



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL AGENDA  
TICE SENIOR CENTER  
June 17, 2013  
8:00 PM**

**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 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**

**APPROVAL OF MINUTES**

**RESOLVED**, that the Minutes of a Mayor and Council Meeting on June 3, 2013, copies of which have been received by all Councilpersons, are hereby approved.

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      **Goldsmith**

**PRESENTATION(S)**

- Presentation of Scholarships by Fire Department
- Pascack Valley Regional High School District Dance Team

**STANDING COMMITTEE REPORTS**

Administration/Finance	DONNA ABENE/Eric Bloom
DPW & Roads/Sewers & Sanitation, Ecology	DONNA ABENE/Jeffrey Bader
Parks & Recreation	ERIC BLOOM/Jacqueline Gadaleta
Public Safety/Police/OEM/TriBoro	ROBERT ROSENBLATT/Eric Bloom
Buildings & Grounds/Building Dept.	ROBERT ROSENBLATT/Jacqueline Gadaleta
Board of Health, Mental Health & Welfare	JEFFREY BADER/Jean Bae
Education (elementary) (high)	JEAN BAE/Donna Abene JACQUELINE GADALETA/Jean Bae
Public Information, Newsletters, Ordinances	JEAN BAE/Robert Rosenblatt
Fire – Volunteer/Fire Prevention	JACQUELINE GADALETA/Jeffrey Bader
Library	ERIC BLOOM/Robert Rosenblatt
Senior Citizens' Program	DONNA ABENE/Jacqueline Gadaleta

**NEW BUSINESS**

- Open Hearts, Open Homes “Day at the Pool” (Thursday, August 1, 2013 @ 6:00 PM – discussion led by Council President Rosenblatt

**PUBLIC HEARING**

Ordinance 13-02

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

**Be it Resolved, that the Ordinance entitled**  
**“An Ordinance to Exceed the Municipal Budget Appropriation Limits and to**

Establish a Cap Bank (N.J.S.A. 40A:4-45.14)"

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

**Be it Resolved, that the Ordinance entitled**

**"An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)"**

introduced at a Regular Meeting of the Mayor and Council held on May 6, 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 Acting Borough Clerk is authorized to advertise the same according to law.

Abene Bader Bae Bloom Gadaleta Rosenblatt Goldsmith

Introduction of Ordinance 13-05

**BOROUGH OF WOODCLIFF LAKE  
BERGEN COUNTY, NEW JERSEY  
AMENDING THE CODE OF THE BOROUGH OF WOODCLIFF LAKE  
BY ADDING A SECTION ENTITLED X-XX, OUTDOOR LANDSCAPE WATER CONSERVATION GUIDELINES**

**WHEREAS**, the water supplies within the BOROUGH OF WOODCLIFF LAKE should be protected to afford the greatest beneficial use to BOROUGH OF WOODCLIFF LAKE citizens and businesses, which depend on adequate water supplies for their livelihood, health, welfare, and economic production; and

**WHEREAS**, the water resources associated with the BOROUGH OF WOODCLIFF LAKE have been threatened in the past due to drought conditions; and

**WHEREAS**, there exists a need to ensure water is available for uses essential to the health, welfare and safety of the BOROUGH OF WOODCLIFF LAKE and for averting or lessening the impact of any water shortage; and

**WHEREAS**, taking steps to ensure clean, wholesome, and adequate water supplies is a high priority in protecting the health, safety, and welfare of BOROUGH OF WOODCLIFF LAKE citizens;

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the BOROUGH OF WOODCLIFF LAKE has the power to adopt ordinances necessary and proper for the protection of persons and property, and the preservation of the public health, safety and welfare;

BE IT ORDAINED by the BOROUGH OF WOODCLIFF LAKE Committee of the BOROUGH OF WOODCLIFF LAKE in BERGEN County as follows:

Section x-xx. The Code of the BOROUGH OF WOODCLIFF LAKE in BERGEN County (year) shall be amended by the addition of Section x-xx, entitled, "Outdoor Landscape Water Conservation Ordinance", to read as follows:

**I. Water Use Restrictions**

Restrictions on outdoor landscape water use apply to all users in BOROUGH OF WOODCLIFF LAKE at all times regardless of source of supply (e.g. public water supplies, well or ground water, lakes, streams, or ponds) unless expressly exempt in *V. Exemptions*. Such water use shall conform to the following Outdoor Landscape Water Use Restrictions:

