

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

**February 21, 2012**

**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 Goldsmith asked for a roll call. Councilmember Abene, Bader, Glaser, and Rosenblatt were present. Councilmember Baum and Struk were absent. Attorney Madaio, Administrator Albrecht and Clerk Sciara were also present.

**PLEDGE OF ALLEGIANCE.**

All present recited the Pledge of Allegiance led by Mayor Bernard Kettler.

**APPOINTMENT.**

**(MAYOR)** I appoint Neil Tipograph to the Advisory Council to the Mayor for a term ending December 31, 2012.

**(MAYOR)** I appoint Kathleen Bagley to the Shade Tree Committee for a term ending December 31, 2012.

**(MAYOR)** I appoint Joseph T. LaPaglia as a member of the Mayors Budget Review Advisory Committee for a term ending December 31, 2012

**(MAYOR)** I appoint David Barcus as a member of the Mayors Budget Review Advisory Committee for a term ending December 31, 2012.

**(MAYOR)** I appoint Skip Dolan as a member of the Mayors Budget Review Advisory Committee for a term ending December 31, 2012.

**(MAYOR)** I appoint John Strauss as a member of the Public Utility Committee for a term ending December 31, 2012.

**(MAYOR)** I appoint Steve Berger as a member of the Public Utility Committee for a term ending December 31, 2012.

**(MAYOR)** I appoint, Steven Muhlstock, Esq. as Special Tax Appeal Counsel for the Remaining Mack-Cali Tax Appeals at a rate of \$115.00 per hour for a term ending December 31, 2012.

**RESOLVED**, that this appointment is confirmed.

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mrs. Abene  
 Ayes: Mr. Bader, Mr. Glaser, Mrs. Abene, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

**Resolution Recognizing Josephine Higgins  
 Upon Receiving the William D. Diedtrich Memorial Award**

**WHEREAS**, the Borough of Woodcliff Lake wishes to recognize members of the community for their various volunteer accomplishments; and

**WHEREAS**, certain residents have contributed to the quality of life in Woodcliff Lake;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake hereby recognize and applaud Josephine Higgins upon receiving the William D. Diedtrich Memorial Award which recognizes the volunteer service providers from the Tri-Boro Ambulance Corp.

**AND BE IT FURTHER RESOLVED** that the Mayor and Council applaud Josephine Higgins for her paving the way for women to join the Tri-Boro's Volunteer Ambulance Corp.

**ROLL CALL:**

Introduce: Mrs. Abene  
 Second: Mr. Rosenblatt  
 Ayes: Mr. Glaser, Mr. Rosenblatt, Mrs. Abene  
 Nays: None  
 Abstain: Mr. Bader  
 Absent: Mr. Struk, Mr. Baum

**Resolution Honoring the Memory of Chief Marshal Christian Huljus  
 Upon the 70<sup>th</sup> Anniversary of His Death in the Line of Duty**

**WHEREAS**, the Borough of Woodcliff Lake wishes to recognize and honor members of the community for their devoted service to Woodcliff Lake; and

**WHEREAS**, certain residents have contributed to the quality of life in Woodcliff Lake;  
 and

**WHEREAS**, the Woodcliff Lake Mayor and Council wishes to honor the memory of Chief Marshal Christian Huljus, a highly esteemed member of the Woodcliff Lake Family upon the 70<sup>th</sup> Anniversary of his death in the line of duty on February 22, 1942; and

**WHEREAS**, during his years with the Department, Chief Marshal Christian Huljus continually demonstrated his devotion to the Borough of Woodcliff Lake and Bergen County through his steadfast commitment to securing the safety and welfare of its' citizenry; and

**WHEREAS**, within all spheres of his life and work, Chief Marshal Christian Huljus established a model to emulate and set a standard of excellence toward which others might strive;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake hereby recognizes his ultimate sacrifice for the citizens of Woodcliff Lake, Bergen County, and this State, and extends profound gratitude to all Woodcliff Lake Police Officers for their dedication and commitment to law enforcement.

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mrs. Abene  
 Ayes: Mr. Bader, Mr. Glaser, Mrs. Abene, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

**APPROVAL OF MINUTES.**

**RESOLVED**, that the Minutes of the **Mayor and Council held on February 1, 2012** copies of which have been received by all Councilpersons, are hereby approved as amended.

**ROLL CALL:**

Introduce: Mr. Bader  
 Second: Mr. Rosenblatt  
 Ayes: Mr. Glaser, Mrs. Abene, Mr. Rosenblatt, Mr. Bader  
 Nays: None  
 Abstain: None  
 Absent: None

**STANDING COMMITTEE REPORTS.**

**Administration/Finance**

Mr. Glaser reported that the 2012 budget is moving along nicely. The Fire Department and Park and Recreation Budget will be discussed in detail over the next two weeks. The date for the budget introduction has been changed to March 9, 2012 or the first scheduled meeting after that date. The adoption is scheduled for April 20, 2012 which is subject to change.

**DPW & Roads/Sewers & Sanitation, Ecology**

Mrs. Abene reported that the council liaisons and the DPW have had several meetings to discuss roads that are in need of repair. There were also discussions on the aging state of the Borough's five pump stations. There is still no concrete date as to when the light on Broadway and Woodcliff Avenue will be turned on.

The Mayor stated that the governing body might want to consider upgrades to our aging pump stations. Although the Borough is facing a very tight budget this year, this is a huge project the Council might like to get a running start on this issue.

### **Parks & Recreation**

Before Mr. Rosenblatt gave his report, Mayor Goldsmith congratulated Lauren Rosenblatt on her acceptance to Columbia University Master's Program.

Mr. Rosenblatt had no report for park and recreation.

### **Public Safety/Police/OEM/TriBoro**

Mr. Bader sadly reported that retired police captain Michael Arnone passed away on 12/24/11. Mayor and Council extend their deepest sympathies to the family.

