



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

**June 6, 2016
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 Carlos Rendo
Council President Corrado Belgiovine
Councilwoman Jeanine Chiavelli
Councilwoman Jacqueline Gadaleta
Councilwoman Angela Hayes
Councilwoman Kristy Herrington
Councilman Thomas Panso

PLEDGE OF ALLEGIANCE

CERTIFICATE OF ACHIEVEMENT

- Pascack Hills Freshmen Baseball Team

APPROVAL OF MINUTES

May 16, 2016 (Closed)
May 16, 2016 (Open)

FIRE DEPARTMENT APPOINTMENT

- Appointment of Alberto Figueroa as a member of the Woodcliff Lake Fire Department
- Appointment of Kyle Hammalian as a junior member of the Woodcliff Lake Fire Department

MAYOR'S COMMENTS

ADMINISTRATOR'S REPORT

ENGINEER'S REPORT

NEW BUSINESS

- Park and Recreation Update, led by Councilman Thomas Panso
- Fire Department Update, led by Councilwoman Gadaleta and Councilwoman Herrington

PUBLIC HEARING – FIELD LIGHTS AT DORCHESTER

ORDINANCES

Introduction	Ordinance 16-08 “An Ordinance Amending Chapter 380: Zoning by Adding Article XVI Entitled “Short Term Vacation Rentals Of/In Residential Properties Prohibited”
Introduction	Ordinance 16-09 “An Ordinance Amending Chapter 380: Zoning By Adding Article XVII Entitled “Unlawful Residential Units”
Introduction	Ordinance 16-10 Ordinance Governing the Broadway Corridor Project
Introduction	Ordinance 16-11 “An Ordinance Amending the Definition of Boardinghouse Contained in Chapter 380-6(A)”
Public Hearing	Ordinance 16-06 “An Ordinance Amending Chapter 255: Peddling and Soliciting”

PUBLIC COMMENT

(limited to 5 minutes per speaker)

CONSENT AGENDA

Resolution No. 16-133	Resolution Authorizing Payroll and Payment of Claims
Resolution No. 16-134	Resolution Authorizing Yearly Contribution to Tri-Boro Ambulance for LOSAP
Resolution No. 16-135	Resolution Authorizing Release of Escrow Balance (Feinstein)
Resolution No. 16-136	Resolution Authorizing Release of Escrow Balance (14 Valley View Drive, LLC)
Resolution No. 16-137	Resolution Authorizing a Refund of Overpayment of Taxes
Resolution No. 16-138	Emergency Temporary Budget Appropriation
Resolution No. 16-139	Resolution Authorizing the Borough of Woodcliff Lake Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C. 72
Resolution No. 16-140	Resolution Authorizing Release of Escrow Balance (Berger)
Resolution No. 16-141	Resolution Authorizing Solicitors License to Zachary Zebede, Travis De La Rosa and Michael Mollica of Power Home Remodeling Group
Resolution No. 16-142	Resolution Authorizing Release of Escrow Balance (Testa)
Resolution No. 16-143	Resolution Appointing Community Development Cooperative Agreement Annual Appointments
Resolution No. 16-144	Resolution Authorizing a Shared Services Agreement Between the Borough of Woodcliff Lake and the County of Bergen for the Snow Plowing of County Roads Within the Borough of Woodcliff Lake

Resolution No. 16-145	Resolution Authorizing Contract for Fixed Asset Inventory in the Borough of Woodcliff Lake
Resolution No. 16-146	Resolution Authorizing Release of Escrow Balance (Perez)
Resolution No. 16-147	Resolution Authorizing the Disposal of Surplus Property
Resolution No. 16-148	Resolution Authorizing the Extension of a Shared Services Agreement Between the Borough of Woodcliff Lake and the Woodcliff Lake Board of Education for the Use of Certain Fields Within the Borough of Woodcliff Lake
Resolution No. 16-149	Resolution Appointing Deena B. Rosendahl, Esq. as Special Counsel in the Borough of Woodcliff Lake

CLOSED SESSION

Resolution No. 16-132	Resolution Authorizing the Holding of Closed Session
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ADJOURNMENT

******Disclaimer******

Subject to Additions and/or Deletions

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-08

**“AN ORDINANCE AMENDING CHAPTER 380: ZONING BY ADDING ARTICLE XVI
ENTITLED “SHORT TERM VACATION RENTALS OF/IN RESIDENTIAL PROPERTIES PROHIBITED”**

WHEREAS, the Borough’s primary housing goals including preserving its housing stock and preserving the quality and character of its existing neighborhoods. In order to continue to flourish, the Borough must preserve its available housing stock and the character and charm which result, in part, from cultural, ethnic and economic diversity of its resident population; and

WHEREAS, the Borough must also preserve its unique sense of community which it derives, in large part, from residents’ active part participation in civic affairs, including local government, cultural events, and educational endeavors; and

WHEREAS, operations of vacation rentals, where residents of the Borough rent-out entire dwellings or portions thereof to visitors are detrimental to the community’s welfare and are prohibited by local law, because occupants of such vacation rentals do not have any connections to the Borough community and to the residential neighborhoods in which they are visiting; and

WHEREAS, the presence of such visitors within the Borough’s residential neighborhoods can sometimes disrupt the residential character of the neighborhoods and adversely impact the community; and

WHEREAS, judicial decisions have upheld local governments’ authority to prohibit vacation rentals, boarding houses and rooming houses; and

WHEREAS, the Board of Commissioners of the Borough of Woodcliff Lake finds it to be in the best interest of the Borough and its citizens to adopt an ordinance to prohibit such short-term vacation rentals in residential properties that may jeopardize the community’s welfare and degrade the quality of life within the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, as follows:

Section 1: Chapter 380 entitled Zoning of the Borough of Woodcliff Lake is hereby amended and revised to add and create a new Article XVI entitled, "Short Term Vacation Rentals in Residential Properties - Prohibited" and new Section beginning at §380-112 entitled "Short Term Vacation Rentals in Residential Properties – Prohibited" to read as follows:

ARTICLE XIV: Short Term Vacation Rentals in Residential Properties - Prohibited

§380-112 DEFINITIONS.

- a. **HOSTING PLATFORM.** A market place in whatever form or formal which facilitates the Vacation Rental, through advertising, match-making or any other means, using any medium of facilitation and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the market place.
- b. **VACATION RENTAL.** Rental of any dwelling unit, in whole or in part, within the Borough of Woodcliff Lake, to any person(s) for exclusive or partial transient use of thirty (30) consecutive days or less, whereby the dwelling is only approved for permanent residential occupancy and not approved for transient occupancy by this Chapter. Rental of dwellings within the Borough approved hotels, motels and bed and breakfasts shall not be considered Vacation Rentals.

§380-113 PROHIBITIONS.

- a. No person, including any Hosting Platform operator, shall undertake, maintain, authorize, aid, facilitate or advertise any Vacation Rental activity that does not comply with this Code.

§380-114 REGULATIONS.

- a. The Mayor and Council of the Borough may promulgate regulations, which may include but are not limited to permit conditions, reporting requirements, inspection frequencies, enforcement procedures, advertising restrictions, disclosure requirements, or insurance requirements, to implement the provisions of this Chapter. No person shall fail to comply with any such regulation.
- b. The Mayor and Council of the Borough may establish and set by Resolution all fees and charges as may be necessary to effectuate the purpose of this Chapter.

§380-115 ENFORCEMENT.

- a. Violation of any provision of this chapter shall be cause for a Municipal Court summons to be issued by the Police Department, Code Enforcement Official, Health Officer.
- b. Violation of the provisions of this chapter shall be punishable as a minimum fine of two hundred fifty (\$250.00) dollars and a maximum of one thousand (\$1000.00) per day of the violation for first time offenders. Second and subsequent offenders Violation of the provisions of this chapter shall be punishable as a minimum fine of two hundred fifty (\$750.00) dollars and a maximum of one thousand (\$1000.00) per day of the violation. All fines shall be payable through the Municipal Court Violations Bureau.
- c. Any person convicted of violating any provision of this Chapter in a criminal case or found to be in violation of this Chapter in a civil case brought by a law enforcement agency shall be ordered to reimburse the Borough and other participating law enforcement agencies their full investigative costs and remit all illegally obtained rental revenue to the Borough so that it may be returned to the victims of legal short term rental activities.
- d. Any interested person may seek an injunction or other relief to prevent or remedy violations of this Chapter. The prevailing party in such an action shall be entitled to recover reasonable costs and attorney's fees.
- e. The remedies provided in this section are not exclusive, and nothing in this Section shall preclude the use or application of any other remedies, penalties or procedures established by law.

Section 2: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5: This ordinance shall take effect upon passage and publication according to law.

Date: June 6, 2016

Attest: **DEBORAH DAKIN**
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-09

**“AN ORDINANCE AMENDING CHAPTER 380: ZONING BY ADDING ARTICLE XVII
ENTITLED “UNLAWFUL RESIDENTIAL UNITS”**

WHEREAS, The Mayor and Council hereby determines that the use and occupancy of illegal residential apartments, as set forth above, are detrimental to the general health, safety and welfare of the Borough, and that such illegal occupancies generate the utilization of Borough services, including fire, police, sanitation, public works and general administration, and further generate the use of motor vehicles which take parking spaces and create traffic, while escaping real estate taxation. The Borough finds this to be an unfair and inequitable situation; and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake finds it to be in the best interest of the Borough and its citizens to adopt an ordinance to prohibit such units and related provisions.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, as follows:

Section 1: Chapter 380 entitled Zoning of the Borough of Woodcliff Lake is hereby amended and revised to add and create a new Article XVII entitled, “Unlawful Residential Units” and new sub article sections beginning at §380-116 to read as follows:

ARTICLE XIV: UNLAWFUL RESIDENTIAL UNITS

§ 380-16. Use, Rental or payment for use prohibited.