- A. Lawn watering with a hose or hose-end sprinkler
  - 1. May only be done two days per week (*Choose one of the 2 examples below or develop another structure better suited for the individual municipality*)
    - a. *Example 1*- Properties may only water 2 days per week.  
Properties with even number addresses may only water on Mondays and Thursday, properties with odd number addresses may only water on Tuesday and Fridays.
    - b. *Example 2*- Properties may only water 2 days a week to coincide with trash pickup days;
  - 2. Watering shall only be conducted between the hours of 6:00 a.m. and 9:00 a.m. or between 5:00 p.m. and 8:00 p.m.;
  - 3. The watering of any single area shall not exceed thirty minutes per day;
  - 4. Flowers and shrubs may be watered as needed with a hand-held hose equipped with an automatic shut-off nozzle;
  - 5. No hose or hose-end watering shall be permitted when it is raining.
- B. Irrigating lawns and landscapes with automatic irrigation systems equipped with a conventional irrigation controller (this includes all systems that do not have a "SMART" controller as defined in section I.C)
  - 1. May only be done two days per week (*Choose one of the 2 examples below or develop another structure better suited to individual municipalities*)
    - a. *Example 1* – Properties may only irrigate 2 days per week. Properties with even number addresses may only irrigate on Mondays and Thursdays, properties with odd number addresses may only irrigate on Tuesdays and Fridays.
    - b. *Example 2* – Properties may only irrigate 2 days a week to coincide with trash pickup days;
  - 2. Irrigation shall only be conducted between the hours of 12:00 midnight and 10:00 a.m.

3. Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone. Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 50 minutes per zone.
- C. Irrigation with systems equipped with a SMART controller
1. To qualify for this provision, the SMART controller must have met the minimum requirements of IA-SWAT protocol testing. Lists of climate-based and sensor based controllers that have successfully completed the protocol testing can be found at <http://www.irrigation.org/SWAT/Industry/ia-tested.asp>
  2. The property owner must register the SMART controller with the municipality
    - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated with a SMART controller
  3. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
    - a. The SMART controller must be programmed to irrigate between the hours of 12:00 midnight and 10:00 am;
    - b. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
    - c. The SMART controller programming data shall be posted at the controller;
    - d. The WaterSense Partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.
- D. Irrigation systems programmed and monitored by an irrigation manager
1. The property owner must designate a qualified person who will be the irrigation manager and register that person with the municipality with defining qualifications.
    - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated by an irrigation manager.
  2. The irrigation manager must be an EPA WaterSense Partner or show evidence of successfully completing one of the approved courses listed below:
    - a. Rutgers University Continuing Education Course, *Irrigation Systems: Scheduling*
    - b. Irrigation Association's online course, *Landscape Irrigation Scheduling*.
    - c. A comparable course offered by a recognized continuing education facility or professional association.
  3. A property specific irrigation program shall be developed by the irrigation manager based on plant variety, soil type, exposure, slope, precipitation rate, and irrigation efficiency.
  4. Weekly adjustments shall be made to the irrigation schedule based on current evapotranspiration (ET) rates or weather conditions.
  5. If it is found that an irrigation manager does not follow any of the terms prescribed in this ordinance, they may be disqualified from acting as a properties irrigation manager.
- E. All automatic irrigation systems:
1. Shall be equipped with an operational automatic rain sensor device, which disables the system when a predetermined amount of rainfall has occurred. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when ¼ inch of rain has fallen.
  2. Any work performed on a system as a result of any inspection made by the homeowner or a professional must be in compliance with the Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-3).
  3. Flowers and shrubs irrigated with drip or micro irrigation may be watered as needed.
- F. All new irrigation systems must comply with the following:

1. The system must be installed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
2. New Jersey Irrigation Best Management Design Practices are listed below. More information on these practices can be found in the Outdoor Landscape Water Conservation Model Ordinance Best Practices Guide located on the BOROUGH OF WOODCLIFF LAKE web site:
  - a. designing a system that insures sufficient operating pressure at the sprinkler head;
  - b. dividing irrigated areas into hydro-zones of turf and plants with similar water requirements;
  - c. creating zoning systems according to exposure;
  - d. considering the soil type so the sprinkler irrigation precipitation rate is compatible with the soil infiltration rate or dividing the zone runtimes into multiple short cycles;
  - e. providing separate control of sloped areas;
  - f. preventing sprinkler heads from overthrowing onto driveways, roads, and sidewalks;
  - g. providing for separate irrigation for parkway strips between curbs and sidewalks that minimizes overthrow onto walks, pavement, and other impervious surfaces;
  - h. using pressure regulating technology as necessary to ensure sprinkler heads operate within the manufacturer's recommended range. The pressure regulation may be:
    - i. a pressure regulation device at the point of connection;
    - ii. pressure regulation at each remote control valve;
    - iii. pressure regulation at the sprinkler head;
    - iv. a combination of the above.
  - i. irrigating all flowers and shrubs with drip and/or micro-irrigation;
  - j. including check valves in low sprinkler heads to prevent low-point drainage;
  - k. having a pressure regulating device and wye strainer on each drip/micro control valve.
3. System must have a SMART controller capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system only to replenish the water as needed while minimizing excess water use.
  - a. The SMART controller must have undergone SWAT testing and be listed on the Irrigation Association website [www.swatirrigation.org](http://www.swatirrigation.org) (*This section may be replaced by a WaterSense labeling requirement once the EPA releases the labeling of SMART controllers anticipated in 2011*).
  - b. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
    - i. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
    - ii. The SMART controller programming data shall be posted at the controller;
    - iii. The WaterSense partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.

H. Upon the Declaration of Water Emergency by the <MUNICIPAL GOVERNING BODY>additional restrictions may be imposed and shall supersede the restrictions in this ordinance.

1. State of New Jersey requirements shall supersede those identified in this Section when more stringent than those identified in this ordinance.

## **II. Violations**

- A. Violations include knowingly or recklessly watering or irrigating or permitting irrigation of lawn or landscape on owned, leased, or managed property that results in the following:
  - 1. Watering during any form of precipitation;
  - 2. Water leaking from any irrigation equipment;
  - 3. Water puddling on landscape or impervious surfaces;
  - 4. Water run-off from irrigated property;
  - 5. Irrigating on days not permitted in this ordinance;
  - 6. Irrigating at hours not permitted in this ordinance.
- B. Violators of these guidelines and requirements are subject to fines and penalties described in *IV. Penalties*.
- C. All water users in BOROUGH OF WOODCLIFF LAKE are responsible for preventing the above violations. Specific information with regard to identifying and preventing such violations can be found in the Outdoor Landscape Water Conservation Model Ordinance's Best Management Practices for Irrigating Landscapes located on the BOROUGH OF WOODCLIFF LAKE web site.

**III. Enforcement of Water Conservation Guidelines**

The water use restrictions and automatic rain sensor requirement imposed pursuant to this section shall be enforced by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, regardless of the source of the water (public supply or private source), such authorized official shall issue a written warning and explain the penalties for a second and third offense, as provided in subsection IV. The local authorized official shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses who have been warned upon a first offense. The local authorized official is hereby empowered to write summons for the violation of the water use restrictions imposed pursuant to this section.

**IV. Penalties**

After a warning for a first offense in accordance with subsection III above, any person or business that thereafter violates the water use restrictions imposed pursuant to this section shall be subject to the penalty provisions stated at \_\_\_\_\_.

**V. Exemptions**

Restrictions in Section x-xx above do not apply to the following:

- A. Outdoor water use from rain water harvesting, gray water, or reclaimed water are exempt from the provisions of the ordinance. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.
- B. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses are exempt from the provisions of the ordinance.
- C. Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.
- D. Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting.

- E. Visually supervised operation of an irrigation system by a person in compliance with the New Jersey Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-1) and at the minimum rate necessary in order to check system condition and effectiveness.

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      **Goldsmith**

**OLD BUSINESS**

- Resolution to Adopt 2013 Budget (see attached)

**Motion to open to the public**

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      **Goldsmith**

**Motion to close to the public**

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      **Goldsmith**

**CONSENT AGENDA DISCUSSION**

**CONSENT AGENDA VOTE**

**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;

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

**WHEREAS**, the Governing Body wishes to discuss: "Right-of-way legal advice, contract negotiations"; and

**WHEREAS**, this session is anticipated to last approximately 15 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.

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      **Goldsmith**

Motion to reopen the meeting to the public was made by \_\_\_\_\_, second by \_\_\_\_\_ and approved unanimously by voice call vote at \_\_\_\_\_ pm.

Motion to open the meeting to the public was made by \_\_\_\_\_, second by \_\_\_\_\_ and approved unanimously by voice call vote at \_\_\_\_\_ pm.