Mr. Bader stated that more information on Chief Marshal Christian Hulis will appear in this week's Community Life.

Mr. Bader reported that there were 304 total calls for the police department this month. Mayor Goldsmith asked if the police department were looking into the \$25,000 grant available to pursue the accreditation of the police department. Mr. Bader stated that the police department had previously looked into this accreditation and it is a tremendous undertaking.

### **Buildings & Grounds/Building Dept.**

### **Board of Health, Mental, Health & Welfare**

No report given due to the absence of Mr. Baum.

### **Education (elementary)**

Mrs. Abene attended the Woodcliff Lake Board of Education meeting last week. Mrs. Abene reported that the school board had voted to move their annual school board elections to November. Most of the Pascack Valley had done the same. The high school superintendent will be the guest speaker in April. Mrs. Abene is working with Superintendent Barbalet to have student representatives attend a future Mayor and Council Meeting.

### **Public Information, Newsletters, Ordinances**

No report given due to the absence of Mr. Baum.

Mayor Goldsmith asked the status of the spring newsletter. Mr. Baum will be contacted for an update.

### **Fire – Volunteer/Fire Prevention**

Mr. Rosenblatt reported the he recently attended the house fire this weekend. Mr. Rosenblatt continued that he was so impressed by how well our volunteers handled the situation. There was a house party next door and when the fire began, the police/fire/oem had to contain the spectators while fighting a dangerous fire. The house was not totally destroyed but was deemed 25% damaged. Mr. Rosenblatt asked if this Council would consider temporarily reassessing this home based on its current condition. This would enable the homeowner to receive some

temporary monetary relief while rebuilding their home. The homeowners lost their worldly possessions and the three family cats. The borough administrator will speak to the tax assessor about the possibility of this temporary relief.

### **Library**

Mr. Rosenblatt reported that 30 families have joined the Hillsdale Library since last month. He attributes this to the new program whereby Woodcliff Lake residents can join the Hillsdale library via the purchase order process. Mr. Rosenblatt stated that he will submit an article for the spring newsletter about the library program.

### **Senior Citizens' Program**

Mr. Glaser reported that the last senior luncheon had over 100 attendees. Mr. Glaser stated that Marilyn Clark, president of the Senior Association is doing a fantastic job.

### **OLD BUSINESS.**

#### **Goals and Objectives Identified and Ranked**

It was reported that borough volunteer Dana Cassell has assisted the borough administrator inputting together the 2012 goals and objectives. The goals and objectives had been rated by each councilmember in the final list that was in this week's packet.

Mr. Glaser stated that he had difficulty interpreting some of the detail behind the listed goals and recommendations. The original objective, in his view, was to establish goals that would also evaluate the administrator. He had anticipated that a council liaison would be assigned to the goal in order to work with the administrator.

Mr. Bader stated that "what we are missing are goals that are attainable". There have to be a projects so that we will be able to say "we got something done" or "we got nothing done". Mr. Bader continued that he did not want to get bogged down refining the goals and objectives. He stated that he does not want the Council to get polarized in this process. "Just establish the list, assign council liaisons and move forward." This should not take another two months.

Mayor Goldsmith disagreed and felt that each of the stated goals are attainable and are quantifiable. The Mayor reported that many of the committees that have not met in years have already had 2 or 3 meetings.

Motion to table further discussion of the goals and objectives until all councilmembers are present and made by Mr. Rosenblatt, second by Mrs. Abene.

### **ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mrs. Abene  
 Ayes: Mr. Bader, Mr. Glaser, Mrs. Abene, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum.

### **Technology Recommendation – Taping of Mayor and Council Meetings**

Mrs. Abene reported that the Technology Committee had unanimously agreed to recommend taping of the Mayor and Council meetings in-house. The recommendation is to purchase a single camera which will be mounted on the back wall of the council chambers. This will provide a wide angle shot of the dais. The camera will be switched on before the meeting, switched off at the conclusion of the meeting and the tape will be taken into the possession of the borough clerk.

The live stream option would be very expensive and available to Woodcliff Lake residents only. To have the meetings aired on Cablevision's government access channels would require editing of the tapes and would be aired on a time slot assigned by a lottery. The taped meetings can be uploaded onto Youtube at no cost to the Borough which could then be linked to our website and proposed new Facebook page.

Mr. Bader asked that no social media site go live until all policies have been researched and the administration of the site is fully discussed. Mrs. Abene stated nothing will be uploaded before the Mayor and Council have prior input.

### **Draft Ordinance from Mark Madaio on Video Recording – discussion only**

Attorney Madaio stated that the draft ordinance in this week's package encompassed regulations for municipalities to video recording their meetings as well as residents. All comments on this ordinance should be submitted to Attorney Madaio for discussion at the next meeting.

### **PUBLIC PRESENTATION.**

#### **Sanitary Sewer Excess User Charge System – Paul Lerch, RMA**

Paul Lerch and a representative from Lerch Vinci Higgins explained to the Mayor and Council the concept of the Sanitary Sewer Excess User Charge System.

Mr. Lerch stated that the sanitary sewer excess charge system is relatively new. Park Ridge and Montvale have instituted the system. The Borough of Woodcliff Lake does not have a separate utility fund. Therefore, the Borough is able to create an excess user charge. The Borough would be billed directly from the Bergen County Utility Authority (BCUA) and could pass excess charges onto the users. Lerch Vinci Higgins, LLP would summarize water usage by block and lot with information of usage received from Park Ridge Water and United Water. The Mayor and Council would establish by ordinance what the standard of usage will be. Credits/debits would be used in order to enable residents who might use too much water one year, to conserve the next year.

Mr. Rosenblatt asked for an estimation of revenue for Woodcliff Lake. Mr. Lerch stated that he estimate that a municipality the size of Woodcliff Lake could receive upwards of \$100,000 with this user charge system in place. The Borough would have to set a time limit for corporations to set up separate meters for sprinkler systems as not to be included in the proposed excess user system.