- A. No person, group, corporation and/or institution, shall permit the use or occupancy of any premises within the Borough of Woodcliff Lake which is used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake.
- B. No person shall charge, demand, receive or accept any rent or other payment for the use or occupancy of any premises within the Borough of Woodcliff Lake which is used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake. Each such charge, demand, receipt or acceptance of such rent or other payment in violation hereof shall constitute a separate offense.
- C. No person, specifically including but not limited to those persons commonly known as "real estate agents," "brokers" or "salespersons," shall assist, aid or facilitate in the rental, sale, use or occupancy of any

residential premises within the Borough of Woodcliff Lake which is used or occupied or intended to be used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake. For purposes of this article, the acts of listing for rental or sale, advertising or otherwise offering for rent, lease or sale any residential premises within the Borough of Woodcliff Lake which are used or occupied or intended to be used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake shall be deemed to constitute a violation of this article. Any person who is to receive a commission, profit or other form of remuneration or emolument as a result of a rental, lease or sale of residential premises shall have a duty to make reasonable inquiry to determine whether or not the use or occupancy or intended use or occupancy is or will be in violation of the Zoning Ordinance of the Borough of Woodcliff Lake.

§ 380-17. Notification of occupants.

Within 10 days following receipt of a notice to abate an unlawful occupancy in violation of the Zoning Ordinance of the Borough of Woodcliff Lake or within 10 days following receipt of a summons for violation of this article or the Zoning Ordinance of the Borough of Woodcliff Lake or prior to the institution of dispossession proceedings to correct an illegal occupancy, whichever first occurs, the owner of residential premises within the Borough of Woodcliff Lake shall serve upon all of the unlawful occupants using or occupying said residential premises a copy of this article and shall post a copy of this article in a common area of the premises accessible to all the occupants thereof for inspection.

§ 380-18. Violations and penalties.

- A. Any person violating any provision of this article shall be subject to a fine of not less than \$500 nor more than \$2,000 or by imprisonment for a term not exceeding 90 days, or both, for each separate violation of same.
- B. In addition to requiring reimbursement from the owner-landlord of the structure for relocation assistance paid to a displaced tenant, and notwithstanding the provisions of Subsection A of this section, the Court may impose an additional fine for zoning or housing code violation for an illegal occupancy up to an amount equal to 6 times the monthly rental paid by the displaced person to be paid to the municipality by the owner-landlord of the structure pursuant to the provisions of N.J.S.A. 2A:18-61.1g(c). Notwithstanding the penalties provided above, a second or subsequent violation for an illegal occupancy as provided in this subsection by any owner-landlord for a second or subsequent violation, the Court may impose a fine equal to the annual tuition costs of any resident of the illegally occupied unit attending a public school, which fine shall be recovered in a civil action

by a summary proceeding in the name of the municipality pursuant to Penalty Enforcement Law of 1999, (N.J.S.A. 2A:58-10 et seq.). The Municipal Court and the Superior Court shall have jurisdiction of the proceedings for the enforcement of the penalty provided by this section. The tuition costs shall be determined in the manner prescribed for nonresident pupils pursuant to N.J.S.A. 18A:38-19, and the payment of the fines shall be remitted to the appropriate school district.

- C. In those instances where a violation of this section is based on the maintenance of residential dwelling units above the number of units permitted by the Zoning Ordinance on a particular parcel of land (e.g., the maintenance of a structure with two residential dwelling units in a zoning district where single family homes are permitted or in a premises that does not permit residential use), the defendant who is the owner of a property shall be required to permanently remove the kitchen, bathroom, bedroom, point of entrance/egress or any other offending illegal structure, appliance or fixture. The Borough Construction Official or his designee shall inspect the premises to insure that said removal is accomplished within 30 days of the date of the entry of the judgment of conviction by the Municipal Court.

§ 380-19. Costs of moving to be borne by violator.

- A. Any tenant who receives a notice of eviction pursuant to the provisions of N.J.S.A. 2A:18-61.2 that results from zoning or code enforcement activity for an illegal occupancy shall be considered a displaced person and shall be entitled to relocation assistance in an amount equal to six times the monthly rental paid by the displaced person. The owner-landlord of the structure shall be liable for the payment of relocation assistance pursuant to this section.
- B. The Borough of Woodcliff Lake may pay relocation assistance to any displaced person who has not received the required payment from the owner-landlord of the structure at the time of eviction pursuant to Subsection A. All relocation assistance costs incurred by a municipality pursuant to this subsection shall be repaid by the owner-landlord of the structure to the municipality in the same manner as relocation costs are billed and collected under the provisions of N.J.S.A. 20:4-4.1 and N.J.S.A. 20:4-4.2.

§ 380-20. Finder's fee authorized.

The Mayor and Council are authorized to enact, by adopting an appropriate resolution, a program whereby any person providing information which leads to the discovery of, and elimination of, a violation of § 380-16 of this article be paid

a finder's fee not to exceed \$500. If such a program is established by the Mayor and Council, by duly adopted resolution, the resolution shall establish the amount of the finder's fee, which shall not exceed the amount specified in this article, as well as the terms, conditions and provisions of how same is to be paid.

§ 380-21. Restitution to Borough.

The Mayor and Council hereby determines that the use and occupancy of illegal residential apartments, as set forth above, are detrimental to the general health, safety and welfare of the Borough, and that such illegal occupancies generate the utilization of Borough services, including fire, police, sanitation, public works and general administration, and further generate the use of motor vehicles which take parking spaces and create traffic, while escaping real estate taxation. The Borough finds this to be an unfair and inequitable situation. The Borough further determines that the harm and detriment to the Borough is difficult to measure and hereby determines that the most reasonable way to calculate the damage and detriment caused to the Borough by illegal occupancies is by calculating same as a percentage of the rental payment charged by the owner to the occupant on account of the illegal occupancy. The Borough determines that a percentage of 10% of the rent to be fair and reasonable as a measure of the damage and detriment caused to the Borough, and the Mayor and Council may authorize the Borough Attorney to recover from any person who charges, demands, receives or accepts rent or payment for such an illegal occupancy to make restitution to the Borough for the damage and detriment caused to the Borough during a period of illegal occupancy.

§ 380-22. Findings and declarations.

The Mayor and Council hereby finds and declares that there has been a proliferation of what are commonly known as "illegal apartments", meaning residential dwelling units which are occupied in violation of zoning laws. Most typically, these illegal apartments manifest themselves as a second residential unit in a building in a one-family zone, and a third residential unit in a building in a two-family zone. The Mayor and Council hereby further finds and declares that such illegal units have a deleterious effect on the quality of life of Borough residents, require the provision of Borough services, generate young people who attend Borough schools, increase the utilization of Borough programs and services, contribute to the costs of the Borough by increasing the generation of refuse (garbage) and sewer flow, contribute to overcrowding, generate traffic within the Borough, generate automobiles which contribute to parking shortages throughout the Borough and lead to the maintenance of dwelling units which often fail to meet health, safety and building code standards. By their nature, such units generally escape taxation as their maintenance and existence is normally hidden and not used for tax assessment purposes. The use and maintenance of said illegal apartments is also unfair to the vast majority of Borough residents who abide by zoning laws.

§ 380-23. *Declarations of policy.*

The Borough of Woodcliff Lake hereby declares it to be the policy of the Borough to eliminate all illegal dwelling units within the Borough of Woodcliff Lake and prevent them from reoccurring.

Section 2: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5: This ordinance shall take effect upon passage and publication according to law.

Date: June 6, 2016
Attest: **DEBORAH DAKIN**
BOROUGH CLERK

**BOROUGH OF WOODCLIFF LAKE,
Bergen County, New Jersey**

ORDINANCE 16-10

ORDINANCE GOVERNING THE BROADWAY CORRIDOR PROJECT

Located Under Article VI. Business Districts (B-1, B-2, B-3, SBC)

Article VI: BROADWAY CORRIDOR South (BC-S) DISTRICT

§ 380-047.01 Permitted Uses:

- A. Within the Broadway Corridor South (BC-S) District, no building, structure, area, lot or land shall be used in whole or in part for anything other than one or more of the permitted uses expressly set forth herein or accessory uses subordinate to the permitted uses and conditional uses expressly set forth herein.
- B. Any use not expressly identified as a permitted use is expressly prohibited in this Article. Permitted uses include the following:
 - 1) Retail / Commerical / Office:
 - a) Stores including restaurants, eating and drinking establishments, cafes, general stores, shops, drinking establishment, bakery, delicatessen, grocer store / supermarket, book and stationery, florist, as freestanding structures or as a liner around parking structures
 - b) Shops for personal service and repairs, including beauty and barber shops, health clubs, day spa, shoe repair, appliance repair, locksmiths, and photography establishments.
 - c) Businesses including professional and executive offices and personal business service establishments such as travel agencies and real estate sales offices.
 - d) Professional and Business Office including general office, medical, physical therapy, outpatient care facilities, permitted as freestanding structures or as a liner around or over a parking structure;
 - e) Banks and similar financial institutions.
 - f) Nursery schools and day-care centers.
 - g) Retail / Commerical / Office Space is required on the first floor
 - 2) Residential:
 - a) Multi-family, apartments, residential over retail/commercial, residential lining or over parking;
 - b) Live work studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, antique dealers and designers of ornamental and precious jewelry are permitted on the first floor only;
 - 3) Parks and Open Space:
 - a) Parks, playgrounds, public schools and other municipal governmental services or uses.
 - b) Reservoir and water sheds.
 - c) Lands owned by a public or privately owned utility and maintained in a natural, vegetated state in connection with a public water supply on which no other use or structure is located which is not directly related to the maintaining of such public water.
- C. Other Provisions:
 - 1) Any use not specifically stated as a Permitted Use is not permitted in the BC-S District.
 - 2) Retail/Commercial/Office uses are required to front on Broadway.
 - 3) Residential units are not permitted on the first floor.
 - 4) All buildings shall be designed with a flat roof.

- 5) Three bedroom units are not permitted.
- 6) Existing nonconforming uses or structures are permitted to continue as per N.J.S.A. 40:55D-68.

