

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
December 19, 2011
8:00 p.m.**

CALL TO ORDER.

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

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Baum, Camella, Glaser, Hoffman and Stuk were present on roll call. Councilman Bader was absent. Attorney Madaio, Administrator Albrecht and Borough Clerk Sciara were present.

PLEDGE OF ALLEGIANCE.

All present recited the Pledge of Allegiance led by Councilman Paul Camella.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a **Regular Mayor and Council Meeting on November 21, 2011** have been received by all Councilpersons, are hereby approved as presented.

RESOLVED, that the Minutes of an **Executive Closed Session of the Mayor and Council on November 21, 2011** have been received by all Councilperson, are hereby approved as presented but not yet ready for release to the public.

RESOLVED, that the Minutes of a **Regular Mayor and Council Meeting on December 5, 2011** have been received by all Councilpersons, are hereby approved as presented.

RESOLVED, that the Minutes of an **Executive Closed Session of the Mayor and Council on December 5, 2011** have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

All minutes have been pulled and will be voted on during the Sine Die Portion on January 2, 2012.

PRESENTATION BY HILLS-VALLEY COALITION

Gale Mangold and Christie Rossig made a short presentation to the Mayor and Council on the wonderful work the Hills Valley Coalition does for the youth and parents of Hillsdale, Montvale, Rivervale and Woodcliff Lake. The Coalition has been in existence for over 16 years and there are many founding members still involved, such as Ex Mayor Higgins and Chief Jannicelli. Woodcliff Lake police officer Chad Malloy is the grant writer for the organization. The Hills Valley Coalition is a grass roots community based organization working to provide and promote safe and substance free environments. The basis for this foundation came from working with

law enforcement from the four separate towns. It was decided that manpower should be pooled to strengthen the message of living a positive lifestyle.

The Hills Valley Coalition provides a forum on various topics, supports S.A.F.E. Homes, a network of parents committed to keeping our children and families safe and substance free, DARE. On January 5, 2011 Governor Christie signed into law P.L. 2012, Chapter 122 known as the Anti-Bullying Bill of Rights. Educators have 24 hours to report any alleged abuse, and an investigation must be completed with 10 days.

Councilwoman Elect Donna Abene stated that she has been an active member of the Hills Valley Coalition for many years. She continued that our communities are so lucky to have this amount of knowledge at our fingertips.

Mayor LaPaglia stated that this is a very worthwhile program. He asked that the new Mayor continue to support this program.

COUNCIL MEMBER REPORTS

ADMINISTRATION/FINANCE/EDUCATION (HIGH)/SENIOR CITIZEN'S PROGRAM

Mr. Glaser reported that the Pascack Valley Tri Court recently had a meeting to discuss the possibility of Hillsdale joining the court system. Hillsdale will be funding a study to see if the merger would be beneficial to Hillsdale. Park Ridge, Montvale and Woodcliff Lake will be speaking separately to decide how much more of a case load the current staff handle. As far as courts, the merger has worked very well for the three towns and is currently meeting projected targets.

DPW & ROADS/SEWERS & SANITATION, ECOLOGY

Mr. Struk reported that there have been two cycles made around the borough picking up debris from the October storm. There have been reports of residents putting debris out very late. It has been decided that any debris left from the October storm will be put on the curb and picked up when the DPW collects Christmas Trees.

PARKS AND RECREATION

Mr. Hoffman had no report.

PUBLIC SAFETY/POLICE/OEM/TRIBORO/BUILDING & GROUNDS/BUILDING DEPT.

Due to the absence of Mr. Bader, there was no report given.

BOARD OF HEALTH/MENTAL HEALTH & WELFARE EDUCATION (ELEMENTARY)/PUBLIC INFORMATION, NEWSLETTERS, ORDINANCES

Mr. Baun reported that there was no Board of Health Meeting this month.

LIBRARY

No report was given.