Mr. Bader stated that this is a discussion about adding a new tax. He will never support a new tax to the residents or commercial businesses in the Borough of Woodcliff Lake.

Mayor Goldsmith stated that is discussion is an example of thinking out of the box. Montvale is thriving, Park Ridge's Moody rating has stayed the same while Woodcliff Lake's has been downgraded. The study of water usage by Lerch Vinci Higgins will cost \$15,000.00. It will be complete within 60 days.

Motion to open the meeting to the public on the subject of the Sanitary Sewer Excess User Charge System only was made by Mr. Rosenblatt, second by Mr. Glaser and approved unanimously by voice call vote.

**Josephine Higgins, 10 Pond Road** asked if the Borough currently receives payments for sewer usage from other towns. Mr. Glaser stated that Upper Saddle River pays the Borough for sewer usage as per their developer agreements.

**Joseph T. LaPaglia** commented that he agrees that going forward with this study is a worthwhile idea. The Borough of Woodcliff Lake needs to look for ways to increase revenues. However, we have to be careful not to burden the residential taxpayers. Mr. LaPaglia stated that to him, the Hilton Tax appeal was like a poke in the eye with a sharp stick. Mr. LaPaglia stated that since some of our closest neighbors are using this system, it seems authorizing Lerch Vinci Higgins to prepare a study is a good idea.

**Bernard Kettler** stated that the sewer excess user charge system sounded like a good idea to generate income.

Motion to close the meeting to the public was made by Mr. Bader, second by Mr. Rosenblatt and approved unanimously by voice call vote.

Mr. Bader stated that after listening to this discussion, "if it acts like a duck and smells like a duck, it is a duck". He reiterated that he will not support any new taxes.

Mr. Glaser stated that he would like to speak with Park Ridge and Montvale to hear their comments about this excess user system.

Motion to table any vote be taken on the sanitary sewer excess user charge system be tabled until the next meeting made by Mr. Glaser, second by Mr. Bader.

### **ROLL CALL:**

Introduce: Mr. Glaser  
 Second: Mr. Bader  
 Ayes: Mrs. Abene, Mr. Bader, Mr. Blaser  
 Nays: Mr. Rosenblatt  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

### **NEW BUSINESS.**

**Resolution Authorizing the Borough Attorney to Sign the Stipulation of Settlement, Mack Cali Realty LLP c/o D. Danscuk V. Woodcliff Lake, Block 202, Lot 4.01; 530 Chestnut Ridge Road, Docket Nos. 01025310 & 007053-11**

**WHEREAS.** it is hereby stipulated and agreed that the assessment of the aforementioned property be adjusted and a judgment be entered as attached.

Refund Amount – 10,390.87

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mr. Glaser  
 Ayes: Mrs. Abene, Mr. Bader, Mr. Glaser, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

**Resolution Authorizing the Borough Attorney to Sign the Stipulation of Settlement, Mack Cali Realty LLP, 400 Chestnut Ridge Realty LLC, Block 402, Lot 2, 400 Chestnut Ridge Road, Docket Nos. 010249-10 & 007036-11**

**WHEREAS.** it is hereby stipulated and agreed that the assessment of the aforementioned property be adjusted and a judgment be entered as attached.

Refund Amount - \$ 17,896.00

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mr. Glaser  
 Ayes: Mrs. Abene, Mr. Bader, Mr. Glaser, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

**Resolution Authorizing the Borough Attorney to Sign the Stipulation of Settlement, Mack Cali Realty LLP c/o D. Danscuk V. Woodcliff Lake, Block 202, Lot 4.01; 530 Chestnut Ridge Road, Docket Nos. 010254-10 & 007056-11**

**WHEREAS.** it is hereby stipulated and agreed that the assessment of the aforementioned property be adjusted and a judgment be entered as attached.

Abene            Bader            Baum            Glaser            Rosenblatt            Struk            **Goldsmith**

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mr. Glaser  
 Ayes: Mrs. Abene, Mr. Bader, Mr. Glaser, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

## **Introduction of Bond Ordinance 12-01**

**Refunding Bond Ordinance Providing for Payment of Amounts Owing to Others for Taxes Levied In, By and for the Borough of Woodcliff Lake, in the County of Bergen, New Jersey, to Appropriate the sum of \$875,000 for Pay the Cost Thereof and to Authorize the Issuance of \$875,00 of Bonds or Notes to Finance Such Appropriation.**

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 **19<sup>th</sup> day of March 2012** at 8:00 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.

### **ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mr. Glaser  
 Ayes: Mrs. Abene, Mr. Bader, Mr. Glaser, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

### **ROLL CALL**

### **Resolution of the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, New Jersey Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-55**

**WHEREAS**, the Borough Council of the Borough of Woodcliff Lake desires to make application to the Local Finance Board for its review and/or approval of a proposed refunding bond ordinance authorizing the Boroughs issuance of obligations for the purpose of paying amounts owing to others for taxes levied, as permitted by N.J.S.A. 40A:2-51(a); and

**WHEREAS**, the Borough Council of the Borough of Woodcliff Lake believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare and convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey as follows:

Section 1. The application to the Local Finance Board is hereby approved, and Lerch, Vinci & Higgins, LLP, Borough Auditor, and Rogut McCarthy LLC, Bond Counsel, along with other representatives of the Borough of Woodcliff Lake, are hereby authorized to prepare such application and to represent the Borough of Woodcliff Lake in matters pertaining thereto.

Section 2. The Borough Clerk of the Borough of Woodcliff Lake is hereby directed to prepare and file a copy of the proposed refunding bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mr. Bader  
 Ayes: Mr. Glaser, Mrs. Abene, Mr. Bader, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

A 5 minute recess called for by Mayor Goldsmith. He time is 10:01 p.m.

**ROLL CALL** taken after the recess

Mayor Goldsmith, Councilmember Abene, Bader, Glaser, and Rosenblatt were present. Councilmember Baum and Struk were absent. Attorney Madaio, Administrator Albrecht and Clerk Sciara were also present.

