



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
March 2, 2015
8:00 PM**

CALL TO ORDER

Notice of this meeting in accordance with the "Open Public Meetings Law, 1975, C. "231" was posted at Borough Hall and two newspapers, The Record and The Ridgewood News, were notified.

ROLL CALL

Mayor Jeffrey Goldsmith asked for roll call. Council members Belgiovine, Bloom, Chiavelli, Gadaleta, Panso and Rendo were present. Ronald Dario, Borough Attorney, was present as well as Interim Borough Administrator Donna Alonso and Debbie Dakin, Acting Borough Clerk.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance led by Chief Anthony Jannicelli.

APPROVAL OF MINUTES

Mayor Jeffrey Goldsmith thanked Acting Borough Clerk Debbie Dakin for having the minutes done in such a timely fashion. Mayor Goldsmith stated that when he first started this was not the case.

MOTION to approve the Minutes of February 23, 2015 (Open Session) was made by Council President Rendo, seconded by Councilman Panso and approved by Council members Chiavelli, Gadaleta, Panso and Rendo. Council members Belgiovine and Bloom abstained.

MOTION to approve the Minutes of February 23, 2015 (Closed Session) was made by Council President Rendo, seconded by Councilwoman Gadaleta and approved by Council members Chiavelli, Gadaleta, Panso and Rendo. Council members Belgiovine and Bloom abstained.

CORRESPONDENCE

- Memo from Bergen County Municipal Joint Insurance Fund to Mayor and Council, dated

February 20, 2015. Mayor Goldsmith asked Administrator Alonso if she wanted to elaborate on this letter. Ms. Alonso stated that this states that we allow for transitional duty so this is really up to our Chief of Police and Superintendent of DPW.

- Letter from Jacobs and Bell to Deborah Dakin, dated February 24, 2015. Ms. Dakin stated that she sent this letter to Kathy Rizza to look into the matter since she handles all escrow.

MAYORAL COMMITTEE APPOINTMENTS – (No Council Confirmation Required)

2020 Committee

Elizabeth Calderone, Park & Recreation Director, to the 2020 Committee for a term of one (1) year, ending on December 31, 2015.

Board of Health

Josephine Higgins, to the Board of Health for a term of one (1) year, ending on December 31, 2015.

VFW Committee

Mayor Jeffrey, Chairman, to the VFW Committee for a term of one (1) year, ending on December 31, 2015.

Councilman Thomas Panso to the VFW Committee for a term of one (1) year, ending on December 31, 2015.

ADMINISTRATOR'S REPORT

Mayor Goldsmith thanked Ms. Alonso for her informed reports and encouraged her to continue to do what she is doing. Mr. Dario also told Ms. Alonso that they were outstanding.

(See attached report)

Ms. Alonso stated that the Mayor & Council received her report about the Tri-Boro fees. Page 1 shows that we billed Park Ridge and Montvale for fees associated with the cost of Tri-Boro Ambulance. However, Ms. Alonso stated that when looked through the insurance documents, it seems that Park Ridge and Montvale were not charged for insurance for Tri-Boro Ambulance. Tri-Boro Ambulance insurance was lumped into insurance for Woodcliff Lake's fire department. This was an omission and was those 2 towns were never billed for almost 15 years. Ms. Alonso is asking the Borough's permission to go back 5 years and bill them.

Councilman Bloom asked if we should only go back 5 years. Ms. Alonso stated that she believes 5 years (\$10,000) is acceptable. Mr. Bloom stated that Ms. Alonso should make the other towns aware of what the situation is and for the total amount that was never charged.

Councilman Panso agreed with Mr. Bloom.

Mr. Panso thought that Ms. Alonso should let the towns know the full amount and see what amount can be negotiated.

Mayor Goldsmith thanked Ms. Alonso for uncovering this. Mayor Goldsmith stated that this is a policy decision of the Council.

Mayor Goldsmith asked Ms. Alonso to please go back and check the billing and the amount that Woodcliff Lake is charging Upper Saddle River for sewerage.

Administrator Alonso further stated that there are some outstanding amounts from Park Ridge and Montvale for past quarters that were never paid. Ms. Alonso stated that she already sent out those letters.