§ 380-047.02 Accessory Uses:

- A. An accessory use shall be permitted, provided that:
 - 1) The use is incidental and subordinate to the main permitted use; and
 - 2) Not in violation of the provisions set forth hereafter.
- B. Parking as an accessory use to a permitted uses in the BC-S District shall be screened of view from Broadway per the Design Standards of this section;
 - 1) Parking shall not be permitted between the principal or conditional use and Broadway;
 - 2) Parking located on the side of a principal or conditional use shall be screened from Broad way per the design standards of this section;
- C. Lobbies on the ground floor providing access to residential, commercial or office uses on the upper floors;
- D. Loading spaces and docks, recycling and refuse storage areas;
- E. Residential, Commercial, Office and service uses shall be permitted provided they are subordinate to the principle permitted use including;
 - 1) Management Offices;
 - 2) Conference Center / Meeting Rooms;
 - 3) Fitness Center;
 - 4) Walk-up ATM;
- F. Accessory structures shall comply in all respects with the requirements of the principle structure;
 - 1) No accessory structure shall be located closer to the street right of way line than the required front yard setback of the principle use;
 - 2) No portion of an accessory structure shall include living quarters;
- G. When an accessory structure is attached to the principal structure, it shall comply in all respects with the requirements applicable to the principal structure;
- H. No accessory structure shall be constructed or placed on any lot unless the principal structure is first constructed or placed upon said lot;
- I. In no event shall the height of an accessory structure exceed the height of the principal building;

§ 380-047.03 Conditional Uses:

The following conditional uses shall be subject to site plan approval by the Planning Board:

- A. Houses of worship and related religious uses, subject to the following standards:
 - 1) Minimum lot size: Three (3) acres
 - 2) Lot width: 400 feet
 - 3) Front yard setback: 50 feet each
 - 4) Side yard setback: 50 feet each; 100 feet both
 - 5) Rear yard: 50 feet
 - 6) Height: 2 1/2 stories or 30 feet
 - 7) Max. building coverage: 15%
 - 8) Max. impervious surface coverage: 30%
 - 9) Parking: one space for each three seats, plus one space for each staff member.

§ 380-047.04 Prohibited Uses:

Any uses other than those permitted by **§ 380-047.01** are prohibited. Without in any manner limiting the generality and prohibition of this section, nothing contained in this section shall be construed to permit any of the following uses in the BC-S District:

- A. Automotive uses, such as body and fender shops, automobile glass shops, radiator repair shops, muffler shops, transmission repair shops, new and used car lots, junkyards and automobile wrecking yards;
- B. Car washing establishments;
- C. Commercial amusements, either as a principal or accessory use, except as permitted in Chapter 92
- D. Amusement Devices, of the Code of the Borough of Woodcliff Lake;
- E. Commercial storage or warehouses;
- F. Discount stores and auction houses;
- G. Dog kennels, veterinary practices or animal hospitals;
- H. Funeral parlors;
- I. Hotels or motels;
- J. Manufacture, assembly or treatment which is not clearly incidental to a permitted retail business use conducted on premises;
- K. Massage parlors, saunas or steam baths and health spas;
- L. Motorcycle and motorbike sales and service establishments;
- M. Moving and storage warehouse establishments;
- N. Parking or storage of trailers, trucks and maintenance vehicles of any type;
- O. Parking located on the property between the principal use and Broadway;
- P. Repair or machine shops, unless clearly accessory to a permitted retail use conducted on premises;
- Q. Residential three bedroom units
- R. Residential uses on the first floor other than those permitted as accessory uses;
- S. Processing, assembling, servicing or storage of materials, merchandise, supplies or displays shall be prohibited in front, side or rear yards or any area of open space, including any aisle, sidewalk, walkway, driveway or accessway;
- T. Self-operated and coin-operated dry-cleaning establishments and laundromats, and any other self- operated establishment;
- U. Service stations (gasoline) for motor vehicles;
- V. Stone yard or monument works;
- W. Woodworking or metalworking shops;
- X. Airplane and helicopter takeoff and landing areas;
- Y. Any business involving the sale of fuel;
- Z. Lots used for drive-through access;

§ 380-047.05 Dimensional Requirements:

- A. All parcels, lots and structures in the BC-S District shall conform to the following requirements:
 - 1) Minimum Frontage on Broadway: 200 feet
 - 2) Minimum Lot Depth: 100 feet
 - 3) Minimum Lot Area: 21,780 square feet
 - 4) Maximum Building Coverage: 60%
 - 5) Maximum Lot Coverage: 90%
 - 6) Maximum Density: 18 units per acres
 - 5) Minimum Building Stories / Height: 1 story / 24 feet
 - 6) Maximum Building Stories / Height: 3 stories / 42 feet
 - 7) Minimum First Floor Height: 16 feet
 - 8) Minimum Setback Requirements:
 - a) Front Yard: 36 feet from centerline of Broadway to the building facade
 - b) Rear Yard: 5 feet
 - c) Side Yard: 0 feet

§ 380-047.06 Parking Requirements:

- A. The minimum parking requirements which meet the Density, Area, Yard and Height Requirements for the Rehabilitation Area are as follows:

<u>Use</u>	<u>Parking Ratio</u>
Residential:	Refer to NJ RSIS
Retail / Commercial:	4.0 sp/1,000 GFA*
Restaurant:	6.0 sp/ 1,000 GFA*
Medical Office:	4.0 sp/1,000 GFA
General Office:	3.5 sp/1,000 GFA
Civic, Cultural, Institutional:	1.0 sp/4.0 seats

1) Notes:

- a) When the formula or parking spaces required results in a fraction of a space exceeding 0.49, a full space shall be required;
 - b) Gross Floor Area is the total interior floor area of all floors determined by measuring the inside dimension of the outside walls of the structure;
 - c) Up to 10% of the required parking stalls may be designated for compact cars;
 - d) Off-street tandem parking is prohibited;
 - e) Outdoor seating areas do not count toward the required parking ratios;
 - f) Accessory uses do not require parking;
 - g) All surface parking shall be screened based on the Design Standards indicated in the Streetscape section of this Redevelopment Plan;
 - h) For Civic Uses without seating, the Retail/Commercial parking requirements shall apply;
 - i) Outdoor patio / decks for seating does not count toward the required parking ratio;
 - j) Restaurants with under 800 square feet of seating area do not require parking;
- B. Shared Parking: Joint use of up to 50 percent of required parking spaces for the secondary use, may be permitted for two or more uses located on the same parcel or adjacent parcels, provided that the developer can demonstrate that the uses will not substantially overlap in hours of operation or in demand for the shared spaces. Any shared parking shall require a Shared Parking Analysis based on the ULI Shared Parking Software or a comparable software model, and shall be prepared by a credible expert, such as an experienced parking or land use consultant, planner, architect or engineer;
- C. On-Street Parking Spaces: In the event on-street parking is provided along Broadway, on-street parking spaces located along the portion of a public street(s) abutting the use may be counted toward the minimum number of parking spaces for the retail / commercial uses only as required by this ordinance;
- a) On-street parking spaces must be located on the same side(s) of the street as the use and have a dimension of at least 22' feet in length;
- D. For all other parking provisions not identified in this section refer to Chapter 292 of the Borough of Woodcliff Lake Zoning Ordinance;

§ 380-047.07 Screening Requirements:

The provisions of this section shall be met at the time land is developed or the land and structures are redeveloped. For any screening requirements not identified in this section refer to the Borough of Woodcliff Lake Zoning Ordinance.

- A. Off Street Parking: All proposed off street parking areas with twenty five (25) spaces or more, shall be screened from all public streets with the following criteria:
- 1) A four foot (4'-0") minimum planting strip shall be located between the back of the public sidewalk and the parking area.
 - 2) The planting strip shall be planted with evergreen shrubs at least three feet high (3'-0") at the time of planting which are a species that will form a year round dense screen. The maximum height for planting should be maintained at no greater than 4'-0" in height.

- 3) Perimeter trees shall be planted at no greater than twenty five foot (25'-0") on center based on the perimeter length of the parking area and should be trimmed up to eight feet 8'-0" in height at the time of planting.
- B. Interior Landscape Planting: All open parking areas of 36 or more parking spaces or at least 12,000 square feet in area shall provide at least one 4" caliper tree for every eight parking spaces which include perimeter trees.
- 1) Fractions equal to or greater than one half resulting from this calculation shall be considered to be one tree;
 - 2) Each such tree shall be located in a planting island with a minimum area of 150 square feet of pervious surface;
 - 3) The following distribution of trees shall apply:
 - a) Each end space in a row of twelve or more parking spaces shall fully abut a planting island or a perimeter landscaped area along the long dimension of the end space;
 - b) No more than 20 parking spaces shall be permitted between planting islands, or a planting island and a perimeter landscaped area.
- C. Required Screening: The following uses must be screened from abutting property and view from a public street:
- 1) Dumpsters, recycling containers (except for recycling containers located at recycling collection centers), or solid waste handling areas;
 - 2) Service entrances or utility structures associated with a building, except in the area where such use abuts other service entrances or utility structures;
 - 3) Loading docks or spaces, except in the area where such use abuts other loading docks or spaces;
 - 4) Outdoor storage of materials, stock and equipment; and
 - 5) Any other uses for which screening is required under these regulations.
- D. Installation Requirements: The following contains standards to be used in installing screening:
- 1) Trees must be installed with a minimum 4" caliper and must be large deciduous or evergreen species which have a minimum growth height of 25'-0"; (See Section 3: Design Standards for minimum street tree requirements.)
 - 2) Trees should be trimmed up eight feet (8'-0") at the time of planting;
 - 3) Shrubs used in any screening or landscaping must be evergreen, at least three feet (3'-0") tall with a minimum spread of two feet (2'-0") when planted and no further apart than four feet (4'-0"). They must be of a variety and adequately maintained so that an average height of three to four feet (3'-0" to 4'-0") could be expected as normal growth within four years of planting. Shrubs and trees shall be on the approved plant list for the Borough "Approved Plant Species" list;
 - 4) Any fence or wall used for screening shall be constructed in a durable fashion of brick, stone, other masonry material, specifically designed as fencing materials;
 - 5) A chain link, wood, plastic, or metal fence cannot be used and does not satisfy the requirements of this section;
 - 6) The maximum height for a wall or fence is four feet (4'-0").