**Temporary Capital Budget Resolution**

**WHEREAS**, the local capital budget for the year 2012 has not been adopted; and

**WHEREAS**, it is desired to introduce a capital ordinance.

**NOW, THERFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, that the following temporary capital budget for 2012 be made.

**ROLL CALL:**

Introduce: Mr. Rosenblatt  
 Second: Mr. Bader  
 Ayes: Mrs. Abene, Mr. Glaser, Mr. Bader, Mr. Rosenblatt  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum,

## **Introduction of Multi-Purpose Bond Ordinance 12-02**

### **Bond Ordinance to Authorize the Making of Various Public Improvements In, By and For the Borough of Woodcliff Lake, In the County of Bergen, State of New Jersey, to Appropriate the Sum of \$525,00 to Pay the Cost Thereof, to Make a Down payment, to Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds.**

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 5<sup>th</sup> day of March 2012** at 8:00 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.

#### **ROLL CALL:**

Introduce: Mr. Glaser  
 Second: Mr. Rosenblatt  
 Ayes: Mrs. Abene, Mr. Bader, Mr. Rosenblatt, Mr. Glaser  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum

This multi-purpose bond ordinance is specific to certain streets as far as road paving is concerned. The streets included in the multi-purpose bond are Campbell Avenue (from Broadway to Kinderkamack Road, Ravine Drive (from Oakwood to Glen Road), Bearbrook Drive (from Glen Road to Ravine Drive and Kenwood Driver (from Werimus Lane to end).

#### **Discussion of the Moody's Determination Report**

Mayor Goldsmith read several excerpts of the Moody's Determination Report received by the Borough on (no date on the report). Moody's has downgraded the Borough's bond rating from Aaa to Aa1. Mayor Goldsmith stated that he wanted the residents to understand the rating rationale.

Mayor Goldsmith read

...."that the downgrade reflects the borough's narrowing financial position and practice of Current Fund drawdowns over the last four fiscal years. The Aa1 rating also incorporates the borough's moderately-sized tax base, high wealth levels, and low direct debt burden"

..."Additionally, the impact of the economic downturn was muted, evidenced by strong average annual tax base growth of 4.2% over the last five years. A driver o this growth is the recent expansion of BMW of North America, Inc. (not rated), the borough's principal taxpayer (9.8% of assessed value."

....Currently, the borough has an outstanding tax appeal with BMW. The timing and estimated impact of the appeal is currently unknown."

...At year end 2011, the borough had \$248,000 in its reserves for tax appeals.”

....”A revaluation was completed in 2011 and will impact assessed value for 2012. Management expects assessed values to double”

All who discussed this report state that this statement was never made to any Moody’s representative.

Mayor Goldsmith stated that we are in hard times and he is not here to criticize. The past is the past and we must concentrate on how to prosper. Mayor Goldsmith asked Mr. Glaser to comment on the Moody’s report as the councilmember who would have the most historical knowledge of the finance’s in the Borough. Mr. Glaser stated that he was not prepared to give a report on the Moody’s Determination Report tonight. Therefore, this item will be carried and put under Old Business at the March 5, 2012 meeting.

### **MAYOR’S REPORT. (Jeffrey R. Goldsmith)**

My focus remains on being a Top Ten and building a community.

We have been working diligently to stabilize and reduce costs, yet still enhance the quality of services we deliver to our residents.

I believe we are at a crisis point and looking at the future is difficult. Yet we must. We must get out from where we are today. We must fight our way through this today and tomorrow and I believe in 3-4 years we will be a strong, financial Woodcliff Lake and one that thrives on being a community that is second to none.

I have continued in my role as CEO to bring needed leadership and direction. Work is getting done on many fronts – meetings of committees are being held that have not been held in years. Meetings are being conducted face to face – and we are getting the positive response one expects.

Last week, I had lunch with the Borough Hall staff and most of our police officers. It was time to share with them my expectations and to listen to their concerns. This lunch was paid for by me – at no cost to Woodcliff Lake. We are holding a similar lunch this Friday with our DPW and remaining officers that were unable to attend.

This Saturday, from 9AM – 12PM my office will be open to “Meet the Mayor.”

And we are starting to meet with our corporate residents – building good will and community involvement.

And here are the two most significant issues that I have been committed:

The Pascack Valley Regional High School Equitable Funding Committee and dealing with our Assessed Tax Valuations for 2012 and beyond.

Our High School Funding Committee has met twice, and has established a unanimous policy that will be clarified at our next meeting on the 29<sup>th</sup> and I believe that we will have a

recommendation to introduce at our March 5<sup>th</sup> meeting. Our special attorney, Vito Gagliardi will be meeting with us to review our decision and discuss our strategy.

As well, after meeting and listening to Barbara Potash, our tax assessor, Appraisal Systems, that completed our last revaluation, and McNerny Associates, we will be implementing a multi-faceted approach to mitigate future tax appeals that will have a significant impact to our Borough's finances. And, we will continue to fight the existing appeals that are currently filed.

Today's action to hire a commercial tax appeals attorney is the first step in that direction. He is widely regarded and I want to thank this Council in recognizing this need. On all future tax appeals, I will be notified immediately. We will then begin a course of action – some areas that I cannot discuss at this time, that we show that this Administration will begin the fight from the outset of any appeal.

In addition, each year Woodcliff Lake will file an Annual Compliance Plan – with the goal to maintain assessed values with current market rates. This will show the Borough's confidence with the current revaluation and all tax appeals will be challenged vigilantly. We must keep our values as close to 100% of the market.

By my reaching out to our corporate residents, we aim to establish good neighbor working relationships. The mayor's door will always be open.

And, my Mayor's Advisory Council has made the BMW tax appeal its priority – we will get a handle on this issue.