**ADJOURNMENT**

**CONSENT AGENDA – June 17, 2013**

1. Payroll, page 11
2. Authority to Pay Claims, page 11
3. Resolution Authorizing License as a Dealer of Second-Hand Gold, Silver, Gems and Precious Metals, page 11
4. Resolution Renewing Liquor License, 2013-2014, page 11
5. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket 018174-2010, 015987-2011 and 017946-2012, page 12
6. Resolution Authorizing the Contract between the Borough and the BCUA Solid Waster Cooperative Marketing Program for the term June 1, 2013 through May 31, 2016, page 13
7. Authorizing a Temporary Property Maintenance Officer, page 14
8. Resolution Adopting the Sustainable Jersey Green Grounds and Maintenance Policy, page 14
9. Resolution Appointing Emergency Management Coordinator, page 15
10. Resolution to Adopt a Pledge of Municipal Support for New Jersey's Wildlife Action Plan, page 16
11. Resolution to Adopt a Complete Streets Policy, page 18
12. Resolution to Authorize the Mayor to Enter an Inter-local Services Agreement with the Borough of Paramus for the Use of the Borough of Paramus Tax Assessor, page 21
13. Resolution of Tax Settlement Charnow v. Woodcliff Lake, page 21

**RESOLVED**, that the Consent Agenda is approved as presented.

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      **Goldsmith**

**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: \$1,092,495.81  
Animal Control: \$ 806.60

Abene Bader Bae Bloom Gadaleta Rosenblatt Goldsmith

**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: \$176,343.85

Abene Bader Bae Bloom Gadaleta Rosenblatt Goldsmith

**Resolution Authorizing License as a Dealer of Second-Hand Gold, Silver, Gems, and Precious Metals**

**(Consent Agenda - 3)**

**WHEREAS**, application has been made by Ronald Charles Zakroff, dba Montgomery Estate Buyers/First Montgomery LLC; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the application of Ronald Charles Zakroff, dba Montgomery Estate Buyers/First Montgomery LLC is approved by the Acting Borough Clerk is hereby authorized to issue License.

Abene Bader Bae Bloom Gadaleta Rosenblatt Goldsmith

**RESOLUTION RENEWING LIQUOR LICENSE, 2013-2014**

**(Consent Agenda - 4)**

**WHEREAS, WOODCLIFF LAKE FARMS, INC., Woodcliff Manor**, has applied for renewal of their respective Plenary Retail Consumption License; and

**WHEREAS**, the said applicant has, in the opinion of the Mayor and Council, complied with the requirements of the Alcoholic Beverage Control Commission, and the Ordinance of the Borough of Woodcliff Lake.

**NOW, THEREFORE BE IT RESOLVED**, that Plenary Retail Consumption License No. 0268-33-004-002 is hereby granted to **WOODCLIFF FARMS INC., Woodcliff Manor**, for the sale of alcoholic beverages for the period of July 1, 2013 to June 30, 2014, in accordance with the requirements of said Act and said Ordinance, on premises located at 25 Prospect Avenue.

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      Goldsmith

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT**  
**DOCKET #018174-2010, 015987-2011 and 017946-2012** (Consent Agenda – 5)

**WHEREAS**, the owners of Block 601 Lot 1, Chestnut Ridge Road., Woodcliff Lake N.J. 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>2010 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
432,000.00 LAND	325,000.00 LAND
0 IMPROVEMENTS	0 IMPROVEMENTS
<u>432,000.00 TOTAL ASSESSMENT</u>	<u>325,000.00 TOTAL ASSESSMENT</u>
\$9,326.88 taxes paid	\$7,016.75 tax court judgment taxes

MUNICIPAL TAX RATE FOR YEAR 2010=\$2.159 PER 100 OF ASSESSED VALUE

2010 TAX REFUND= \$2,310.13

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
432,000.00 LAND	325,000.00 LAND
0 IMPROVEMENTS	0 IMPROVEMENTS
<u>432,000.00 TOTAL ASSESSMENT</u>	<u>325,000.00 TOTAL ASSESSMENT</u>
\$9,663.84 taxes paid	\$7270.25 tax court judgment taxes

MUNICIPAL TAX RATE FOR YEAR 2011=\$2.237 PER 100 OF ASSESSED VALUE

2011 TAX REFUND= \$2,393.59

<u>2012 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
527,000.00 LAND	427,000.00 LAND