§ 380-047.08 Streetscape Requirements:

- A. The streetscape for the Broadway Corridor South District should be designed with a similar palette of materials and standards in order to portray a cohesive district.
- B. Streetscape Elements shall be provided by the developer per this section of the Design Standards which include:
 - 1) Street trees;
 - 2) Lighting;
 - 3) Street Furniture;
 - 4) Landscape and Hardscape;
- C. Street Trees: Street trees shall be planted in either grates or open landscape areas equivalent to 30' on center along all public street frontage for any new project/development.

- 1) Street trees shall be planted with a minimum four inch 4" caliper, shall be trimmed up to 8'-0" and shall be in accordance with the "American Standard for Nursery Stock" published by the American Association of Nurserymen;
- D. Sidewalks: Sidewalks shall be a minimum of 6'-0" in width;
- E. Street Lighting:
- All street lighting in the Broadway Corridor shall be shielded from second floor uses and shall be a maximum of 16' in height, located on center between street trees 1'-0" from the back of curb at a maximum of 90'-0" on center;
 - Street light specifications and locations shall be submitted for review and approval prior to installation;
 - Luminaires should be translucent or glare-free using opaque glass or acrylic lenses;
 - Diffusers and refractors should be installed to reduce unacceptable glare; particularly adjacent to residential areas.

§ 380-047.09 Design Standards:

The design standards in this section provide the criteria for proposed development in the Broadway Corridor South BC-S Zone in order to promote a high quality, pedestrian friendly, mixed use environment. Any future development is subject to these provisions and should be built in accordance with the minimum design standards specified in this section. These standards promote:

A. Building Architectural Character:

All buildings shall reinforce pedestrian scale.

- 1) All buildings shall be designed with a flat roof;
- 2) The base of buildings shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment particularly at the street level;
- 3) Elements such as cornices, belt courses, corbelling, molding, string courses, ornamentation, changes in material or color, and other sculpturing of the base are appropriate and should be provided to add special interest to the base;
- 4) For commercial and retail uses 75% of the first floor facing Broadway shall be designed with glass as a transparent wall;
- 5) Special attention must be given to the design of windows at the base of buildings. Ribbon windows are discouraged. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are encouraged;
- 6) Building facades in excess of 50'-0" in length shall be designed to avoid a monolithic appearance through the use of different façade materials and at least one building change in the building plane;
 - a) For buildings in excess of 36'-0" in length a vertical demarcation should be included at a minimum of every 18'-0" of building façade;
- 7) Primary building materials shall include: brick, stone, and/or glass which cover a minimum of 75% percent of each building façade, exclusive of windows and doors with accent materials comprising a maximum of 25% percent for each building façade;
 - a) Vinyl siding of any type or grade is strictly prohibited on any portion of building façade in the redevelopment area;
 - b) Stucco is permitted as an accent material on facades that do not face a public street;
- 8) Generic national branding architecture for freestanding retail / commercial buildings unless it meets the requirements of this section is prohibited;
- 9) Storefront design should reflect the individual tenant's brand identity;
 - a) First level facades should be varied and avoid monolithic appearance;

B. Building Orientation:

- 1) All buildings shall be oriented toward Broadway;
- 2) All new development shall have a 16'-0" minimum first floor height;
- 3) Outdoor patios and dining areas are permitted to face Broadway;

C. Building Entrances:

Building entrances should be easily identifiable and feature large, open and transparent windows with unique and interesting signage.

- 1) Commercial and retail entrances are required to front on Broadway. Secondary entrances are permitted on the sides and rear of buildings.
- 2) Entrances for residential, office and uses other than commercial and retail should be separate and distinct;

D. Building Storefront Components:

The following components are encourage for the building facades that front Broadway:

- 1) **Entries & Doors:** The placement of doors and their design are an integral part of the storefront because they establish a clear point of entry to the store. Creative uses for entry doors should be explored as a connection to the street. Restaurants especially should use doors to open interior seating spaces to the outside café seating on the sidewalk;
- 2) **Canopies & Awnings:** An awning or canopy emphasizes the store or restaurant's entrance, provides shade for a café, and can carry part of a tenant's identity. It can also add texture to the streetscape, and add interest and variety to the building façade;
- 3) **Windows & Glazing:** The use of glazing in retail storefronts creates an important connection between the interior and exterior environment, and allows for effective window shopping and merchandising opportunities. Glazing elements also play a key role in establishing the quality of public space. Carefully conceived glazing design will benefit retailers, consumers and the public environment establishing an atmosphere of transparency and vibrancy.

E. Storefront Materials:

The approach to storefront design should be to create the highest quality level possible with an emphasis on user-friendly materials. The overall objective in developing the exterior storefront design is to specify "real" materials at the pedestrian level. A variety of masonry materials such as brick, stone and pre-cast are suitable. Masonry detailing, molding, finished metals, glass enhancements and high quality paint treatments will contribute to a successful retail environment. The minimum recommendations below, outline some of the specifics when considering materials for storefronts:

- 1) The following materials are not permitted for new development without a variance on storefronts:
 - a) Plastic and metal laminates
 - b) Acrylic
 - c) Plastics
 - d) Smoked or tinted glass
 - e) Anodized or mill finish aluminum
 - f) Simulated materials
 - g) Interior grade materials and wall coverings
 - h) Distressed or sandblasted woods
 - i) Rough-sawn woods and shakes
 - j) Mirror
 - k) EIFS

F. Street Level Frontage / Uses:

- 1) Residential uses are not permitted on the first floor of any building in the BC-S Zone;
 - a) Residential lobbies and entrances however, are permitted on the first floor on Broadway and should be distinct and separate from the entrances of all other first floor uses;
- 2) For retail and commercial uses, outdoor dining and seating is encouraged on Broadway;
- 3) Seating is encouraged to be designed either along the building façade or at the back of the curb. These areas should be clearly identified with either temporary, semi permanent barriers that are removed at the end of each night or permanent barriers;

G. Canopies and Balconies:

Canopies, awnings, and similar architectural accents are encouraged at entrances to buildings. Such features may be constructed of rigid or flexible material designed to complement the tenant's identity at the street level.

H. Mechanical Equipment Screening:

The screening of rooftop mechanical equipment is required.

- 1) All rooftop mechanical equipment shall be screened from view from all adjacent public streets, open spaces and parks in all directions and elevations to minimize the negative impact from any public street, neighborhood or adjacent building;

- 2) Screening materials shall be consistent with the architectural detail, color and materials of the building;
- a) Wire mesh screening is not permitted;
- 3) All roof and HVAC systems must be set back a minimum of 15' from Broadway and 10' from any other public street or public open space from the building edge and screened as to not be visible from any adjacent public street or public property;
- 4) Any wall pack ventilation unit facing a public street must match the adjacent material color.

I. Building Service Locations:

All service locations for new development shall be provided at the rear or side of the building and shall not be permitted directly on Broadway.

- 1) Existing service locations on Broadway are permitted with designated service drop off areas only. Service vehicles are not permitted to stop in the street and must use a designated service drop off area.

Chapter 380. Zoning

Article IV. Residential Districts

§ 380-11. Principal uses.

[Amended 12-2-1991 by Ord. No. 91-17; 11-8-1995 by Ord. No. 95-13; 9-6-2005 by Ord. No. 05-10]

Within any residential district, except for the BC-N, AH-2 and ARHO Districts, no building structure or lot shall be used in whole or in part other than for single-family dwellings designed and used for occupancy exclusively by one family, and for no other principal use or purpose, and any use not set forth below is expressly prohibited. Within the AH-2 District, no building, structure or lot shall be used in whole or in part for any use other than multifamily residential dwelling(s) containing low- and moderate-income restricted units, and for no other principal use or purpose, and any use not set forth below is expressly prohibited.

Within the Broadway Corridor North (BC-N) Zone, both single-family dwellings designed and used for occupancy exclusively by one family and for no other principal use or purpose and multi-family residential dwellings containing low and moderate income restricted units and for no other principal use or purpose are permitted. Any other use not set forth below is expressly prohibited in the BC-N Zone.

- A. Single-family dwellings shall be designed and used for occupancy exclusively by one family and may be located upon property with one accessory structure.

[Amended 10-16-2006 by Ord. No. 06-08]

- B. Accessory garages. Every dwelling erected shall have at least a one-car garage attached to, detached from or constructed beneath said dwelling. Detached garages shall constitute an accessory structure and accessory garages shall be further subject to the following:

[Amended 10-16-2006 by Ord. No. 06-08]

1. An accessory garage may be erected and used only upon a lot containing a dwelling.
 2. No detached accessory garage may be erected unless all of the following conditions are observed:
 - a. That it shall not be closer in distance to any front, side or rear property line than the minimum requirements for the zone district in which it is located.
 - b. That it shall not exceed 15 feet in height.
 - c. That it shall be a minimum of 20 feet from all other structures.
 - d. That it shall not exceed 800 square feet in area.
 3. Any accessory garage shall be limited to the following stated uses: storage of private motor vehicles owned or operated for their personal use by the occupants of the dwelling, storage of household effects, tools and such other items of equipment as are directly related to the care, use and upkeep of the dwelling, the buildings, the lot or the permitted motor vehicles.
 4. Nothing contained herein shall be construed as permitting any detached accessory garage to be used for human habitation or any business or commercial activity.
- C. Hothouses or greenhouses. A hothouse or greenhouse may be constructed as an accessory structure to the dwelling, provided that it may be used only for raising or growing of horticultural or agricultural products to be used on the premises and not sold therefrom and must meet all front, side and rear yard requirements of the zone district in which it is erected and shall not exceed 12 feet in height or yard requirements of the zone district in which it is erected and shall not exceed 12 feet in height or exceed 300 square feet in area.
- D. Additional residential accessory uses. The following additional residential accessory uses shall be permitted:
1. Concrete and/or paved patios (maximum of 12 inches high) and wood decks (maximum of 12 inches high), whether attached to a principal structure or freestanding; swimming pools and/or whirlpools (hot tubs) above or in the ground, when designed for use exclusively for private purposes, shall be a minimum of 20 feet from a side or rear lot line. Cabanas over 100 square feet in area should be limited to a maximum area of 300 square feet and 15 feet high. They shall be considered a structure and must comply with the building setbacks in their respective zones.