Ms. Alonso stated that she would like to discuss the VFIS Insurance Policy for volunteer fire fighters, ambulance and OEM. Ms. Alonso further stated that insurance is based on probability. Probability that something is going to happen and the likelihood that it is not going to happen, the insurance companies create policy in the hope that they never have to make good on the policy. The VFIS combined policy between the fire fighters, ambulance and OEM is approximately \$12,000 per year that we had since 2005 which rounds up to \$90,000. Ms. Alonso stated that it might make sense to self-insure ourselves. Ms. Alonso further stated that there was only 1 claim since 2002 for \$3,000; meanwhile, we have been paying premiums of \$12,000 every year for these policies. It sounds terrible to take the policy away from somebody, but in all likelihood, the chance that somebody is going to collect on this policy is very minimal.

Councilman Bloom stated that when he was involved in insurance a couple of years ago, the person that preceded Frank walked through each and every phase of the policy. They even rewrote the policy a little to reduce the cost and found some organizations in town that were not covered and those were added. Mr. Bloom further stated that at the time they were informed that they were much better off under the JIF. Mr. Bloom stated that the expression given was "you don't need it until you need it" and the fact is they are all volunteers.

Councilman Belgiovine asked if this was for additional insurance, not worker's comp policy. Frank Covelli stated that this is an accident and sickness policy that covers the fire department for 58 volunteers, over \$250,000 in death benefits and covering them in any facet should they die in the line of duty. Unlike worker's comp, this covers if they have a heart attack while in route going to or coming home from a call. Additionally, by separating the policy, it will be nice and clean for Woodcliff Lake to bill the other 2 towns when Tri-Boro stands on its own on the policy.

Councilman Belgiovine stated that we have 58 volunteers so it rounds out to approximately \$100 per volunteer, per year.

Councilwoman Gadaleta stated that she just wants to confirm that it covers all volunteers for Fire Department, Tri-Boro Ambulance and OEM and would amount to approximately \$100 per person, per year. These are volunteers that are operating a truck that is 25 years old that the Council opted not to get them a new truck, there should be no question to keep this insurance.

Councilwoman Chiavelli stated that she believes this policy offers them a well-rounded complete package and is in favor of it.

Council unanimously agreed to keep the VFIS insurance policy.

Mrs. Alonso stated that Clay Bosch was in to ask the status was of planting the trees on Chestnut Ridge Road and County Road property.

Mayor Goldsmith stated that he reached out to the County and was informed that they will be getting back to us. Mayor Goldsmith asked Joe Vuich to look at our aerial maps and contact the County about this project.

Council President Rendo stated that there is a grant available and would not like to see the deadline pass.

Mrs. Alonso stated that last year we received an award of \$1,000 from JIF that has not been used. This year we will be received another award of \$2,000. Ms. Alonso asked the Mayor and Council if the employees could use this money to have an outing at the pool this summer before it gets busy.

Mayor and Council had no objection and felt it was up to the employees as to how they wanted to use the money.

ENGINEER'S REPORT

(See attached report)

NEW BUSINESS

Bond Anticipation Note – Determination and Award Certificate

Borough Administrator Alonso stated that every year at this time we go and we do a bond anticipation note which basically refunds the bond that was out there the year before. If we need to add money we do that as well.

Discussion of Planning Board Resolutions 2012-02 and 12-2008, led by Councilman Panso

Councilman Panso stated that the Planning Board asked that we reinstitute a Resolution from them in 2012 (2012-02). Burgis Associates prepared a document and the document is entitled Broadway Corridor, Phase II Study and dated August 6, 2012. What's intended is they want to re-examine and amend the Master Plan so as to have a guide for future development for certain parcels in Block 2703, 2704, 2601 and 2602, known as the Broadway Corridor area. The first one is to get rid of some of the prohibited uses in the area. Typically downtown areas used mixed-developments. We need to add a restaurant capability on the first floor of some of these areas. It would help in selling the properties to investors or developers or even to current property owners. The other part of it is that one of our permitted uses is office use on the second floor. They want to change that and make it residential, studios, one bedroom. The next change would be the setbacks to have some viability in opening up the spaces. The next area would be lot coverage. They need the ability to limit building coverage to 40% and impervious coverage to 50%. The next item would be parking requirements. Our current requirements are a lot stricter than normal commercial zones. They want to cut our current requirement in half and that would free up development and use of that space. Retail is currently 1 for 175 square feet and wants to revise it to 1 for 250 square feet.

Mayor Goldsmith stated that this is an Ordinance change.