0 IMPROVEMENTS  
527,000.00 TOTAL ASSESSMENT  
\$10,966.87 taxes paid

0 IMPROVEMENTS  
427,000.00 TOTAL ASSESSMENT  
\$8,885.87 tax court judgment taxes

MUNICIPAL TAX RATE FOR YEAR 2012=\$2.081 PER 100 OF ASSESSED VALUE

2012 TAX REFUND=\$2,081.00

WHEREAS, this has resulted in their overpaying their property tax for the years 2010, 2011 and 2012 in the amount of \$6784.72 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 \$,6784.72 for the years 2010, 2011 & 2012 to the owner of record THE RIDGE AT SADDLE RIVER LLC c/o Howard B. Goldberg, Esquire

CHECK MAILED TO  
Howard B. Goldberg  
33 Clinton Road  
West Caldwell, NJ 07006

Abene      Bader      Bae      Bloom      Gadaleta      Rosenblatt      Goldsmith

**Resolution Authorizing the Contract between the Borough and the BCUA Solid Waste Cooperative Marketing Program for the term June 1, 2013 through May 31, 2016**

(Consent Agenda - 6)

WHEREAS, there exists a need for the Borough of Woodcliff Lake to contract for solid waste disposal services; and

WHEREAS, the Bergen County Utilities Authority has obtained bids and awarded a contract for these services through the BCUA Solid Waste Cooperative Marketing Program; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40:14B et seq.) authorizes and permits contracting units, such as the BCUA and the Municipality to enter into Service Agreements with municipalities for the services contemplated herein without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, the Borough of Woodcliff Lake is desirous to continue with its participation with the BCUA for these services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that the Mayor is hereby authorized to execute the appropriate Agreement for the Borough to maintain these services at a price of \$65.35 per ton.

**BE IT FURTHER RESOLVED**, that the Borough Administrator is authorized to notify the BCUA of the Borough's participation in the program.

Abene          Bader          Bae          Bloom          Gadaleta          Rosenblatt  
Goldsmith

**AUTHORIZING A TEMPORARY PROPERTY MAINTENANCE OFFICER**          (Consent Agenda -7)

**WHEREAS**, the Woodcliff Lake Construction Official is on medical leave; and

**WHEREAS**, the Construction Official is also the Property Maintenance Officer for the Borough of Woodcliff Lake; and

**WHEREAS**, there exists an immediate need to authorize a temporary Property Maintenance Officer for the Borough of Woodcliff Lake; and

**WHEREAS**, the Borough Administrator has assigned these property maintenance matters to the Acting Superintendent of Public Works

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that Dave Antoine, Acting Superintendent of Public Works is officially acknowledged as Property Maintenance Officer for the Borough of Woodcliff Lake, retroactive to May 11, 2013.

Abene          Bader          Bae          Bloom          Gadaleta          Rosenblatt          **Goldsmith**

**Resolution Adopting the Sustainable Jersey Green Grounds and Maintenance Policy**  
(Consent Agenda - 8)

**WHEREAS**, the Borough of Woodcliff Lake supports policies that encourage sustainable municipal operations, promote healthy communities, waste reduction, biodiversity and water quality protection and conservation; and

**WHEREAS**, Sustainable Jersey Green Grounds and Maintenance Policy is such a policy



**WHEREAS**, Herb Kuehlke has expressed an interest to continue in this capacity.

**NOW THEREFORE BE IT RESOLVED** that Mayor Jeffrey R. Goldsmith recommends and appoints Herb Kuehlke as Municipal Emergency Coordinator in accordance with applicable law; and

**BE IT FURTHER RESOLVED** that Herb Kuehlke shall be appointed for a period of three (3) years starting July 1, 2013 and ending June 30, 2016 and be compensated for such service in accordance with the salary ordinance.