[Amended 1-2-2001 by Ord. No. 00-7; 6-19-2001 by Ord. No. 01-4; 12-2-2002 by Ord. No. 02-15; 10-17-2005 by Ord. No. 05-15; 10-16-2006 by Ord. No. 06-08]

- a. The pool and all mechanical equipment and accessory equipment shall be located to the rear or side of the dwelling and shall also comply with the minimum setback of 20 feet from rear and side lot lines.
 - b. The aforementioned items shall meet the requirements of this chapter for a front yard setback for both streets, in the case of a corner lot. In no event shall they extend beyond the front building line of the house located on such corner lot.
 - c. The provisions in this subsection for minimum setbacks for swimming pools and accessory equipment shall also apply to cabanas, up to a maximum 100 square feet in area and a maximum ten-foot height. Larger cabanas shall be subject to the setbacks required for a principal structure in the zone district.
 - d. Patios and decks having a maximum vertical face greater than 12 inches above the level of the ground which fall into the definition of "building and/or structure" shall meet the setback required for a principal building in the zone district.
2. Tool sheds and garden sheds.

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

- a. Tool sheds and garden sheds (sheds) when designed for use exclusively for private purposes, provided that they shall be located in the rear yard, as defined in this chapter, and to the rear of the principal building, not greater than 100 square feet in area nor 10 feet in height, shall be a minimum distance of 10 feet from any lot line.

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

- b. All sheds not otherwise specified herein, and all sheds greater than 10 feet in height, or larger than 100 square feet in area, shall be limited to the maximum size as set forth below and shall be considered a structure and must be located in the rear yard within allowable zoned setbacks between the rear setback line and rear face of the dwelling.

[Amended 10-16-2006 by Ord. No. 06-08; 6-6-2011 by Ord. No. 11-04]

1. In the Residential Zone R-15, the maximum shed size permitted shall be 150 square feet, with a maximum height of 12 feet.
 2. In the Residential Zone R-22.5, the maximum shed size permitted shall be 200 square feet, with a maximum height of 12 feet.
 3. In the Residential Zone R-30, the maximum shed size permitted shall be 200 square feet, with a maximum height of 12 feet.
 4. Regardless of size, only one shed is permitted as an accessory structure on any residential property.
 5. Nothing in this subsection shall be deemed as removing a shed from the definition of "structure" as used in this chapter unless specifically excluded from such definition under the Uniform Construction Code. In addition, all measurements for height and area shall be determined by measuring the outside of the roof or walls of the structure.
- c. Nothing in this subsection shall be deemed as removing a shed from the definition of "structure" as used in this chapter unless specifically excluded from such definition under the Uniform Construction Code. In addition, all measurements for height and area shall be determined by measuring the outside of the roof or walls of the structure.
- E. Farms. Lots in a residential zone may be used as a farm. Such lot or adjoining lots shall have a minimum area of five acres and does not include the processing or manufacturing of any products for resale on the lot or from the lot.
- F. Farm accessory buildings. The following accessory uses or structures may be permitted on lots used as a farm (provided that no sales, retail or wholesale, are made from such farm accessory buildings):
1. Accessory garages, but subject to the same limitations and specifications as hereinabove set forth.

2. Hothouses or greenhouses for raising or growing of agricultural or horticultural products and barns and stables to house animals and store implements, equipment and supplies, which structures shall meet all front, side and rear yard requirements of the zone district in which it is erected.
 3. A roadside stand, provided that it is located at least 100 feet from the center line of the road, has adequate provision for off-street parking and turning around of automobiles as determined by the appropriate governmental authority and sales therefrom are limited to farm, garden or orchard products raised on the lot or adjoining lots constituting the farm.
- G. Reservoir and water sheds. Lands owned by a public or privately owned utility and maintained in a natural, vegetated state in connection with a public water supply on which no other use or structure is located which is not directly related to the maintaining of such public water.
- H. Municipal governmental uses. Parks, playgrounds, public schools and other municipal governmental services or uses.
- I. Satellite receiving antenna. See Chapter 275, Satellite Earth Station Antennas.

§ 380-12. Lots used for drive-through access prohibited.

No lot or parcel of land shall be used for the purpose of access to, or a drive-through driveway for or parking for the benefit of any adjoining lot, either within or without the Borough of Woodcliff Lake.

§ 380-13. Conditional uses.

The following conditional uses shall be subject to site plan approval by the Planning Board:

- A. Houses of worship and related religious uses, subject to the following standards:
1. Minimum lot size: three acres.
 2. Lot width: 400 feet.
 3. Front yard setback: 50 feet each.
 4. Front yard setback: 50 feet each.
 5. Side yard setback: 50 feet each; 100 feet both.
 6. Rear yard: 50 feet.
 7. Height: 2 1/2 stories or 30 feet.
 8. Maximum building coverage: 15%.
 9. Maximum impervious surface coverage: 30%.
 10. Parking: one space for each three seats, plus one space for each staff member.

- B. Community residences; permit.

[Amended 10-7-1996 by Ord. No. 96-7]

1. Community residence for the developmentally disabled or for persons with head injuries or community shelters for victims of domestic violence shall require a conditional use permit from the Planning Board where such housing shall provide for more than six persons, excluding residential staff. The Planning Board shall permit such use subject to the following standards:
 - a. Parking: one space for each one resident plus one space for each staff member.
 - b. No signs shall be permitted on the residence designating or showing it to be a residence for the developmentally disabled, persons with head injuries or for victims of domestic violence.
 - c. The character of a single-family residence dwelling shall be maintained and conforming with other residences in that area.
 - d. The driveway shall be in conformity with other driveways permitted in the area.
 - e. The Planning Board may apply other standards and specifications related to these shown above or as shall be reasonably related to the health, safety and welfare of the residents of said district.

- f. Throughout all residential districts of the municipalities, not more than 15 residents, excluding resident staff members, shall be permitted in each such dwelling unit.
 - g. The application for such conditional use permit shall be accompanied by an application for site plan approval under the provisions of Chapter 292, Site Plan Review, of the Code of the Borough of Woodcliff Lake.
2. No permit shall be issued if:
- a. The proposed residence is located within 1,500 feet of an existing such residence or shelter.
 - b. The total number of residents in such existing community residences and community shelter exceeds 50 persons or 1/2 of 1% of the total population of the municipality, whichever is greater.
 - c. The proposed residence or shelter would be nonconforming in the district where proposed.
 - d. The proposed residence or shelter does not comply with other applicable provisions under this chapter.
- C. Incidental home profession or occupation. Incidental home profession or occupation shall be permitted in R-30, R-22.5 or R-15 Zones, subject to the following standards:
- 1. No individual not a resident of the premises shall conduct the business or profession therein.
 - 2. Only one person who is not a resident of the premises is permitted to be employed by the home
 - 3. Only one person who is not a resident of the premises is permitted to be employed by the home profession or occupation.
[Amended 12-2-2002 by Ord. No. 02-15]
 - 4. No more than 25% of the total floor area of the residence shall be occupied by the business or profession.
 - 5. No display, no stock and trade nor commodities shall be sold upon the premises.
 - 6. No mechanical equipment not customary in the home shall be used.
 - 7. No sign other than a nameplate sign shall be displayed and no larger than one foot by two feet.

§ 380-14. Lot dimensions; supplemental regulations.

A. R-30 Residential One-Family District.

- 1. Each lot shall have a minimum area of 30,000 square feet.
- 2. Each lot shall have a minimum frontage at the street line of 150 feet.
- 3. Each lot shall have a minimum depth of 150 feet.
- 4. Each lot shall have a maximum building coverage of 15% and maximum total surface coverage of 30%.
- 5. No building exceeding 2 1/2 stories shall be erected on any lot, and in no event shall the height of any building exceed 35 feet, and in no event shall the vertical distance of any side of a building from the lowest natural grade adjacent to the perimeter of the highest point exceed 37 feet from the natural grade.
[Amended 7-1-1996 by Ord. No. 96-3; 6-6-2011 by Ord. No. 11-02]
- 6. Each lot shall have the following minimum yards.
 - a. Front: 50 feet.
 - b. Side:
 - One side: 20 feet.
 - Both sides: 60 feet total.
 - c. Rear: 50 feet.

B. R-22.5 Residential One-Family District.

- 1. Each lot shall have a minimum area of 22,500 square feet.
- 2. Each lot shall have a minimum frontage at the street line of 150 feet.
- 3. Each lot shall have a minimum depth of 125 feet.
- 4. Each lot shall have a maximum building coverage of 15% and maximum total surface coverage of 30%.
- 5. No building exceeding 2 1/2 stories shall be erected on any lot, and in no event shall the height of any building exceed 33 feet, and in no event shall the vertical distance of any side of a building from the lowest

natural grade adjacent to the perimeter of the highest point of the building exceed 35 feet from the natural grade.

[Amended 7-1-1996 by Ord. No. 96-3; 6-6-2011 by Ord. No. 11-02]

6. Each lot shall have the following minimum yards:
 - a. Front: 35 feet.
 - b. Side:
 - One side: 20 feet.
 - Both sides: 60 feet total.
 - c. Rear: 40 feet.

C. R-15 Residential One-Family District.

1. Each lot shall have a minimum area of 15,000 square feet.
2. Each lot shall have a minimum frontage at the street line of 100 feet.
3. Each lot shall have a minimum depth of 100 feet.
4. Each lot shall have a maximum building coverage of 15% and maximum total surface coverage of 40%.
5. No building exceeding 2 1/2 stories shall be erected on any lot, and in no event shall the height of any building exceed 30 feet, and in no event shall the vertical distance of any side of a building from the lowest natural grade adjacent to the perimeter of the highest point of the building exceed 35 feet from the natural grade.

[Amended 7-1-1996 by Ord. No. 96-3; 6-6-2011 by Ord. No. 11-02]

6. Each lot shall have the following minimum yards:
 - a. Front: 35 feet.
 - b. Side:
 - One side: 20 feet.
 - Both sides: 40 feet.
 - c. Rear: 30 feet.