FIRE-VOLUNTEER/FIRE PREVENTION

Mr. Camella stated that although it has been a quiet month as far as fires, although there are still training sessions held every day. Mr. Camella stated that since he will not be here next year, it hopes that the new Mayor and council will prepare properly for the purchase of a new fire engine which is scheduled for replacement in 2014. Mr. Camella continued that he hoped that the Mayor, Council and fire department will continue to work on physicals for fire fighters. He also suggested that the Mayor and Council work with OEM to purchase and install generators for town wide usage.

OLD BUSINESS.

None

NEW BUSINESS.

Meeting dates for Mayor and Council 2012. Schedule was amended and approved for insertion into the Reorganization Meeting Agenda.

Introduction of Ordinance 11-13

AN ORDINANCE SUPPLEMENTING CHAPTER 178 OF THE REVISED GENERAL CODE OF BOROUGH OF WOODCLIFF LAKE ENTITLED "FIRE PREVENTION" TO ESTABLISH AND IMPLEMENT A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY SERVICES BY THE FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED BY THE WOODCLIFF LAKE FIRE DEPARTMENT

heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on the 2nd day of January 2012, at 7:30 o'clock P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance be further considered for final passage.

This ordinance was pulled for further discussion.

PUBLIC FORUM

Motion to open the meeting to the public was made by Mr. Camella, second by Mr. Baum and approved unanimously by voice call vote.

Mayor Elect Jeffrey Goldsmith, 66 Old Farms Road thanked Mayor LaPaglia and Councilman Hoffman for their consideration. Councilwoman Elect Donna Abene also thanked them for their dedication to the Borough.

Hearing no further comments from the public, motion to close the meeting to the public was made by Mr. Camella, second by Mr. Glaser and approved unanimously by voice call vote.

CONSENT AGENDA DISCUSSION.

Attorney Madaio asked that another item be added to the consent agenda, a request to authorize assignment on a property, 364 Chestnut ridge Road. Mayor LaPaglia stated that he would not consent to any additions to the Consent Agenda that he has not read.

Therefore, motion to approve the Consent Agenda as amended was made by Mr. Baum, second by Mr. Camella.

CONSENT AGENDA VOTE.

ROLL CALL:

Introduce: Mr. Baum
 Second: Mr. Camella
 Ayes: Mr. Glaser, Mr. Hoffman, Mr. Struk, Mr. Camella, Mr. Baum
 Nays: None
 Abstain: None
 Absent: Mr. Bader

Resolution to Authorize Entering into Executive Closed Session

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss: potential litigation for previous purchased supplies from Fire Fighter One, the Hilton Tax Appeal and performance appraisal summary of the borough administrator; and

WHEREAS, this session is anticipated to last approximately 60 minutes; and

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 public be excluded from this portion of the meeting.

ROLL CALL:

Introduce: Mr. Camella
 Second: Mr. Hoffman
 Ayes: Mr. Struk, Mr. Baum, Mr. Glaser, Mr. Camella, Mr. Hoffman
 Nays: None
 Abstain: None
 Absent: Mr. Bader

Motion to reopen the meeting to the public was made by Mr. Baum, second by Mr. Camella and approved unanimously by voice call vote.

Hearing no further comments from the public, motion to close the meeting to the public was made by Mr. Camella, second by Mr. Baum and approved unanimously by voice call vote.

ADJOURNMENT.

On a motion made and seconded, the meeting was adjourned.