Mayor Goldsmith stated that if the Council is in Agreement we can have our Borough Attorney revise the Ordinance and have it for the next meeting. Debbie Dakin asked the Mayor if he wanted the Borough Attorney make the change or would it make more sense for the Planning Board attorney make the change and then present it to the Mayor and Council. Mr. Dario stated that he would speak with Mr. Leibman.

Police Accreditation, Led by Chief Anthony Jannicelli

Chief Jannicelli stated that the information that the Mayor and Council received was a copy of a letter to the Mayor and Council dated April 11, 2014 dealing with the accreditation because there is a lot of misinformation out there.

This goes back to when CALEA first started -- Commission on Accreditation for Law Enforcement Agencies. What CALEA did was partner with NJ State Police Association. The standard that the police department has to adhere to is the Attorney General Guidelines. All the Chiefs have to abide by as well as the Prosecutors in the County and this carries the weight of law. Then there is the Police Chief's Manual which is all the different memos and directives that they have to abide by. The next item is a memoranda book that every police officer has to adhere to. When the directive comes down, every officer must read it and sign then sign off on it. Everyone in the police department has access to this.

Regarding the accreditation process, the Chief has been asked to look into this numerous times going back to 2009. The cost, time and effort to implementing this is still the same. The Chief

feels that the time and effort that goes into this is not worth the output. Chief Jannicelli spoke with Frank Covelli regarding this matter and Frank feels that if you adhere to all of their guidelines, your exposure to liability could be reduced and the Chief agrees that it could be reduced. In 2012 CALEA and the State Chiefs went their separate ways. The reason being is that CALEA stated that if you don't comply with our guidelines we will not certify you. This process takes 2 years.

What we have now is the New Jersey State Associations of Chiefs of Police giving the accreditation which is very much the same. It is still a monumental task, JIF will give us \$25,000 to do it, reduce your premiums. However, this is a grant which has to be paid back. Chief Jannicelli stated that he cannot justify this. This is going to cost a lot of time, money and manpower. If the Chief cannot justify a need compared to a want he is not going to do it. This takes roughly 2,000 hours. This would take 2 years and if you could not finish it in 2 years you have to pay back the \$25,000. The Chief could not guarantee that it could be done in 2 years. He is recommending that we don't do it because he doesn't see a great improvement coming out of it or a great reduction in exposure to a lawsuit. Additionally, these Chiefs come in, you need to put them up in a hotel, an inspection of the work done is done and then an inspection of the headquarters. If there is something that they don't like, you have to be willing to make the change.

Councilwoman Gadaleta stated that she appreciates everything that was said, but what would entice a town to follow this procedure. Chief Jannicelli replied that if a town had a lot of lawsuits, they might be interested in doing this.

Council President asked if essentially the Attorney General's Guidelines create a standard operation procedure for your department and the guidelines on how each officer should act. Chief Jannicelli stated that the AG's Guidelines are first, then if the Prosecutor or County has something additional they put that forth next and then if the Chief has something that is just for Woodcliff Lake he puts that into play.

Councilman Belgiovine asked how many lawsuits the police department has had. Chief Jannicelli stated that he has been Chief since 2001 and he could count on one hand how many.

Frank Covelli stated that if a municipality is accredited, JIF gives a 5% discount on the auto liability and the general liability.

Councilwoman Gadaleta asked what number that equates to. Mr. Covelli replied that based on our assessment, approximately \$4,000 per year total.

Mr. Covelli stated that JIF will front you \$25,000 and it is a 3 year certification so you will only get back half of it and then you will be up to recertify. They will keep taking until they earn the money back. Recertification costs less than the initial certification.

Councilman Bloom stated to Chief Jannicelli that it was indicated that it would take

approximately 2,000 hours to certify the Borough. Is that what they recommend or is this your analysis? Chief Jannicelli stated that he spoke with municipalities and he also did the manpower, it is a major commitment and is a full time job. Once done, it has to be maintained.

MOTION to open to the public on this matter only was made by Council President Rendo and seconded by Councilman Bloom.

Donna Abene, Woodcliff Lake, asked the Chief that if the policies are new that he is referring to are they new or are they redundancies. Chief Jannicelli stated that they vary. He could put out a memo, a policy procedure that something new has to be done or some of the guidelines that have been in existence for several years. Ms. Abene stated that she would assume when you are on the job for a while you would respond procedurally to things. Chief Jannicelli stated that no 2 calls are alike. Councilman Panso agreed but also stated that most of it is instinctual. Mr. Panso further stated you get out of the Academy you know the AG's Guidelines and your instincts take over. It is pretty solid on what is right and what is wrong. Now you are going to add another layer of fresh instructions, some may be good - some may not work with you in what you are doing. What we have in place now is more than enough.