D. R-8.15 Residential One-Family District.

[Added 7-6-1993 by Ord. No. 93-7]

1. Each lot shall have a minimum area of 8,150 square feet.
2. Each lot shall have a minimum frontage at the required setback line of 75 feet and at the street line of 50 feet.
3. Each lot shall have a minimum depth of 95 feet.
4. Each lot shall have a maximum building coverage of 35% and a maximum impervious coverage of 50%. Wooden raised decks shall not count toward impervious coverage.
5. The maximum floor area ratio (FAR) for each lot shall be 0.5, exclusive of all garage space. "FAR" shall be defined as the total habitable area divided by the lot area. Notwithstanding the FAR above, the maximum habitable floor area of any lot shall not exceed 4,500 square feet.
6. No dwelling exceeding 2 1/2 stories or 30 feet in height as measured from the lowest point of the frame/sill to the highest point of the roof, but in any event not to exceed 35 feet from the grade adjacent to the base to the highest point of the roof, shall be erected on any lot.
7. Each lot shall have the following minimum yards:
 - a. Front (measured from right-of-way line): 25 feet.
 - b. Side: a minimum total of 20 feet; provided, however, that each side yard shall be a minimum of 10 feet and the minimum distance between principal structures on adjacent lots shall be 20 feet.
 - c. Rear: 25 feet or 25% of the lot depth, whichever is greater for principal structures, and 15 feet for decks.
8. Supplemental regulations for R-8.15 Residential One-Family District.
 - a. Notwithstanding § 292-26B, parking shall not be permitted within five feet from the street right-of-way line.

- b. Notwithstanding § 292-26C(2), an off-street parking stall shall measure at least nine feet in width and 18 feet in length.
- c. Notwithstanding § 292-26C(4)(b), no driveway on a corner lot shall be located closer than 30 feet to the closest curblineline of the intersecting street. Only one driveway shall be permitted per lot.
- d. Notwithstanding § 380-11B(2), no detached garage shall exceed 600 square feet.
- e. Two garaged, off-street parking spaces shall be required for each residential unit.
- f. Notwithstanding § 332-31L, no dead-end street (cul-de-sac) shall be longer than 1,100 feet.

E. R-1511 Residential One-Family District.

[Added 7-6-1995 by Ord. No. 93-7]

- 1. Each lot shall have a minimum area of 15,000 square feet.
- 2. Each lot shall have a minimum frontage line of 45 feet at the right-of-way line.
[Amended 8-2-1993 by Ord. No. 93-8]
- 3. Each lot shall have a minimum depth of 100 feet.
- 4. Each lot shall have a maximum building coverage of 15% and maximum total surface coverage of 40%.
- 5. No building exceeding 2 1/2 stories or 30 feet in height shall be erected on any lot.
- 6. Each lot shall have the following minimum yards:
 - a. Front: 35 feet.
 - b. Side:
 - One side: 20 feet.
 - Both sides: 40 feet.
 - c. Rear: the greater of 30 feet or 35% of the lot depth and, for principal structures, the lesser of 30 feet or 35% of the lot depth for decks.
- 7. A fifteen-foot landscaped buffer shall be provided on each perimeter which abuts a lot in a zone other than the R-1511 Residential One-Family Zone and shall be in the form of a dedication contained on any subdivision plat. A landscaping plan for each required buffer shall be submitted and approved as part of any site plan approval. Recreational uses and driveways subject to the requirements of this chapter shall be permitted in such buffer, provided that such permitted recreational use and driveway shall not alter or require changes to the approved landscaping plan without site plan approval thereon.

[Amended 8-2-1993 by Ord. No. 93-8]

F. AH-1 Affordable Housing 1 District.

[Added 12-6-1993 by Ord. No. 93-12; amended 2-22-1994 by Ord. No. 94-1]

- 1. Each lot shall have a minimum area of 3,000 square feet.
- 2. Each lot shall have a minimum frontage of 27 feet, measured at the street line.
- 3. Each lot shall have a minimum depth of 79 feet.
- 4. Each lot shall have a maximum building coverage of 24% and a maximum impervious coverage of 39%. Wooden raised decks shall not count towards impervious coverage.
- 5. No dwelling exceeding 2 1/2 stories or 30 feet in height as measured from the grade adjacent to the base to the highest point of the roof shall be erected on any lot.
- 6. Each lot shall have the following minimum yards: front, 20 feet; side, one side eight feet, one side zero feet, both sides a minimum total of eight feet, provided that the minimum distance between structures on adjacent lots shall be 16 feet; and rear, 25 feet or 25% of the lot depth, whichever is greater, and, provided further, that a minimum of 25 feet setback shall be provided on each perimeter which abuts a lot in an EAO Zone or in an R-8.15 Zone and a minimum of a thirty-foot setback shall be provided on each perimeter which abuts a lot in an R-30 Zone.
- 7. A ten-foot landscaped buffer shall be provided on each perimeter which abuts a lot in a residential zone other than the AH-1 District and shall be in the form of a dedication contained on any subdivision plat. A landscaping plan for each required buffer shall be submitted and approved as part of any site plan approval.

8. Notwithstanding § 292-31B, right-of-ways shall be not less than 30 feet in width, and the roadways shall be improved at not less than 25 feet in width, provided that any improved roadway leading from a fifty-foot right-of-way to a thirty-foot right-of-way shall be improved at not less than 30 feet in width and provided that at each junction of improved roadways, there shall be improved a turning area with a forty-foot radius and there shall be provided a right-of-way surrounding the center point of such radius of 42.5 feet.
9. Each lot shall have two off-street parking stalls, one of which shall be located in a garage.
10. Notwithstanding § 292-26C(2), off-street parking stalls shall measure at least nine feet in width and 18 feet in length.
11. Notwithstanding § 292-26C(4)(b), no driveway on a corner lot shall be located closer than 10 feet to the closest curbline of the intersecting street. Only one driveway shall be permitted per lot.
12. Notwithstanding § 292-26B, on-street parking shall be permitted within 18 feet from the right-of-way.
13. Any parking stall situated parallel to a right-of-way shall measure not less than 9 feet by 22 feet, and any parking stall situated perpendicular to a right-of-way shall measure not less than 9 feet by 20 feet.
14. Roadways terminating in dead ends shall be permitted, provided that there is an adequate backup area for driveways accessing onto said dead-end street.
15. Twenty-two units shall be developed in the AH-1 District. The bedroom mix of low- and moderate income units shall be as follows:

<i>Number of Bedrooms Per Unit</i>	Type of Unit	
	<i>Low Income</i>	<i>Moderate Income</i>
2	2	12
3	0	8
Total	2	20

16. All affordable units shall be affirmatively marketed in accordance with COAH regulations. All affordable units shall be sold in accordance with COAH regulations.

G. AH-2 Affordable Housing 2 District.

[Added 11-8-1995 by Ord. No. 95-13]

1. Each lot shall have a minimum area of one acre.
2. Each lot shall have a minimum frontage of 300 feet, measured at the street line.
3. Each lot shall have a minimum depth of 100 feet.
4. Each lot shall have a maximum building coverage of 40% and a maximum impervious coverage of 85%. Eaves and roof overhangs shall not be included for purposes of computing maximum building or impervious surface coverage.
5. Each lot shall have not more than three principal structures.
6. No structure exceeding 2 1/2 stories or 30 feet in height as measured from the grade adjacent to the base to the highest point of the roof shall be erected on any lot.
7. Each lot shall have the following minimum yards: front, 20 feet; side, one, a minimum of 4 1/2 feet, both, a minimum total of 9 1/2 feet; rear, five feet. Accessory structures shall be permitted in the rear yard. Parking may be located in any side or rear yard. Notwithstanding § 380-84E, eaves, open porches and roof overhangs may project into any required side yard and may project not more than two feet into any required front yard or setback. Retaining wall structures may be located in any required yard to setback.
8. One off-street parking space located in a garage or in the principal structure shall be provided for each dwelling unit; one off-street visitor parking space shall be provided for each six dwelling units; additionally, one handicapped parking space shall be provided for each nine dwelling units.
9. Notwithstanding Chapter 292, Site Plan Review, off-street parking stalls, except for handicapped spaces which shall comply with all regulations pertaining thereto, shall measure at least nine feet in width and 18 feet in length.

10. Notwithstanding Chapter 292, Site Plan Review, the minimum aisle (interior driveway) width shall be 18 feet.
11. Notwithstanding Chapter 292, Site Plan Review, the minimum width of a driveway connection to a public street at a ninety-degree angle shall be 21 feet.
12. Eighteen dwelling units shall be located in the AH-2 District. All dwelling units shall be low-incomedwelling units and shall consist of one-bedroom units. Two-thirds of the total dwelling units located in the AH-2 District shall be restricted to senior citizen occupancy only. The term "senior located in the AH-2 District shall be restricted to senior citizen occupancy only. The term "senior citizen," for purposes of this section, shall be defined as someone who is age 55 years or over at the time of occupancy of such a restricted dwelling pursuant to a written lease therefor or such other age as shall be required by any statute or regulation that may be applicable to such dwelling unit by reason of any governmental grant or loan in connection with the development of a lot in the AH-2 District.
13. All units shall be affirmatively marketed in accordance with COAH regulations. All rental units shall be rented in accordance with COAH regulations.