It is simple. We must remain focused on the business of Woodcliff Lake. My last 50 days has been focused on the big picture and I thank this Council for their support. We have put the policies aside, although dialogue and discourse has been achieved.

To be a Top Ten Town will not be easy. We are on the road to achieving this goal.

## **PUBLIC FORUM**

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

**Bernard Kettler** asked the Mayor and Council about the assisted living facility recently approved for development on Chestnut Ridge Road. He stated that he heard from a reliable source that the building would be four stories high. He continued that he did not approve of the planning board raising height limits without the approval of the Mayor and Council.

Attorney Madaio explained to Mr. Kettler that the planning board is autonomous. Every application before the planning board stands on its own. Attorney Madaio suggested that Mr. Kettler contact the planning/zoning board secretary and ask to see the planning board files for this application.

**Joseph T. LaPaglia** commented that the facts in the Moody's report are incorrect. He stated that a borough official should contact Moody's officially and ask how the statement ...*"a revaluation was completed in 2011 and will impact assessed value for 2012. Management expects assessed values to double"* was derived and that it is inaccurate. Mr. LaPaglia commented that there was no date on the report so it is unknown what time frame or information Moody's was using. Mr.

LaPaglia volunteered to meet with a representative from Moody's and other borough officials to discuss this rating downgrade further. In 2004-2007, the Borough had a Aa1 rating. The Borough received a Aaa rating in 2007. The use of the reserve funds in past years was a philosophical one. Mr. LaPaglia felt that \$750,000 in reserves was excessive. However, we did not know about the size of the Hilton Tax Appeal until November of 2011. In hindsight, having the reserve fund at \$250,000.00 might have been too low.

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

Motion to extend the meeting for 10 minutes made by Mr. Bader, second by Mr. Glaser and approved unanimously by voice call vote. The time is 11:00 p.m.

### **CONSENT AGENDA DISCUSSION.**

Mr. Bader had a question on #6. He asked what the revision to the personnel policy manual was. Mr. Bader was told that this approval for the DPW salary step had been approved in 2011 but inadvertently not authorized to be included in the personnel manual.

Mr. Rosenblatt asked to discuss #21, Employment Contract for Wolfgang Albrecht. Mr. Rosenblatt asked if it were the Finance Committee's intent for Mr. Albrecht to receive annual raises equivalent to the police department or if his contract should read "non-union employees". It was agreed that page 2, section 3 Base Salary should read "...identical to the percentage increase afforded other non-union Borough employees" before being signed.

### **CONSENT AGENDA VOTE.**

Motion to approve the Consent Agenda as amended was made by Mr. Glaser, second by Mrs. Abene.

### **ROLL CALL:**

Introduce: Mr. Glaser  
 Second: Mrs. Abene  
 Ayes: Mr. Bader, Mr. Rosenblatt, Mrs. Abene, Mr. Glaser  
 Nays: None  
 Abstain: None  
 Absent: Mr. Struk, Mr. Baum.

### **ADJOURNMENT**

Motion to adjourn made by Mr. Bader, second by Mr. Rosenblatt and approved unanimously by voice call vote. The time is 11:15 p.m.

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:	\$	2,166,663.85
Animal Fund	\$	3.00
Capital Fund	\$	3,005.85
Unemployment	\$	445.0045

**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	\$	226,933.52
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**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #018167-2010 (** **(Consent Agenda-3)**

**WHEREAS**, the owners of Block 1902 Lot 10, 63 Winding Way, 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>
234,800.00 LAND	234,800.00 LAND
429,000.00 IMPROVEMENTS	365,200.00 IMPROVEMENTS
<u>663,800.00 TOTAL ASSESSMENT</u>	<u>600,000.00 TOTAL ASSESSMENT</u>
\$14,331.44 taxes paid    Tax Rate 2.159	\$12,954.00 tax court judgment taxes

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

**2010 TAX REFUND= \$1,377.44**

**WHEREAS**, this has resulted in their overpaying their property tax for the year 2010 in the amount of **\$1,377.44** 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 **\$1,377.44** for the year **2010** to the owner of record Nasair Fazal c/o Walter D Nealy Esq.

100 S Van Brunt St.  
Suite 2C  
Englewood, NJ 07631

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #018318-2010** (Consent Agenda-4)

WHEREAS, the owners of Block 1402 Lot 19, 91 Brookview Drive, 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>
264,400.00 LAND	264,400.00 LAND
591,800.00 IMPROVEMENTS	460,600.00 IMPROVEMENTS
<u>856,200.00 TOTAL ASSESSMENT</u>	<u>725,000.00 TOTAL ASSESSMENT</u>
\$18,485.36 taxes paid    Tax Rate 2.159	\$15,652.75 tax court judgment taxes

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
264,400.00 LAND	264,400.00 LAND
591,800.00 IMPROVEMENTS	460,600.00 IMPROVEMENTS
<u>856,200.00 TOTAL ASSESSMENT</u>	<u>725,000.00 TOTAL ASSESSMENT</u>
\$19,153.19 taxes paid    Tax Rate 2.237	\$16,218.25 tax court judgment taxes

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

**2010 TAX REFUND= \$2,832.61**

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

**2011 TAX REFUND=\$2934.94**

WHEREAS, this has resulted in their overpaying their property tax for the year 2010 and 2011 in the amount of **\$5767.55** 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 **\$5767.55** for the years **2010/2011** to the owner of record Peter Wohl and Kelly Blundy c/o Larry Stempler, Esq.