Abene            Bader            Bae            Bloom            Gadaleta            Rosenblatt            **Goldsmith**

**Resolution to Adopt a Pledge of Municipal Support for New Jersey's Wildlife Action Plan**  
**(Consent Agenda – 10)**

**WHEREAS**, the Borough of Woodcliff Lake strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

**WHEREAS**, the Borough of Woodcliff Lake wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

**WHEREAS**, this Plan is in support of New Jersey Department of Environmental Protection, Division of Fish and Wildlife, State-level Priority Conservation Goals and Strategies Recognizing that animals are an integral and valuable part of all communities and believing concern for the wellbeing of wild animals and wild species is a hallmark of a sustainable natural community the Borough of Woodcliff Lake pledges its support for the New Jersey Wildlife Action Plan as outlined:

**WHEREAS**, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities; and

**WHEREAS**, New Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people; and

**WHEREAS**, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats; and

**WHEREAS**, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined; and

**WHEREAS**, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens; and

**WHEREAS**, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non-profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State; and

**WHEREAS**, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of rare wildlife in New Jersey; and

**WHEREAS**, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces;

**NOW THEREFORE BE IT RESOLVED**, we the Borough of Woodcliff Lake, resolves to take the following steps with regard to our municipal land-use decisions with the intent of making Woodcliff Lake an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly. We will identify imperiled species, critical habitat and unique ecosystems in our Environmental Resource Inventory. Acknowledging that it is more cost-effective to protect species than recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon. Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity. We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances. We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species. When possible and appropriate, we will work with neighboring municipalities to implement the aforementioned principles across municipal boundaries. When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

Abene            Bader            Bae            Bloom            Gadaleta            Rosenblatt            **Goldsmith**

**Resolution to Adopt a Complete Streets Policy**

**(Consent Agenda – 11)**

**WHEREAS**, the Borough of Woodcliff Lake strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

**WHEREAS**, the Borough of Woodcliff Lake wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

**WHEREAS**, the Borough of Woodcliff Lake has begun the process of focusing on Green Issues;

**WHEREAS**, the Borough of Woodcliff Lake is committed to creating street corridors that accommodate all street users, which includes motorists, pedestrians, bicyclists and transit riders, of all ages and abilities;

**WHEREAS**, the Mayor and Council wish to reinforce its commitment to creating a comprehensive, integrated, connected street network that accommodates all users of all abilities;

**WHEREAS**, Complete Streets application will vary depending on the surrounding land uses and densities and its general context, however, street and transportation plans should always be guided by the principle that streets should promote multiple transportation options for all people;

**WHEREAS**, Complete Streets can spark economic development and community development by helping to create walkable, vibrant communities where businesses can thrive and enhance existing residential neighborhoods;

**NOW, THEREFORE, LET IT BE RESOLVED** that the Borough of Woodcliff Lake hereby recognizes the importance of creating Complete Streets that enable safe travel by all users, including pedestrians, bicyclists, public transportation riders and drivers, and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities.

**BE IT FURTHER RESOLVED** that the Borough Engineer, Borough Planner and WCL Department of Public Works should make Complete Streets practices a routine part of everyday operations, should approach every transportation project and program as an opportunity to

improve public streets and the transportation network for all users, and should work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.

**BE IT FURTHER RESOLVED** that the Borough of Woodcliff Lake should evaluate how well the streets and transportation network of Woodcliff Lake are serving each category of users.

**BE IT FURTHER RESOLVED** that trainings in how to integrate, accommodate, and balance the needs of all users should be provided for planners, civil and traffic engineers, project managers, plan reviewers, inspectors, and other personnel responsible for the design and construction of streets, bridges, and other portions of the transportation network.

**BE IT FURTHER RESOLVED** that the head of each affected department should report back to the Borough Administrator regarding: the steps taken to implement this Resolution; additional steps planned; and any desired actions that would need to be taken by the Borough of Woodcliff Lake or other agencies or departments to implement the steps taken or planned.

**BE IT FURTHER RESOLVED** that a committee is hereby created, to be composed of Borough Administrator, Borough Engineer, Borough Planner, and Superintendent of Department of Public Works and appointed by the Mayor of the Borough of Woodcliff Lake, to recommend short-term and long-term steps, planning, and policy adoption necessary to create a comprehensive and integrated transportation network serving the needs of all users; to assess potential obstacles to implementing Complete Streets in Woodcliff Lake; and to develop proposed revisions to all appropriate plans, zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, templates, and design manuals, including The Borough's Master Plan when appropriate, to integrate, accommodate, and balance the needs of all users in all projects.

**BE IT FURTHER RESOLVED** that the committee shall consider requiring incorporation of Complete Streets modifications and infrastructure in the planning, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, alteration, or repair of streets, bridges, or other portions of the transportation network; enacting performance standards with measurable benchmarks reflecting the ability of users to travel in safety and comfort; and requiring all initial planning and design studies, health impact assessments, environmental reviews, and other project reviews for projects requiring funding or approval by Woodcliff Lake to: (1) evaluate the effect of the proposed project on safe travel by all users, and (2) identify measures to mitigate any adverse impacts on such travel that are identified.