Respectfully submitted,

Lori Sciara, RMC/CMC
Borough Clerk

CLAIMS AND BILLS.**Authority to Pay Claims.****(Consent Agenda - 1)**

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	\$	107,093.76
Animal Control Fund	\$	6.00
General Fund	\$	817.80

Payroll**(Consent Agenda-2)**

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

Payroll released	\$	194,712.77
------------------	----	------------

Settlement Agreement and General Release**Consent Agenda - 3)**

WHEREAS, a settlement agreement and general release is made and entered into by and between Joanne Howley, and the Borough of Woodcliff Lake, Jeffrey Bader, John Glaser, Kenneth Baum and Kenneth Struk; and

WHEREAS, the Mayor and Council has authorized the settlement of this claim in the amount of \$7,965.00; and

WHEREAS, the Woodcliff Lake defendants shall forever discharge Howley from any and all claims that arise out of or pertain to the Indemnification Action; and

WHEREAS, Howley shall forever discharge Woodcliff Lake from any all claims that arise out of or pertain to the Indemnification Actions; and

WHEREAS, both sides will bear their own costs and attorney's fees.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council have authorized the exaction of this agreement on December 19, 2011.

Stipulation and Order of Dismissal with Prejudice, Superior Court of New Jersey Docket No. L-7825-11**(Consent Agenda - 4)**

NOW THEREFORE BE IT RESOLVED, that it is hereby stipulated and agreed by the plaintiff Joanne Howley and the defendants Borough of Woodcliff Lake, Jeffrey Bader, John Glaser, Kenneth Baum and Michael Struk that the above-captioned action be dismissed against Plaintiff and the Woodcliff Lake Defendants, with prejudice, and with no court award of attorney's fees, costs and/or disbursements to any side.

Resolution Authorizing Drainage Easement Between Radu Kramer and Suzanne Laceste-Kramer, 211 Anton Court (Block 2902), Lot 12.01 and the Borough of Woodcliff Lake
(Consent Agenda – 5)

WHEREAS, Radu Kramer and Suzanne Laceste-Kramer , 22 Anton Court grants, dedicates and conveys to the Borough of Woodcliff Lake a perpetual and non-exclusive easement for uses and purposes by the Borough of Woodcliff Lake as detailed in the Deed of Easement dated December 19, 2011; and

WHEREAS, the transfer is made for the sum of \$1.00; and

WHEREAS, the portion of property consists of a perpetual and non-exclusive easement only for the purpose of installing, maintaining and repairing a subsurface stormwater drainage pipe.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorizes the aforementioned Drainage Easement agreement between Radu Kramer and Suzanne Laceste-Kramer.

Resolution Appointing William Hahn, Park Ridge Water and Sewer Superintendent as the C-2 Sewer Collection License Holder effective January 1, 2012 (Consent Agenda – 6)

WHEREAS, due to expiration of Ed Sandve’s term as the C-2 Sewer Collection License Holder as of December 31, 2011, there is a need to appoint a C-2 Sewer Collection License Holder, and

WHEREAS, William Hahn is in possession of this required license; and

WHEREAS, the Borough Administrator and the Acting DPW Superintendent are in agreement with this appointment..

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey that William Hahn is appointed the C-2 Sewer Collection License Holder for the Borough of Woodcliff Lake for the a term ending December 31, 2012 for a yearly stipend of \$2,500.00

Resolution Authorizing the Mayor and Borough Clerk to Execute Developer’s Agreement Between the Borough of Woodcliff Lake and 585 Chestnut Ridge Road, Block 201, Lot 5, Woodcliff Lake, NJ
(Consent Agenda -7)

WHEREAS, The Developer is the owner of the property commonly known as Block 201, Lot 5 and more commonly known as 585 Chestnut Ridge Road; and

WHEREAS, the Developer is desirous of constructing a new two story medical/office building upon the property.

NOW, THEREFORE. BE IT RESOLVED that the Mayor and Borough Clerk are authorized to execute the aforementioned developer's agreement as approved by the Planning Board of the Borough of Woodcliff Lake.

Resolution Authorizing the Mayor and Borough Clerk to Execute Developer's Agreement Between the Borough of Woodcliff Lake and 364 Chestnut Ridge Road, Block 401, Lots 5 and 6, Woodcliff Lake, NJ
(Consent Agenda – 7)

WHEREAS, The Developer is the owner of the property commonly known as Block 201, Lot 5 and more commonly known as 364 Chestnut Ridge Road; and

WHEREAS, the Developer is desirous of constructing a new 3.5 story, 131,532 square foot commercial building, which is intended to be used as privately operated luxury assisted living facility.