**Mail Voucher to:**  
Stempler, Larry Esq.  
704 Passaic Ave.  
West Caldwell, NJ 07006-6468

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES**  
(Consent Agenda-5)

**WHEREAS.** The property tax on the following parcel were overpaid by property owners,

**WHEREAS,** this has resulted in the overpayment of property tax on this parcel by \$3969.00 and,

**WHEREAS,** the owners of the property listed have requested a refund of overpayment,

**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 \$3969.00 to the owner listed below:

<u>B/L</u>	<u>OWNER</u>	<u>AMT.</u>	<u>REASON</u>
1107/7	Maso & Tchack	\$ 3969.00	DUPLICATE PAYMENT

**PAYMENT MAILED TO:**  
 Maso, Martha & Tchack, Jonathan  
 22 Maria Road  
 Woodcliff Lake, NJ 07677

**RESOLUTION AUTHORIZING REVISION TO THE PERSONNEL POLICY MANUAL**  
**(Consent Agenda – 6)**

**WHEREAS,** The Borough reserves the right to add a new policy, change, revise, eliminate, or deviate on a case-by-case basis from any of the policies and/or benefits described herein, subject to the requirements of collective negotiation agreements and/or state and federal laws or regulations; and

**WHEREAS,** the Mayor and Council of the Borough of Woodcliff Lake had agreed to the following revisions to the Personnel Manual on March 7, 2011 but did not memorialize the revision at the time.

**DPW Salary Steps**

**NOW, THERFORE, BE IT RESOLVED** that this previously authorized personnel policy revision to the manual be approved.

Abene            Bader            Baum            Glaser            Rosenblatt            Struk            **Goldsmith**

**Pistol Range Agreement Between the Borough of Park Ridge and the Boroughs of Woodcliff Lake and Montvale**  
**(Consent Agenda – 7)**

**WHEREAS** the Borough of Park Ridge currently owns and operates a pistol range facility; and

**WHEREAS,** for many years the Borough of Park Ridge has shared its use with the Borough of Montvale and the Borough of Woodcliff Lake; and

**WHEREAS,** for the calendar year 2012 the Borough of Montvale has indicated that it wishes to use said facility for the annual cost of \$3,500 with one day per work week being set aside for its use with the approval of the Park Ridge Police Chief; and

**WHEREAS**, for the calendar year 2012 the Borough of Woodcliff Lake has indicated that it wishes to use said facility for the annual cost of \$3,500 with one day per work week being set aside for its use with the approval of the Park Ridge Police Chief; and

**WHEREAS**, ½ of the payment shall be due on June 1, 2012 from each member municipality and the balance ½ of the amount owed shall be paid by December 1, 2012 from each respective Borough; and

**WHEREAS**, each member Borough shall issue to the Borough of Park Ridge a signed hold harmless agreement and certificate of insurance naming the Borough of Park Ridge as an additional insured for the use of said Pistol Range for calendar year 2012; and

**WHEREAS**, each member Borough shall comply with all rules and regulations of the Pistol Range as established by the Borough of Park Ridge. Active Police Department members and retire members with permission from their respective Chiefs shall be allowed to use the Pistol Range Facility subject to the approval of the Park Ridge Police Chief; and

**WHEREAS**, the Pistol Range shall be under the supervision of respective Borough Chief of Police or his designee and each member Borough, through their Police Chief or designee shall insure that their Police Officers comply with the operating procedures and safety rules as established by the Park Ridge Police Chief.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that the Mayor and the Borough Clerk are authorized to execute the aforementioned agreement for the calendar year 2012.

**Resolution Authorizing Stipulation of Settlement Between Guiseppe Condemi and Robin Condemi, Block 1905, Lot 1.02, 5 Ellis Court, Woodcliff Lake, Docket No. 18927-2010**

(Consent Agenda- 8)

1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment entered as follows:

<b>Block 1905, Lot 1.02</b>	<b>5 Ellis Court, Woodcliff Lake, NJ</b>		
<b>2010</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 343,200.00	\$ 343,200.00	\$ 343,200.00
Improvements	\$ 1,145,300.00	\$ 1,145,300.00	\$ 970,800.00
Total	\$ 1,488,500.00	\$ 1,488,500.00	\$ 1,314,000.00

The parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2010 and 2011, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act years(s) shall be the basis for application of the Freeze Act for any subsequent year(s).

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

Refund Amount - \$3,767.00

**Resolution Authorizing Stipulation of Settlement Between Guiseppe Condemì and Robin Condemì, Block 1905, Lot 1.02, 5 Ellis Court, Woodcliff Lake, Docket No. 10816-2011**  
(Consent Agenda-9)

1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment entered as follows:

<b>Block 1905, Lot 1.02</b>	<b>5 Ellis Court, Woodcliff Lake, NJ</b>		
<b>2011</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 343,200.00	\$ 343,200.00	\$ 343,200.00
Improvements	\$ 1,145,300.00	\$ 1,145,300.00	\$ 970,800.00
Total	\$ 1,488,500.00	\$ 1,488,500.00	\$ 1,314,000.00

The parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2010 and 2011, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act years(s) shall be the basis for application of the Freeze Act for any subsequent year(s).

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

Refund Amount - \$3,767.00

**Resolution Authorizing Mutual Aid - Pascack Valley Fire Departments****(Consent Agenda- 10)**

**WHEREAS**, the Borough of Woodcliff Lake recognizes the necessity for the sharing of the emergency services, aka mutual aid, to communities or districts inside and outside of the presently established Pascack Valley and Tri-Borough Mutual Aid groups. For the purpose of providing of personnel and fire rescue equipment; and

**WHEREAS**, the Borough of Woodcliff Lake's Fire Chief or the Fire Chief's designated representative will be making decisions to provide mutual aid to area communities with brief notice; and

**WHEREAS**, the Borough of Woodcliff Lake's Fire Chief or the Fire Chief's designated representative will insure that arrangements are made, prior to providing such mutual aid to other communities, for appropriate emergency protection for the Borough of Park Ridge and its residents; and

**WHEREAS**, the Borough of Woodcliff Lake understands that the community or region requiring mutual aid may not be adjacent to or part of the existing Pascack Valley or Tri-Boro Mutual Aid groups already established in the Pascack Valley of Bergen County ; and

**WHEREAS**, Worker's Compensation will be provided by the Borough of Woodcliff Lake (employer), General Liability is assumed by the recipient of the service and Automobile Liability/Physical Damage and Property Insurance stays with the owner of the property (Woodcliff Lake).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake that it authorizes the Borough of Woodcliff Lake's Fire Chief and or the Fire Chief's designated representative to provide mutual aid services to any community or district the Fire Chief or his designated representative deems necessary.