Mrs. Abene stated that she applauds the Council for keeping the VFIS insurance policy for our volunteers.

Joseph LaPaglia, Woodcliff Lake, stated that he was on Council in 1979 when the Chief became an officer in 1978. Mr. LaPaglia further stated they never really experienced a lot of problems with the police department over that period of time. Mr. LaPaglia further stated that he was very interested in hearing the Chief's view on this policy because he recently read about Park Ridge and years ago about Montvale receiving their accreditation and was shocked to hear that the savings was only \$4,000.00 a year. Mr. LaPaglia stated that he accepts the Chief's comments that this would not be cost effective.

Mayor Goldsmith asked the Council if they want to move forward with the accreditation process. Mayor Goldsmith further stated that he accepts the Chief's position and recommendation and the Council's position that this matter is now off the table.

OLD BUSINESS

Handicapped Parking @ Tice Center, led by Council President Rendo

Council President Rendo stated that he spoke with the Chief and officer DeGeorge who is our traffic officer to look into obtaining more handicapped spots for the Senior Center at Tice. They are in the process of looking into it and will get back to us with a report.

Senior Van, led by Mayor Jeffrey Goldsmith

Mayor Goldsmith stated that he was asked to reach out to Mayor Fyfe and Mayor Maguire regarding the senior van. Their feeling was no hard feelings to the Borough of Woodcliff Lake, but if they are going to pay 40% the difference between the extra \$6,000 - \$7,000 they both have great need, they have a greater need and they would like to have it for that extra period of time. Basically, Woodcliff Lake is going to participate as a 1/3 member and get what we were getting and they would be amenable as possibly extending the schedule. When you look at the amount of people that are using the van there is no need for us to expand the schedule. Therefore, their response was to take it or leave it in a positive way.

Mayor Goldsmith stated that the Council needs to make a decision of they want to continue to provide the service and if you do, what is it going to cost.

Council President stated that one of the options that Administrator Alonso provided the Council was to look at a vehicle that was coming up on the auction block, it was a 2012 van with 8,000 miles on it and is not ADA compliant and the minimum bid was \$2,500. We need to get a van that is ADA is compliant.

Councilman Belgiovine stated that he spoke with Dave Antoine and the existing van has no life left in it and would not recommend that we take that on.

Mayor Goldsmith stated that why don't we try and contract out with Montvale and Park Ridge for the few times that we need it. Councilman Bloom stated that that was fine as long as they let us use it when we need it. Council President Rendo replied that we need it on Thursdays.

Mrs. Alonso stated that she called the Bristol and Sunrise but they have not gotten back to her yet because they have to go to their corporate headquarters.

Mrs. Alonso also stated that we cannot buy the van and then apply for the grant because the grant already has a certain number of models preselected.

It was suggested that Mrs. Alonso go back to Park Ridge and Montvale and see if we could contract out with them for the few times a month that we use the van.

Discussion of the VFW, led by Mayor Jeffrey Goldsmith

Mayor Goldsmith stated that he spoke with Council President Rendo about appointing a council member to the VFW Committee. Mr. Rendo recommended Mr. Panso. Mr. Panso accepted and asked if there was going to be a Committee. Mayor Goldsmith replied yes, the 2 of them are the Committee.

Park and Recreation Update, led by Councilwoman Jeanine Chiavelli

Mayor Goldsmith stated that he had the opportunity to review the resumes for the Pool Manager and Assistant Managers and interview the Pool Manager, Robert Berger and agrees that they will be a wonderful addition to the Borough.

Councilwoman Chiavelli stated that she noticed at the last senior function, there were some seniors struggling when they left. The number of spots really isn't enough, but maybe when they have their meetings they can allocate some temporary spots for them.

Mr. Dario stated that there are a minimum number of handicapped spots that you need to have, but no maximum so they should be able to add some.

Councilman Chiavelli stated that there was some confusion as to the rate for Volunteer Fire Fighters and EMT personnel. Therefore, the Resolution has been updated to clarify this item and there will be 5 free guest passes this year.