**BE IT FURTHER RESOLVED** that the committee should report on the matters within its purview to the Mayor and Council within one year following the date of adoption of this Resolution, and upon receipt of this report the Mayor and Council will hold a hearing to determine further implementation steps.

**BE IT FURTHER RESOLVED** that while Complete Streets principals are context sensitive, it would be appropriate to consider these features during the design, planning, maintenance and operations phases and incorporate changes into retrofit and reconstruction projects. Departments shall reference New Jersey Roadway Design Manual, the AASHTO Guide for the Development of Bicycle Facilities, AASHTO Guide for the Planning, Design and Operation of Pedestrian Facilities; the Manual of Uniform Traffic Control Devices and other design manuals as necessary, striving to balance all needs, when repaving or reconstruction streets.

**BE IT FURTHER RESOLVED** that exception may be made to this policy under any one of the following conditions:

- a. Bicycle and pedestrian facilities are not required where they are prohibited by law.
- b. Public transit facilities are not required on streets not serving as transit routes, the desirability of transit facilities will be determined on a project specific basis.
- c. Scarcity of population, travel and attractors, both existing and future, indicate an absence of need for such accommodations.
- d. Detrimental environmental or social impacts outweigh the need for these accommodations.
- e. When the cost of incorporating new bicycle, pedestrian and/or public transit facilities is excessive, defined as greater than 20% of the overall project cost, the need for and/or probable use of the facility shall be considered in making the determination as to whether or not an exemption should be approved or held for future consideration. This determination may occur during the budget and capital improvements program approval process or when project plans and specifications are being prepared. Exemptions due to cost increases shall be sent to Borough Council for formal approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Woodcliff Lake hereby consents to all public street projects, both new construction and reconstruction in the Borough of Woodcliff Lake shall be designed and constructed as Complete Streets.

Abene            Bader            Bae            Bloom            Gadaleta            Rosenblatt            Goldsmith

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER AN INTER-LOCAL SERVICES AGREEMENT WITH THE BOROUGH OF PARAMUS FOR THE USE OF THE BOROUGH OF PARAMUS TAX ASSESSOR**  
**(Consent Agenda – 12)**

**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**, the Borough of Woodcliff Lake seeks to enter an inter-local services agreement with the Borough of Paramus, whereby Woodcliff Lake will share the services of the Borough of Paramus Tax Assessor; and

**WHEREAS**, the Borough of Woodcliff Lake has agreed to pay the Borough of Paramus a total amount of \$50,000 for the shared use of the Borough of Paramus Tax Assessor; and

**WHEREAS**, the proposed inter-local services agreement is intended to be effective July 1, 2013; and

**NOW THEREFORE BE IT RESOLVED** that:

1. The Borough of Woodcliff Lake shall enter into an inter-local services agreement with the Borough of Paramus to provide the Borough of Woodcliff Lake with Tax Assessor services upon the terms set forth above to be effective July 1, 2013;
2. The Borough Attorney (or such other attorney designated by the Borough Attorney in the event of a conflict, the cost of which shall not exceed \$3,500.00) is hereby authorized and directed to prepare an inter-local agreement with the Borough of Paramus on the terms set forth in this Resolution; and
3. The Mayor is hereby authorized to execute an inter-local services agreement with the Borough of Paramus as set forth herein.

Abene            Bader            Bae            Bloom            Gadaleta            Rosenblatt            Goldsmith

**Resolution of Tax Settlement – Charnow v. Borough of Woodcliff Lake** (Consent Agenda – 13)

**WHEREAS**, Sean and Jennifer Charnow are the owners and taxpayers of property located at 8 Mulholland Drive, also known as Block 2201.02, Lot 2; and

**WHEREAS**, the taxpayers have filed a tax appeal for added assessment only for new construction on their home for the year 2010 against the Borough of Woodcliff Lake in a matter

entitled Sean R. and Jennifer L. Charnow 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 Sean R. And Jennifer L. Charnow vs. Borough of Woodcliff Lake, so that the added assessment only for tax year 2010 of \$128,650 will be reduced to \$36,150, resulting in a refund of \$1,997; and

**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.

Abene          Bader          Bae          Bloom          Gadaleta          Rosenblatt          **Goldsmith**