H. BC-N Broadway Corridor North.

1. Each lot shall have a minimum area of 21,780 square feet.
2. Each lot shall have a minimum frontage at the street line of 100 feet.
3. No minimum lot depth is required.
4. Each lot shall have a maximum building coverage of 30% and a maximum impervious coverage of 75%. Eaves and roof overhangs shall not be included for purposes of computing maximum building or impervious surface coverage.
5. Each lot shall have not more than two principal structures.
6. No structure exceeding 2 1/2 stories or 30 feet in height as measured from the grade adjacent to the base to the highest point of the roof shall be erected on any lot.
7. For projects that abut a single family R District, each lot shall have the following minimum yards:
 - a. Front: 35 feet.
 - b. Side:
 - One side: 20 feet.
 - Both sides: 60 feet total.
 - c. Rear: 40 feet.
8. For projects that do not abut a single family R District each lot shall have the following minimum yards: front, 20 feet; side, one, a minimum of 4 1/2 feet, both, a minimum total of 9 1/2 feet; rear, five feet. Accessory structures shall be permitted in the rear yard. Parking may be located in any side or rear yard. Notwithstanding § 380-84E, eaves, open porches and roof overhangs may project into any required side yard and may project not more than two feet into any required front yard or setback. Retaining wall structures may be located in any required yard to setback.
9. One off-street parking space located in a garage or in the principal structure shall be provided for each dwelling unit; one off-street visitor parking space shall be provided for each six dwelling units; additionally, one handicapped parking space shall be provided for each nine dwelling units.
10. Notwithstanding Chapter 292, Site Plan Review, off-street parking stalls, except for handicapped spaces which shall comply with all regulations pertaining thereto, shall measure at least nine feet in width and 18 feet in length.
11. Notwithstanding Chapter 292, Site Plan Review, the minimum aisle (interior driveway) width shall be 18 feet.
12. Notwithstanding Chapter 292, Site Plan Review, the minimum width of a driveway connection to a public street at a ninety-degree angle shall be 21 feet.
13. Eighteen dwelling units shall be located in the AH-2 District. All dwelling units shall be low-incomedwelling units and shall consist of one-bedroom units. Two-thirds of the total dwelling units located in the AH-2 District shall be restricted to senior citizen occupancy only. The term "senior located in the AH-2 District shall be restricted to senior citizen occupancy only. The term "senior citizen," for purposes of this section,

shall be defined as someone who is age 55 years or over at the time of occupancy of such a restricted dwelling pursuant to a written lease therefor or such other age as shall be required by any statute or regulation that may be applicable to such dwelling unit by reason of any governmental grant or loan in connection with the development of a lot in the AH-2 District.

14. All units shall be affirmatively marketed in accordance with COAH regulations. All rental units shall be rented in accordance with COAH regulations.
15. All screening and streetscape requirements as well as all design standards in the BC-S District shall apply to the BC-N District.

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-11

**“AN ORDINANCE AMENDING THE DEFINITION OF BOARDINGHOUSE CONTAINED
IN CHAPTER §380-6 (A)”**

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake finds it to be in the best interest of the Borough and its citizens to clarify the definition of Boardinghouse contained in chapter §380-6 (a).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, as follows:

Section 1: Chapter 380-6 (a) which gives the definition of the term “Boardinghouse” for the Zoning Code of the Borough of Woodcliff Lake is hereby amended and revised to read as follows:

A. BOARDINGHOUSE

— Any building, together with any related structure, accessory building, any land appurtenant thereto and any part thereof which contains:

1. two or more units of dwelling space arranged or intended for single-room occupancy, exclusive of any such unit occupied by an owner or operator, and wherein personal or financial services are provided to the residents, including any residential hotel or congregate living arrangement, but excluding any hotel, motel or established guesthouse wherein a minimum of 85% of the units of dwelling space are regularly offered to the general public for limited tenure only.
2. any resource home as defined in Section 1 of P.L. 1962, c. 137 (N.J.S.A. 30:4C-26.1)
3. any community residence for the developmentally disabled as defined in Section 2 of P.L. 1977, c. 448 (N.J.S.A. 30:11B-2)
4. any dormitory owned or operated on behalf of any private corporation
5. any dormitory owned or operated on behalf of any nonprofit institution
6. any dormitory owned or operated on behalf of any primary, secondary, higher or other education for the use of its students

7. any building arranged for single-room occupancy wherein the units of dwelling space are occupied exclusively by students enrolled in a full-time course of study at an institution of higher education approved by the Department of Higher Education
8. any facility or living arrangement operated by or under contract with any state department or agency, upon the written authorization of the Commissioner.

Section 2: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 3: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 4. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 5: This ordinance shall take effect upon passage and publication according to law.

DATE: June 6, 2016

Attest: **DEBORAH DAKIN**
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE NO. 16-06

“AN ORDINANCE AMENDING CHAPTER 255: PEDDLING AND SOLICITING”

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Borough Mayor and Council of the Borough of Woodcliff Lake wishes amend Chapter 255, Peddling and Soliciting.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Woodcliff Lake, County of Bergen, as follows:

Section 1: Chapter 255-2 shall be amended to revise the definition of “Solicitor” which shall read as:

SOLICITOR

A person who goes from house to house or from place to place selling merchandise by sample or by taking orders for future delivery, with or without accepting advance payments for the goods, regardless of whether the solicitation is made by mail, telephone or personal contact. The provisions of this chapter shall apply to the person who comes in personal contact with the buyer, whether he obtains the order, delivers the goods or accepts money in payment for them. Solicitor shall also mean any person who goes from house to house or from place to place for the purpose of offering services, makes inquires concerning real estate, obtaining alms, contributions or subscriptions or who does research analyses, makes surveys or opinion polls, obtains rating data or similar information or who engages in any similar work which involves a door-to-door or place-to-place activity.

Section 2: Chapter 255-4 subchapter A shall be struck in its entirety so as to no longer exempt any person licensed by the Commissioner of Banking and Insurance or the Real Estate Commission of the State of New Jersey. The remaining subsections shall be renumbered in the appropriate manner.

Section 3: Chapter 255-7 shall be amended and shall read as:

§255-7 Investigation of applicant.

Applicant shall apply to the Borough of Woodcliff Lake Police Department, which shall immediately institute whatever investigation of the applicant's business responsibility and moral character it considers necessary for the protection of

the public. It shall communicate its findings, in writing, together with a recommendation that the application be granted or denied, to the Mayor and Council within a reasonable time. The Mayor and Council shall consider the application at their next regular meeting after receiving the report of the investigation. If, based upon the information contained in the application and the investigator's report, the Mayor and Council decide that the applicant's character, ability or business responsibility are unsatisfactory or that the products, services or activities are not free from fraud, they shall disapprove the application and refuse to issue the license and so notify the applicant. Otherwise, the Mayor and Council shall approve the license and the Borough of Woodcliff shall then issue the license immediately, provided that the required license fees have been paid.

Section 4: Chapter 255-25 shall be amended in title and body and shall read as

§ 255-25 Entering on non-solicitation listed and/or on posted property or properties prohibited.

No trade solicitor or canvasser shall enter onto any property on the non-solicitation list and/or displaying the Borough issued non-solicitation list decal or on which is located a sign or signs stating "no solicitors" or carrying a similar message forbidding the entry of any persons onto the property.

Section 5: Chapter 255-26 shall be amended in title and body and shall read as

§ 255-26 Collection, preparation and maintenance of a non-solicitation list.

- A. Collection, preparation and maintenance of a non-solicitation list. The Borough of Woodcliff Lake Police Department shall collect, prepare and maintain a regularly updated list of addresses of those premises where the owner and/or occupant has notified the Police Department that soliciting and canvassing is not permitted on his/her premises. To be included on the non-solicitation list, residents shall complete a form supplied and maintained by the Borough at no cost. A non-solicitation list decal for the resident to display shall be available at a cost of \$1.00. With the adoption of this section, the Borough of Woodcliff Lake Police Department shall make the form available to all residential property owners or occupants and may distribute same thereafter in any manner directed by the governing body.
- B. A version of the non-solicitation list which omits the names of those listed and contains only the addresses of listed properties, shall be distributed to all applicants seeking a license to solicit or canvass pursuant to the provisions of this chapter. The applicant shall acknowledge, in writing, receipt of this list as part of the application process. The licensee shall not solicit or canvass at any address on the non-solicitation list.

C. Any solicitor or canvasser violating the provisions of this section as described above shall be punishable by a fine and/or imprisonment as prescribed in § 255-24.

Section 6: All ordinances of the Borough of Woodcliff Lake which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 7: If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 8: This ordinance shall take effect upon passage and publication according to law.

Attest: **DEBORAH DAKIN**
BOROUGH CLERK

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**Resolution No. 16-132
June 6, 2016**

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake, pursuant to the provisions of N.J.S.A. 10:4-12(b), may meet in closed session; and

WHEREAS, the following is the subject matter to be discussed in closed session:

1. BMW Litigation
2. Montvale Shared Services - Pool
3. Galaxy Gardens

WHEREAS, these Minutes will be kept and once the matter involving the confidentiality of the aforementioned no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT FURTHER RESOLVED that formal action may be taken at the Meeting.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 16-133

June 6, 2016

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

Payroll Released 5/31/2016 - \$161,722.09

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund:	\$ 1,064,203.16
Animal Control:	\$ 845.00
Trust Other:	\$ 325.25
Capital:	\$ 3,356.08
Escrow:	\$ 5,177.31

CERTIFICATION OF FUNDS

I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

**RESOLUTION AUTHORIZING YEARLY CONTRIBUTION TO
TRI-BORO AMBULANCE FOR LOSAP**

**RESOLUTION NO. 16-134
JUNE 6, 2016**

WHEREAS, the Borough of Montvale, Park Ridge and Woodcliff Lake have each adopted a shared cost program for the services of the Tri-Boro Ambulance Corps.; and

WHEREAS, Woodcliff Lake, Montvale and Park Ridge have each agreed to share equally in the cost of this Tri-Boro Ambulance service; and

WHEREAS, the total cost of contribution for LOSAP for 2015 has been calculated to equal \$34,932.40; and

WHEREAS, \$34,932.40 divided by the three (3) Boroughs equals a cost per Borough of \$11,644.13.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that Woodcliff Lake bill the respective towns which have members of the Tri-Boro Ambulance Corps. for their respective shares.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the Boroughs of Park Montvale and Park Ridge.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 16-135

June 6, 2016

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

**FEINSTEIN
60 Blueberry Drive
Woodcliff Lake, New Jersey
Escrow Refund: \$933.00**

WHEREAS, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$933.00 in connection with the aforementioned.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 16-136

June 6, 2016

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

**14 VALLEY VIEW DRIVE, LLC
14 Valley View Drive
Woodcliff Lake, New Jersey
Escrow Refund: \$1,770.00**

WHEREAS, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$1,770.00 in connection with the aforementioned.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES

RESOLUTION NO. 16-137

June 6, 2016

WHEREAS, the property tax on the following parcel were overpaid by mortgage company;
and

WHEREAS, this has resulted in the overpayment of property tax on this parcel by
\$2,356.53; and

WHEREAS, the mortgage company 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 \$2,356.53 to the
mortgage company listed below:

B/L	OWNER	AMT.	REASON
2703/10	Yannelli #1700030630	\$2,356.53	DUPLICATE PAYMENT

PAYMENT TO:

Oritani Bank
370 Pascack Road
Township of Washington, NJ 07676

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and
the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the
original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6,
2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

EMERGENCY TEMPORARY BUDGET APPROPRIATION

RESOLUTION NO. 16-138

June 6, 2016

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2016 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 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$1,500,000.00.