Mrs. Chiavelli also stated that there is an update regarding the background checks. Our Park and Recreation Director has sent an application to the State and is awaiting an Agency number which is a unique number to us and allows her to create a uniform fingerprinting form that our Borough can use. This is the form that Upper Saddle River uses. When the employee or volunteer gets this form, they take it to Paramus and the cost is approximately \$24.50. This cost will be paid for by the employee or volunteer but they can seek reimbursement from the Park and Recreation department or whatever department they are working with. Ms. Chiavelli stated that Detective Chad Malloy will see the results and will forward them to Elizabeth Calderone and keep all the results confidential at the station.

With regard to the Rutgers Coaches Clinic was made available to other towns.

The Easter Egg Hunt will be held on March 28, 2015 at 10:00 AM at the Lydecker House for the activities, 11:00 AM for the hunt (weather permitting). The rain date is April 4, 2015.

Mrs. Chiavelli thanked the Mayor and Council for reviewing the Pool Manager and Assistant Managers resumes. She believes they have a great group and are highly qualified with a great attitude and very motivated. They have extra qualifications that will really help boost our swim program.

Mayor Goldsmith stated that he hopes the cleanliness of the restrooms will be better this year. Councilman Panso stated the cleanliness of the restrooms will be part of the duties and responsibilities of anybody that is going to be hired.

Additionally, Mr. Panso stated that they met with Bill Howley regarding the tennis program. Mr. Howley stated that there is a problem with the people that are playing tennis and with the kids playing ball on the Rinzler Field is the lack of a proper bathroom. Everyone is using the

woods and this is not a good thing. They spoke with Elizabeth Calderone and asked her to look into getting a portable potty and putting it somewhere in the area between the tennis courts and Rinzler field.

Council President Rendo also suggested talking to DPW about getting the weeds and water cleaned up by the tennis courts and the baseball fields. The area accumulates water and therefore there are a lot of mosquitos.

RESOLUTION

**RESOLUTION AUTHORIZING THE SALE OF BOROUGH PROPERTY NOT NEEDED
FOR PUBLIC USE IN BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 15-83
March 2, 2015**

WHEREAS, the Borough of Woodcliff Lake (hereinafter referred to as the "Borough") is the owner of the following properties; and

WHEREAS, said properties are not needed for public use; and

WHEREAS, the Borough is authorizing to sell any such properties by public sale to the highest bidder pursuant to N.J.S.A.40A:12-13 et. seq.; and

WHEREAS, it is in the best interest of the Borough that a public auction be held for such properties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Municipal Council of the Borough of Woodcliff Lake that:

1. The properties listed below in paragraph 19 are hereby offered for public sale to the highest bidder at no less than the minimum price set forth herein and delineated specifically in Paragraph 19, subject to the conditions hereinafter as set forth in the terms and conditions of a contract of sale to be executed by the parties.
2. The sale shall be conducted by the Borough Counsel.
3. The sale shall be made subject to:
 - a. such state of facts which an accurate survey may disclose
 - b. easements and restrictions of records, if any
 - c. tenancies, leaseholds, and lights of persons in possession
 - d. all federal, state, county and municipal laws, statutes, codes, ordinances, rules and regulations affecting the property, its use and occupation
 - e. riparian rights or claims
 - f. Certificate of Occupancy issued by the Building Department
 - g. All Borough land use codes and regulations
4. The properties herein described, or any part thereof, are sold "as is" and without any representation or warranty, either expressed or implied, as to their present condition.
 - a. Prospective purchasers are put on notice that the Borough's records as to any code violations may not