**BE IT FURTHER RESOLVED**, that the Borough of Woodcliff Lake will provide its insurance carriers and its insurance agents with copies of this Resolution to insure that insurance coverage, in the same manner as provided on an everyday basis, is provided to the Borough of Woodcliff Lake and its representatives during the time period mutual aid is provided to another community or district.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Governing Body of Emerson, Hillsdale, Montvale, Park Ridge, Old Tappan, River Vale, Township of Washington and Westwood.

**Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001217-2007**

**(Consent Agenda-11)**

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

<b>Block 201, Lot 7</b>	<b>555 Chestnut Ridge Road</b>		
<b>Tax Year: 2007</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

**Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001323-2008 (Consent Agenda-12)**

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

<b>Block 201, Lot 7</b>	<b>555 Chestnut Ridge Road</b>		
<b>Tax Year: 2008</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

**Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001254-2009 (Consent Agenda-13)**

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

<b>Block 201, Lot 7</b>	<b>555 Chestnut Ridge Road</b>		
<b>Tax Year: 2009</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.

& English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652,  
Newark, New Jersey 07102-0652.

5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

**Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC,  
Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001255-2010  
(Consent Agenda-14)**

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

<b>Block 201, Lot 7</b>	<b>555 Chestnut Ridge Road</b>		
<b>Tax Year: 2010</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

**Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC,  
Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001001-2011  
(Consent Agenda-15)**

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

<b>Block 201, Lot 7</b>	<b>555 Chestnut Ridge Road</b>		
<b>Tax Year: 2011</b>	<b><u>Original Assessment</u></b>	<b><u>County Tax Board Assessment</u></b>	<b><u>Requested Tax Court Judgment</u></b>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,550,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,250,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

Refund Amount – \$5,593.00

**Resolution Authorizing Wolfgang Albrecht, Borough Administrator to Attend the New Jersey Recreation and Park Association Conference on March 4 – March 7, 2012 in Atlantic City**  
(Consent Agenda- 16)

**WHEREAS**, the Borough Administrator holds New Jersey Certification as a Certified Recreation Administrator since 1987; and

**WHEREAS**, this certification requires continuing education units towards recertification; and

**WHEREAS**, attendance at this conference will enable the Borough Administrator to obtain these continuing education credits.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorize the attendance of Wolfgang Albrecht, Borough Administrator to the New Jersey Recreation and Park Association Conference March 4-March 7, 2012 paid for by the Borough.

**Authorize the Borough Administrator to Draft an Interlocal Agreement Between the Boroughs of Woodcliff Lake, Park ridge and Montvale for the Use of the Woodcliff Lake Diesel Fueling Tank During Emergencies** (Consent Agenda- 17)

**WHEREAS**, the Tri-Boro Shared Services Committee has discussed developing an agreement between the Boroughs of Woodcliff Lake, Park Ridge and Montvale for emergency diesel fueling at the Woodcliff Lake Department of Public Works; and

**WHEREAS**, during power outages or mechanical failure, certain emergency vehicles and apparatus require diesel fueling; and

**WHEREAS**, a Tri-Boro Interlocal Agreement between the Borough of Woodcliff Lake, Park Ridge and Montvale for access on an emergency basis to the Woodcliff Lake DPW Diesel Fuel dispensing unit will be beneficial to all three communities; and

**WHEREAS**, each municipality would have access to the Woodcliff Lake Diesel Fueling Station in an emergency and would be responsible for the cost of their amount of diesel fuel used.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Administrator to draft an agreement for Tri-Boro Interlocal usage of the Woodcliff Lake diesel fueling at the Department of Public Works.

**Resolution Authorizing the Mayor to Sign An Interlocal Agreement for the Use of the Park Ridge Mobile Fueling Delivery Truck During Emergencies** (Consent Agenda- 18)

**WHEREAS**, during a prolonged fire incident certain fire apparatus require refueling; and

**WHEREAS**, in the past when a certain fire apparatus needed to be fueled and are unable to exit the scene, there is no way to immediately obtain fuel; and

**WHEREAS**, the Borough of Park Ridge has a mobile fueling truck that would be available for use by the Boroughs of Woodcliff Lake and Montvale in the case of an emergency; and

**WHEREAS**, each municipality would have access to the Park Ridge Mobile Fuel Delivery Truck during emergencies and would be responsible for the cost of their amount of diesel fuel used.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Woodcliff Lake authorize the Mayor and the Borough Clerk to execute an interlocal agreement for the aforementioned when the agreement is finalized.

**Resolution Authorizing Budget Reserve Transfers** (Consent Agenda- 29)

**WHEREAS**, balance exist in 2011 Appropriation Accounts and other 2011 Appropriation Accounts appear to be insufficient to meet the Borough's needs.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorize the following Budget Reserve Transfers as given by the Chief Financial Officer.