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:

Administration – Other Expenses	\$ 15,000.00
Finance – Salaries and Wages	5,000.00
Information Technology – Other Expenses	3,000.00
Tax Assessment – Other Expenses	5,000.00
Legal – Other Expenses	15,000.00
Group Health Insurance for Employees	20,000.00
Police – Salaries and Wages	55,000.00
Shade Tree – Other Expenses	5,000.00
Solid Waste – Salaries and Wages	12,000.00
Sewer – Other Expenses	10,000.00
Bergen County Utilities – Sewer Charges	<u>45,000.00</u>
Total	\$ 190,000.00

2. That said emergency temporary appropriations will be provided for in the 2016 budget under the various titles listed above.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

**RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE TAX COLLECTOR TO
PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72**

RESOLUTION NO. 16-139

June 6, 2016

WHEREAS, due to the County Board of Taxation unable to certify a tax rate due to various issues at the state level and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis, it has become necessary to issue estimated tax bills for the 3rd Quarter of 2016; and

WHEREAS, the Municipal Tax Collector in consultation with the Municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated levies.

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY ON 6TH DAY OF JUNE 2016 AS FOLLOWS:

1. The Borough of Woodcliff Lake Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2016 taxes. The Tax Collector shall proceed and take such actions as necessary.
2. The entire estimated levy for 2016 is hereby set at \$41,310,435.00 for an estimated tax rate of \$2.152.
3. In accordance with law, the third installment of 2016 shall not be subject to interest until the later of August 10, 2016. Any payment received after August 10, 2016 shall have interest calculated from August 1, 2016.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 16-140

June 6, 2016

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

**DAVID BERGER
36 Springhouse Road
Woodcliff Lake, New Jersey
Escrow Refund: \$862.50**

WHEREAS, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$862.50 in connection with the aforementioned.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION AUTHORIZING SOLICITORS LICENSE TO ZACHARY ZEBEDE, TRAVIS DE LA ROSA AND
MICHAEL MOLLIKA OF POWER HOME REMODELING GROUP**

**June 6, 2016
RESOLUTION NO. 16-141**

WHEREAS, Zachary Zebede, Michael Mollica and Travis De La Rosa of Power Home Remodeling Group have applied to the Borough Clerk's Office for a solicitor's license to inform homeowners that Power is doing work in the area and giving free estimates on more energy efficient windows, siding and roofing; and

WHEREAS, the Police Department has stated that there is no reason to deny this application; and

WHEREAS, the applicants have been advised of the rules and guidelines established in the Borough of Woodcliff Lake and strict adherence to this policy must be followed.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitors license to Zachary Zebede, Michael Mollica and Travis De La Rosa of Power Home Remodeling Group.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 16-142

June 6, 2016

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

**NANCY TESTA
57 Indian Drive
Woodcliff Lake, New Jersey
Escrow Refund: \$466.25**

WHEREAS, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$466.25 in connection with the aforementioned.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION APPOINTING COMMUNITY DEVELOPMENT COOPERATIVE
AGREEMENT ANNUAL APPOINTMENTS**

**Resolution No. 16-143
June 6, 2016**

WHEREAS, the Community Development Cooperative Agreement calls for annual appointments to the committee; and

WHEREAS, the appointments for the year 2016 are as follows:

Borough Representative: Tomas Padilla
Alternate: Deborah Dakin

Governing Body: Councilwoman Kristy Herrington
Alternate: Councilman Thomas Panso

NOW THEREFORE BE IT RESOLVED that the Mayor and Council approve these appointments.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original Resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF
WOODCLIFF LAKE AND THE COUNTY OF BERGEN FOR THE SNOW PLOWING OF COUNTY ROADS
WITHIN THE BOROUGH OF WOODCLIFF LAKE**

RESOLUTION NO. 16-144

June 6, 2016

WHEREAS, *N.J.S.A. 40A:65-1 et seq.*, the “Uniformed Shared Services and Consolidation Act,” authorizes contracts between municipalities for the sharing of services within their respective jurisdictions; and

WHEREAS, the governing bodies of the County of Bergen and Woodcliff Lake deem it to be in the best interests of the people in their respective communities to enter into such an agreement for the snow plowing of county roads located within the Borough for the 2016-2018 seasons pursuant to the terms of the Contract attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF WOODCLIFF LAKE, Bergen County, New Jersey, pursuant to the provisions of *N.J.S.A. 40A:65-1 et seq.*, that the Mayor or Administrator is hereby authorized to execute, and the Borough Clerk to attest, to a Shared Services Agreement between the Borough of Woodcliff Lake and the County of Bergen, for the sharing of services of the snow plowing of county roads located within the Borough for the 2016-2018 seasons pursuant to the terms of the Contract attached hereto a copy of which shall be on file in the office of the Borough Clerk, and available for public inspection.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

**RESOLUTION AUTHORIZING CONTRACT FOR FIXED ASSET INVENTORY
IN THE BOROUGH OF WOODCLIFF LAKE**

RESOLUTION NO. 16-145

June 6, 2016

WHEREAS, the Borough of Woodcliff Lake is required to undergo a fixed asset inventory of all municipal assets; and

WHEREAS, AM Consultants, a New Jersey corporation with offices at 107 Pinebrook Road, Montville, New Jersey 07045 has the expertise, equipment and experience necessary to provide this service for the Borough; and

WHEREAS, AM Consultants has provided a proposal for such service dated May 18, 2016 and attached hereto; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts that fall below the bidding threshold without competitive bids.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Mayor or Administrator to execute and the Clerk to attest to any documentation to contract with Am Consultants to perform a fixed asset inventory of all municipal assets pursuant to their May 18, 2016 proposal.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 16-146

June 6, 2016

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

**PEREZ
4 Benjamin Court
Woodcliff Lake, New Jersey
Escrow Refund: \$339.77**

WHEREAS, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$339.77 in connection with the aforementioned.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY

RESOLUTION NO. 16-147

June 6, 2016

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 is 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 A83453 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 from the Borough of Woodcliff Lake.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The surplus personal property is no longer needed for public use.
- (4) The sale is being conducted pursuant to Local Finance Notice 2008-9 and 2008-21.
- (5) The terms and conditions of the agreement entered into with the vendor are available on the vendor's website and available in the Borough's Clerk office.
- (6) A list of the surplus property to be sold is as follows:

1)	2001 GMC W4500	VIN# J8DC4B14811701163
2)	1997 Ford F-350	VIN# 1FDKF38F9VEC44513
3)	2006 Ford Crown Victoria	VIN# 2FAHP71WX6X158629
4)	2005 Ford Crown Victoria	VIN# 2FAHP71W06X104367
5)	2009 Ford Crown Victoria	VIN# 2FAHP71V79X111697
6)	2003 Ford Crown Victoria	VIN# 2FAFP71W93X124703
7)	2002 Ford F-250	VIN # 1FTNW2172EC27250

(7) 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.

(8) The Mayor and Council of the Borough of Woodcliff Lake reserves the right to accept or reject any bid submitted.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

RESOLUTION AUTHORIZING THE EXTENSION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WOODCLIFF LAKE AND THE WOODCLIFF LAKE BOARD OF EDUCATION FOR THE USE OF CERTAIN FIELDS WITHIN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 16-148

June 6, 2016

WHEREAS, *N.J.S.A. 40A:65-1 et seq.*, the “Uniformed Shared Services and Consolidation Act,” authorizes contracts between municipalities for the sharing of services within their respective jurisdictions; and

WHEREAS, the governing bodies of the Woodcliff Lake Board of Education and the Borough of Woodcliff Lake deem it to be in the best interests of the community to extend the Shared Service agreement between the parties for the use of certain recreational fields up to two (2) years pursuant to the terms of the original 1996 Contract attached hereto;

WHEREAS, within this two (2) year time period the governing bodies of the Woodcliff Lake Board of Education and the Borough of Woodcliff Lake will work to create a long term Shared Service agreement between the parties to govern the use of the fields.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF MAYWOOD, Bergen County, New Jersey, pursuant to the provisions of *N.J.S.A. 40A:65-1 et seq.*, that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, to a Shared Services Agreement between the Borough of Woodcliff Lake and the Woodcliff Lake Board of Education for the use of certain recreational fields pursuant to the terms of the 1996 Contract attached hereto a copy of which shall be on file in the office of the Borough Clerk, and available for public inspection.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of June 6, 2016.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

**RESOLUTION APPOINTING DEENA B. ROSENDAHL, ESQ. AS SPECIAL COUNSEL
IN THE BOROUGH OF WOODCLIFF LAKE**

RESOLUTION NO. 16-149

June 6, 2016

WHEREAS, the Borough of Woodcliff Lake wishes to appoint Deena B. Rosendahl, Esq. of the law firm Kaufman, Semeraro & Leibman, LLP as special counsel to represent the interest of former Mayor Jeffrey Goldsmith during his deposition appearance in connection with the BMW litigation at a rate of \$125.00 per hour; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permit authorizing the award of contracts for "Professional Services" without competitive bid.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake that the Mayor or Administrator is authorized to execute and the Clerk shall attest to any documentation necessary to appoint Deena B. Rosendahl, Esq. of the law firm of Kaufman, Semeraro & Leibman, LLP as special counsel to represent the interest of former Mayor Jeffrey Goldsmith during his deposition appearance in connection with the BMW litigation.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of June 6, 2016.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**