- be accurate or up to date and the Borough expressly makes no representations as to such violations.
- b. Purchasers will be given an opportunity to inspect the property prior to the auction to ascertain the condition of the property.
 - c. It shall not be grounds to nullify the contract of sale if the purchaser discovers or is notified of any code violations after the sale,
 - d. In the event that the State of New Jersey or any upland owner shall have any rights or claims on the land being sold herei11 by reason of riparian interest or otherwise are to be paid for and home by the purchaser, in addition to the sale price which is bid for said property.
5. All prospective purchasers are put on notice to consult the Water and Sewerage Department for existing facilities.
 6. The purchase price for such properties shall be paid by any of the following methods:
 - a. By payment to the Borough of Woodcliff Lake in cash, money order, bank check or certified check the full purchase price immediately after the conclusion of the bidding for a specific property.
 - b. By payment to the Borough of Woodcliff Lake immediately after the conclusion of the bidding for a specific property twenty (20%) percent of the minimum bid price by cash, money order, bank check or certified check.
 - c. The balance of the purchase price is to be paid by certified check, money order or bank check within two (2) months of the date of Confirmation of Sale.
 - d. If the purchaser fails to pay the balance of the purchase price within two (2) month time limit, the sale to the purchaser is automatically canceled and the deposit shall be forfeited.
 7. Purchaser may at its option arrange for a report on title before closing. Within thirty (30) days after the confirmation of sale by the governing body, purchaser shall notify the Borough in writing of any defects of title which may render title unmarketable. Marketable title is defined herein to mean title which a title company authorized to do business in the State of New Jersey is willing to insure at regular rates. Upon confirmation of such notice, the Borough shall refund purchaser's entire purchase price without interest and neither party shall have any further obligation or claim under this contract. If the purchaser fails to notify the Borough in accordance with this paragraph, purchaser shall be deemed to have waived all objections to title.
 8. Upon delivery of deed, the purchaser shall:
 - a. Make all payments to the Borough for all real property taxes.
 - b. Submit proof to the Borough that the deed to the property was recorded with the Register of Deeds and Mortgages in the County of Bergen within thirty (30) days following the closing or delivery of the deed or the deed will be null and void and consideration paid forfeited to the Borough.
 9. If purchaser fails to pay the purchase price when due or within a time as extended or fails to comply with any term of this contract, the Division of Real Estate may at its option rescind the contract or sue purchaser for any damages accruing or both. The Borough's failure to exercise any right or power arising out of purchaser's breach of this contract shall not be deemed a waiver.
 10. The highest bid shall be made subject to acceptance or rejection by the governing body, but the acceptance or rejection therefore shall be made not later than the second regular meeting of the governing body following the sale, and if the governing body shall fail or refuse to accept or reject the highest bid as afore said, the said bid shall be deemed to have been rejected. The Borough also reserves the right to reject all bids where the highest bid is not accepted upon notice to the highest bidder and hearing thereto.
 11. PLEASE TAKE NOTICE that no employee, agent, officer body or subordinate body has any authority to waive, modify or amend any of the conditions of sale without the expressed approval of the governing body of the Borough.
 12. No commissions shall be paid to any agent, representative or broker or the successful purchaser of any of the

properties listed for sale by the Borough.

13. The prices set forth as minimum herein are merely upset prices and do not constitute market value or future assessments.
14. The Borough shall execute a Contract of Sale with any successful bidder upon any additional terms and conditions which are necessary to effectuate the purposes herein and to secure the best interests of the Borough of Woodcliff Lake and its citizens, provided that any additional terms and conditions shall not be inconsistent with the terms and conditions of this resolution.
15. Additional Conditions of Sale.
 - a. No sale shall be made to any person nor shall said person be permitted to bid who, prior to such sale, has purchased the property being sold or any other property from the Borough and has breached any of the conditions of the purchase of property from the Borough.
 - b. No person who was the previous owner of the property to be sold be permitted to bid for said property if the property was acquired by the Borough by reason of the non-payment of taxes or other municipal charges by such prior owner.
 - c. No person shall be permitted to bid for any property to be sold by the Borough if that person is delinquent in the payment of taxes or other municipal charges on any other property which such person shall own in the Borough.
 - d. No sale shall be made to any person who owns other property in the Borough regarding which properties there exists violations of the Property Maintenance Code and/or Uniform Construction Code, which violations have not been corrected at the time of the sale.
 - e. PLEASE TAKE NOTICE all bidders, whether they be the actual prospective purchasers or agents or representatives of the actual prospective purchasers, shall submit an affidavit, under oath, setting forth the following:
 - i. That the actual purchaser is not a person who has previously breached a contract for the purchase of property from the Borough.
 - ii. That the actual prospective purchaser is not the former owner from whom the Borough acquired the property to be sold or any other property by reason of non-payment of taxes or other municipal charges.
 - iii. That the actual prospective purchaser is not the owner of any other property in the Borough who is delinquent in the payment of taxes or other municipal charges on said other property.
 - iv. That the actual prospective purchaser is not the owner of any other properties in the Borough regarding which there exists violations of the Property Maintenance Code and/or Uniform Construction Code, which violations have not been corrected at the time of the sale.
 - v. Such affidavit shall contain the address and block and lot numbers of all the properties the prospective purchaser owns in the Borough.
 - f. Such affidavit shall be submitted to the officer conducting the sale prior to the commencement of the public auction of the particular parcel in which the prospective bidder is interested. Failure to submit said affidavit shall disqualify a bidder from participating in the public auction.
 - g. No sale to the highest bidder shall be confirmed by the Municipal Council, in the event an investigation and/or inspection reveals that the purchaser is a person who falls within the categories listed in paragraph 19 sub-section (a) through (f).
 - h. In the event a sale is confirmed by the Municipal Council and after the sale has been confirmed by the Municipal Council, it is discovered that the purchaser is a person who falls within the categories set forth in paragraph 19 sub-section (a) through (f) of this resolution, then the purchaser is placed on notice that the said confirmation of sale shall be rescinded by the Municipal Council.
16. The Borough of Woodcliff Lake conveys this property to buyer so long as buyer utilizes the property in compliance with the Uniform Construction Code and the Property Maintenance Code. The buyer shall demonstrate compliance with the Uniform Construction Code and Property Maintenance Code by obtaining