**2011 Budget Reserve Transfers for February 21, 2012 meeting**

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,500.00	
MAYOR AND COUNCIL - OTHER EXPENSES	1-01-20-110-020		1,500.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,500.00	
MUNICIPAL CLERK - OTHER EXPENSES	1-01-20-120-020		1,500.00
FINANCIAL ADMINISTRATION - SALARIES AND WAGES	1-0120-130-010	1,000.00	
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,100.00	
FINANCIAL ADMINISTRATION - OTHER EXPENSES	1-01-20-130-020		2,100.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,000.00	
AUDIT SERVICES	1-01-20-135-020		1,000.00
TAX ASSESSMENT - SALARIES AND WAGES	1-0120-150-010	200.00	
TAX COLLECTION - OTHER EXPENSES	1-01-20-145-020		200.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	300.00	
LIABILITY INSURANCE	1-01-23-210-020		300.00
BUILDINGS AND GROUNDS - SALARIES AND WAGES	1-01-26-310-010	5,000.00	
VEHICLE MAINTENANCE - OTHER EXPENSES	1-01-26-315-020	5,500.00	
BUILDINGS AND GROUNDS - OTHER EXPENSES	1-01-26-310-020		10,500.00
LANDFILL DISPOSAL COSTS	1-01-26-465-020	11,000.00	
GASOLINE	1-01-31-460-020		11,000.00
PARKS AND RECREATION - OTHER EXPENSES	1-01-28-370-020	9,000.00	
ELECTRICITY	1-01-31-430-020		9,000.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	2,000.00	
PUBLIC EVENTS - OTHER EXPENSES	1-01-30-420-020	2,000.00	
TELEPHONE	1-01-31-440-020		4,000.00
PARKS AND RECREATION - OTHER EXPENSES	1-01-28-370-020	600.00	
STREET LIGHTING	1-01-31-435-000		600.00
STREETS AND ROADS - SALARIES AND WAGES	1-01-26-290-010	3,000.00	

			27
SEWER SYSTEM - OTHER EXPENSES	1-01-31-455-020	1,000.00	
SOLID WASTE COLLECTION - SALARIES AND WAGES	1-01-26-305-010		4,000.00
LANDFILL DISPOSAL COSTS	1-01-26-465-020	7,000.00	
SOLID WASTE COLLECTION - OTHER EXPENSES	1-01-26-305-020		7,000.00
 TOTAL		 52,700.00	 52,700.00

**Resolution Authorizing Emergency Temporary Budget Appropriations**

**(Consent Agenda- 20)**

**WHEREAS**, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2012 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

**WHEREAS**, said total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 490, 185.00 and

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

Capital Improvement Fund	\$ 26,000.00
Public Employees Retirement System	96,526.00
Police and Firemen’s Retirement System	329,043.00
Deferred charge special emergency revaluation program	38,616.00
Total	\$ 490,185.00

2. That said emergency temporary appropriations will be provided for in the 2012 budget under the various titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**Resolution Authorizing an Employment Agreement Between the Borough of Woodcliff Lake and Wolfgang Albrecht, Borough Administrator** (Consent Agenda – 21)

**WHEREAS**, Wolfgang Albrecht, Borough Administrator has been employed as the part-time Borough Administrator of the Borough of Woodcliff Lake since June 1, 2011; and

**WHEREAS**, on December 19, 2011 a review of the Administrator’s progress and the terms and conditions of his previous letter of agreement were discussed; and

**WHEREAS**, it is the recommendation of the Personnel Committee and the Mayor and Council to authorize a change in the Borough Administrator's status from part-time to full-time (5 days per week, 35 hours per week) at a salary of \$112,500.00 which was determined by the Finance Committee and agreed to by the Mayor and Council (Resolution #R12-001); and

**WHEREAS**, Woodcliff Lake wishes to continue to employ Wolfgang Albrecht in the position of Borough Administrator commencing on January 1, 2012, and Albrecht hereby accepts full-time employment as the full-time Administrator for the Borough Commencing on that date; and;

**WHEREAS**, the remaining terms and conditions are set forth in the Employment Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorize the execution of the Employment Agreement between the Borough of Woodcliff Lake and Wolfgang Albrecht, Borough Administrator.

**Resolution Authorizing the Rejection of All Bids and Reauthorization to Solicit Written Quotes and/or Rebid for a 17-Cubic Yard Roll Off Leaf Collector (Consent Agenda – 22)**

**WHEREAS**, the Borough of Woodcliff Lake ("Borough") advertised for and received bids on January 24, 2012 for a 17 Cubic Yard Chassis or Rolloff Mount Leaf Collector; and

**WHEREAS**, the Borough received no bids; and

**WHEREAS**, the Borough of Woodcliff Lake's Department of Public Works is in need of One (1) 17 Cubic Yard Roll-Off Manual Leaf Collector; and

**WHEREAS**, the Borough of Woodcliff Lake has an appointed Qualified Purchasing Agent which raises the bid threshold from \$17,500 dollars to \$36,000 dollars;

**NOW THEREFORE BE IT RESOLVED**, the Governing Body of the Borough of Woodcliff Lake hereby authorizes its' Borough Administrator/QPA to solicit written quotes or re-bid for the purchase of a 17 Cubic Yard Roll-Off Manual Leaf Collector.

**Resolution Authorizing 2012 Municipal Road Paving Program (Consent Agenda – 23)**

**WHEREAS**, the Borough of Woodcliff Lake has received a proposal from Boswell Engineering for the determination of quantities, preparation of a construction cost estimate and the performance of construction inspection services for the 2012 Municipal Road Paving Program; and

**WHEREAS**, the Borough is desirous to develop a road paving program in the amount of \$300,000.00; and

**WHEREAS**, a scope of work and written estimate was submitted to the Borough ; and

**WHEREAS**, Boswell McClave Engineering will perform the services as submitted in their proposal for a fee not to exceed \$32,600.00 and the CFO has certified that funds are available.

**NOW, THEREFORE. BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorize Boswell McClave Engineering to perform the above mentioned services to develop a road paving program in the amount of \$300,000.00 in the Borough of Woodcliff Lake.

**Resolution Authorizing the Borough Administrator and/or the Borough Clerk to Institute an On-Line Auction With govdeals.com at a Later Date in 2012 to Be Determined**

**(Consent Agenda – 24)**

**WHEREAS** the Borough of Woodcliff Lake is the owner of certain surplus property which is no longer needed for public use, and

**WHEREAS** the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen as follows:

1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Borough Clerk’s office.

2) The sale will be conducted online and the address of the auction is govdeals.com.

3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

4) A list of the surplus property to be sold will be collected and advertised as per State law.

5) The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

6) The Borough of Woodcliff Lake reserves the right to accept or reject and bid submitted.