NOW, THEREFORE. BE IT RESOLVED that the Mayor and Borough Clerk are authorized to execute the aforementioned developer's agreement as approved by the Planning Board of the Borough of Woodcliff Lake.

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT JUDGEMENT FOR THE YEAR 2011 Appeal # 016342-2011
(Consent Agenda – 8)

WHEREAS, The owners of Block 1206 Lot 4, Siegel, Bertram, 11 Hunter Ridge Road, Woodcliff Lake, N.J. was successful in their appeal to the County Tax Board New Jersey and have won a Judgment adjusting their assessed value for the year 2011.

WHEREAS, this has resulted in their overpaying their property tax for year of 2011 in the amount of \$5503.02: and

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 \$5503.02 to the owner of record, Siegel, Bertram

Mail check to:
Siegel, Bertram
11 Hunter Ridge Road
Woodcliff Lake, NJ 07677
Pay by: January 24, 2012

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT JUDGEMENT FOR THE YEAR 2011 Appeal # 007476-2011
(Consent Agenda – 10)

WHEREAS, The owners of Block 1206 Lot 7, Mazawey, Richard, 19 Hunter Ridge Road, Woodcliff Lake, N.J. was successful in their appeal to the County Tax Board New Jersey and have won a Judgment adjusting their assessed value for the year 2011.

WHEREAS, this has resulted in their overpaying their property tax for year of 2011 in the amount of \$2829.80 and

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 \$2829.80 to Mazawey, Richard

Mail check to:
Mazawey, Richard
19 Hunter Ridge Road
Woodcliff Lake, NJ 07677
Pay by: January 24, 2012

Bader Baum Camella Glaser Hoffman Struk LaPaglia

2011 Budget Transfers for December 19, 2011 meeting (Consent Agenda – 11)

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Administration - Other Expenses	1-01-20-100-020	1,000.00	
Municipal Clerk - Other Expenses	1-01-20-120-020		1,000.00
Administration - Salaries and Wages	1-01-20-100-010	6,000.00	
Garbage Disposal Costs	1-01-32-465-020	4,000.00	
Gasoline	1-01-31-460-020		10,000.00
Administration - Other Expenses	1-01-20-100-020	1,000.00	
Financial Administration - Other Expenses	1-01-20-130-020		1,000.00
Administration - Other Expenses	1-01-20-100-020	1,000.00	
Tax Collection - Other Expenses	1-01-20-145-020		1,000.00
Legal	1-01-20-155-020	10,000.00	
Administration - Salaries and Wages	1-01-20-100-020	2,000.00	
Zoning Board - Other Expenses	1-01-21-185-020	3,000.00	
Planning Board - Other Expenses	1-01-21-180-020	2,000.00	
Liability Insurance	1-01-23-210-020		17,000.00
Fire Prevention - Salaries and Wages	1-01-25-265-010	2,000.00	
Dispatch - Other Expenses	1-01-25-250-020		2,000.00
Aid to Volunteer Ambulance Department	1-01-25-260-020	1,000.00	
Aid to Volunteer Fire Department	1-01-25-255-020		1,000.00
Parks and Recreation - Other Expenses	1-01-28-370-020	1,500.00	
Parks and Recreation - Salaries and Wages	1-01-28-370-010		1,500.00
Street Lighting	1-01-31-435-000	3,000.00	

Garbage Disposal Costs	1-01-32-465-020	5,000.00	
Electricity	1-01-31-430-020		8,000.00
Garbage Disposal Costs	1-01-32-465-020	5,000.00	
Telephone	1-01-31-440-020		5,000.00
TOTAL		47,500.00	47,500.00

Bader Baum Camella Glaser Hoffman Struk LaPaglia