all building permits, inspections and Certificate(s) of Occupancy from the Construction Official.

17. The Borough of Woodcliff Lake's right of reversions is hereby subordinated to the mortgage of the buyer's lender specifically as follows: A transfer of title to such mortgagee pursuant to the mortgage will not be considered a condition activating the Borough of Woodcliff Lake's right of reversion. The express intent being that prior to reversion of title to the Borough of Woodcliff Lake, the mortgagee shall have the right to assume the obligations and duties of buyer set forth in this deed including the buyer's duty to make the required obligation as set forth in this Council resolution authorizing the sale of property at public auction. The mortgagee's right to assume the duties and obligations of the buyer shall arise upon a default under the mortgage and/or upon a default under the terms and conditions of this Borough Council resolution authorizing the sale of this property at public auction.

18. All offers to bid shall be in increments of no less than one thousand dollars (\$1,000.00).

19. Property Description:

VACANT LAND

THE FOLLOWING PROPERTIES ARE OFFERED FOR SALE UPON THE CONDITION THAT THE PURCHASER SHALL CLEAN AND GRADE THE LOT, REPAIR THE SIDEWALK IF NECESSARY, ERECT A FENCE AROUND THAT PART OF THE PERIMETER OF THE LOT WHICH FRONTS ANY PUBLIC STREET WITH A MINIMUM HEIGHT OF SIX (6) FEET, EXCEPT WHEN ACQUIRED BY AN ADJACENT PROPERTY OWNER IN WHICH CASE, THE HEIGHT SHALL BE THE SAME AS THE FENCING ON THE PROPERTY, BUT IN NO CASE LESS THAN THREE (3) FEET IN HEIGHT. Any Physical description of each property as set forth in this Land sale are for informational purposes only and the Borough of Woodcliff Lake will not be responsible for their accuracy.

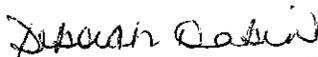
BLOCK	LOT	LOCATION	DESCRIPTION	SIZE	MINIMUM BID
2801	2	on Lincoln Avenue corner of Lincoln Ave. and Mallard St.	100 x150 Zone r-15, vacant lot	.344 (est.)	\$253,000.00

ROLL CALL:

Introduction: Mr. Rendo
 Second: Mrs. Gadaleta
 Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo
 Nays: None
 Abstain: None
 Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**

PUBLIC COMMENT

MOTION to open to the public was made by Councilman Bloom, seconded by Councilman Belgiovine and unanimously approved.

Donna Abene, Woodcliff Lake, stated that she is very excited to hear about Broadway Corridor and believes that we need a restaurant. Mrs. Abene stated that she hopes it will not be a fast food restaurant, but a nice sit down restaurant.

Councilman Panso replied that the Planning Board indicated that the type of restaurant that they will allow will be a "tablecloth restaurant". They are not excluding a chain restaurant, but would not allow take-out with paper or anything with a drive-in.

Mrs. Abene questioned if the restaurant would have a liquor license. Mayor Goldsmith stated that there is a liquor license up for sale in Woodcliff Lake.

Joseph LaPaglia, Woodcliff Lake, stated the he wanted to give recognition to our Borough Administrator, Donna Alonso, for identifying the situation on the insurance regarding Tri-Boro Ambulance.

