excluded from CAPS
 State and Federal Programs Offset by Revenues
 State of NJ Recycling Tonnage Grant

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

Agreement to Renew Membership in the Bergen County Municipal Joint Insurance Fund

December 16, 2013

Resolution No. 13-188

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

WHEREAS, the Bergen County Municipal Joint Insurance Fund (hereinafter the Fund) is duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et. seq., and

WHEREAS, Woodcliff Lake is currently a member of said Fund; and

WHEREAS, effective December 31, 2013, said membership will expire unless earlier renewed; and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:

1. Woodcliff Lake hereby renews its membership in the Bergen County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2014 and ending January 1, 2017*.
2. Woodcliff Lake ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Bergen County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.

3. Woodcliff Lake agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Borough of Woodcliff Lake in the Bergen County Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Borough of Woodcliff Lake.
5. Executed the 16th day of December, 2013 as the lawful and binding act and deed of the Borough of Woodcliff Lake, which execution has been duly authorized by public vote of the governing body.

*12:01 am

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle 2013

December 16, 2013
Resolution No. 13-189

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Woodcliff Lake Borough Council was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal rather than calendar year cycle; and

WHEREAS, fund has been made available to Woodcliff Lake Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period

to January 1, 2014 to June 30, 2014, contingent upon meeting the 20% Cash Match and 75% In-Kind grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Woodcliff Lake, Bergen County, State of New Jersey does hereby authorize the submission of the grant extension for the Woodcliff Lake Municipal Alliance grant in the amount of:

DEDR	\$14,814.00
Cash Match	\$ 3,703.00
In-Kind	\$11,110.00

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

APPROVED: _____
Mayor Jeffrey Goldsmith

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 007616-2012 FOR THE YEAR 2012 & 006734-2013 FOR THE YEAR 2013

**December 16, 2013
Resolution No. 13-190**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

WHEREAS, the owners of Block 2201.01, Lot 16, 2 Valley View Drive, Woodcliff Lake New Jersey has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2012/2013 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
318,600.00 LAND	318,600.00 LAND
979,300.00 IMPROVEMENTS	944,300.00 IMPROVEMENTS
<u>1,297,900.00 TOTAL ASSESSMENT</u>	<u>1,262,900.00 TOTAL ASSESSMENT</u>
27,009.30 taxes paid-2012	26,280.94 taxes-2012
27,671.23 taxes paid-2013	26,925.02 taxes 2013

WHEREAS, this has resulted in their overpaying their property tax for the year 2012/2013 in the amount of **\$1,474.57**; and

TOTAL REFUND FOR 2012= \$1,474.57

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **\$1,474.57** for the year 2012/2013 to the owner of record **Goldstein Steven & Greer c/o Venino & Venino**

MAIL VOUCHER TO:

**Venino & Venino, LLC
8000 Kennedy Blvd.
North Bergen, NJ 07047**

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

Resolution Authorizing Release of Escrow Balance

**December 16, 2013
Resolution No. 13-191**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

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

O'Keefe
24 Claire Circle
Escrow Release
\$114.75

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

NOW, THEREFOR 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 \$114.75 in connection with the aforementioned.

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

2013 Budget Transfers

**December 16, 2013
Resolution No. 13-193**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

2013 Budget Transfers for December 16, 2013 meeting

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Group Insurance for Employees	3-01-23-220-020	20,000.00	
Unemployment Insurance	3-01-23-225-000		20,000.00
Municipal Clerk - Salaries and Wages	3-01-20-120-010	1,200.00	
OEM - Salaries and Wages	3-01-25-252-012		1,200.00
Solid Waste - Salaries and Wages	3-01-26-305-010	10,000.00	
Buildings and Grounds - Salaries and Wages	3-01-26-310-010		10,000.00
Municipal Clerk - Salaries and Wages	3-01-20-120-010	1,500.00	
Municipal Clerk - Other Expenses	3-0120-120-020		1,500.00
General Administration - Salaries and Wages	3-01-20-100-010	2,000.00	
Municipal Clerk - Salaries and Wages	3-01-20-120-010	6,000.00	
Mayor and Council - Other Expenses	3-01-20-110-020	2,000.00	
Construction Code - Salaries and Wages	3-01-20-195-010		10,000.00
Landfill Disposal Costs	3-01-32-465-020	2,000.00	
Sewer - Salaries and Wages	3-01-20-455-010		2,000.00
Street Lighting	3-01-31-435-000	3,000.00	
Tax Assessment - Other Expenses	3-01-20-150-020		3,000.00
Fire Prevention - Salaries and Wages	3-01-20-265-010	2,000.00	
Landfill Disposal Costs	3-01-32-465-020	1,000.00	
Fire Prevention - Other Expenses	3-01-20-265-020		3,000.00

Group Insurance for Employees	3-01-23-220-020	1,000.00	
Board of Health - Other Expenses	3-01-27-330-020		1,000.00
Library - Other Expenses	3-01-20-390-020	9,000.00	
Group Insurance for Employees	3-01-23-220-020	3,000.00	
Legal - Other Expenses	3-01-20-155-020		12,000.00
TOTAL		63,700.00	63,700.00

CERTIFICATION

I, Joyce Larena, RMC, 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 December 16, 2013.

JOYCE LARENA, BOROUGH CLERK

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A REVISED INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF PARAMUS FOR THE USE OF THE BOROUGH OF PARAMUS ASSESSOR

**RESOLUTION NO. 13-194
DECEMBER 16, 2013**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Rosenblatt						
Abene						
Bae						
Bader						
Bloom						
Gadaleta						
Mayor Goldsmith						

WHEREAS, the Shared Services Act, N.J.S.A. 40A:65-1, et seq., permits municipalities to enter into agreements for the shared provision of services which a municipality is “empowered to provide or receive within its own jurisdiction”; and

WHEREAS, by Resolution dated June 17, 2013, the Borough of Woodcliff Lake authorized the Mayor to execute an Interlocal Services Agreement with the Borough of Paramus to provide the Borough of Woodcliff Lake with Tax Assessor services effective July 1, 2013; and

WHEREAS, the Borough of Paramus has agreed to certain revisions requested by the Borough of Woodcliff Lake; and

WHEREAS, the Governing Body is desirous of authorizing the execution and delivery of the revised Interlocal Services Agreement, which is annexed hereto;

NOW THEREFORE BE IT RESOLVED that:

1. The Borough of Woodcliff Lake hereby authorizes the execution and delivery by the Mayor of the revised Interlocal Services Agreement, dated December 17, 2013, with the Borough of Paramus as described above and set forth in this Resolution.

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 December 16, 2013.

**DEBORAH DAKIN
ACTING CLERK**