MOTION to close to the public was made by Councilman Belgiovine, seconded by Councilman Bloom unanimously approved.

CONSENT AGENDA

Resolution No. 15-77 was removed from the Consent Agenda.

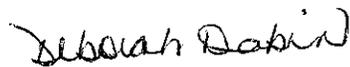
Additionally, it was also noted to add "for the 2015 season" to the Resolutions for the hiring of Pool Manager and Assistant Pool Managers.

MOTION to approve the Consent Agenda as amended was made by Councilman Belgiovine, seconded by Council President Rendo and approved by Council members Belgiovine, Bloom, Gadaleta, Chiavelli, Panso and Rendo.

ADJOURNMENT

MOTION to adjourn at 10:20 PM was made by Councilman Belgiovine, seconded by Councilman Bloom and unanimously approved.

Respectfully submitted,



Deborah Dakin
Acting Borough Clerk

DETERMINATION AND AWARD CERTIFICATE

(\$3,551,400 BOND ANTICIPATION NOTE)
BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, NEW JERSEY

I, HAROLD E. LAUFELD, III, Chief Financial Officer of the Borough of Woodcliff Lake, in the County of Bergen, New Jersey (herein called "Issuer"), HEREBY CERTIFY as follows:

1. By virtue of the authority conferred upon me by six bond ordinances adopted by the Borough Council of the Issuer on June 6, 2011 (Ord. No. 11-06), March 5, 2012 (Ord. No. 12-01), July 16, 2012 (Ord. No. 12-12, as amended by Ord. No. 12-16 adopted on September 19, 2012), April 16, 2013 (Ord. No. 13-01), July 14, 2014 (Ord. No. 14-07) and October 20, 2014 (Ord. No. 14-11), I have determined to issue a Bond Anticipation Note (herein called the "Note") of the Issuer in accordance with the following description:

TOTAL PRINCIPAL AMOUNT: \$3,551,400

DATED: February 27, 2015

MATURITY: February 26, 2016 (non-callable)

<u>NUMBER</u>	<u>DENOMINATION</u>	<u>CUSIP</u>	<u>DATED DATE SETTLE DATE</u>
15-1R	\$3,551,400	979217GG5	February 27, 2015

INTEREST RATE PER ANNUM (payable at maturity): 1.25%

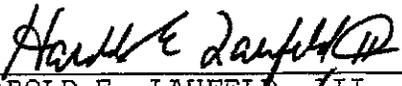
REGISTERED OWNER: CEDE & CO.

PLACE OF PAYMENT: Chief Financial Officer
Municipal Building
188 Pascack Road
P.O. Box 8619
Woodcliff Lake, New Jersey

2. Pursuant to said authority, I have awarded and will sell the Note to Jefferies LLC, at the price of \$3,578,357 plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price thereof. I will be the Note Registrar/Paying Agent for the Note.

3. No obligations of the Issuer other than the Note have been issued pursuant to the bond ordinances referenced above and are now outstanding.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day
of February, 2015.



HAROLD E. LAUFEL, III
Chief Financial Officer
Borough of Woodcliff Lake
County of Bergen
State of New Jersey

Administrator's Report for the week of February 2, 2015

Responded to second snow/weather emergency. Updated sign and made all appropriate phone calls. Reviewed emergency evacuation and Fire Prevention Program as well as Council by-laws, purchasing procedures and local finance notices. Researched Old Mill Bleacher project and arranged for a donation from the Baseball Association in the amount of \$50,000 to be added to the February agenda. Also spoke to Millenium Strategies to confirmed that Neglia was sending out an engineer to survey the property as the final step in the process before submitting a request to the County for reimbursement under their open space grant. Began to review of Tri-Boro agreements and understand various cost sharing arrangements. Met with Kelly O'Donnel, Borough Administrator of Park Ridge to discuss the same. Prepared a spreadsheet for Harold Laufield's review to identify outstanding charges due from Park Ridge and Montvale. Researched a \$12,000 insurance premium on a Volunteer Fire and Ambulance policy. Research revealed an oversight is billing for the past 15 years of more than \$60,000 as Volunteer Ambulance and Volunteer Fire were on the same policy and never broken out and recovered from Park Ridge and Montvale. This will need to be backed billed. Also back billed for missing revenue for Tri-Boro Coordinator in the amount of \$2,250 each for Park Ridge and Montvale. Received a phone call from County regarding the Community Development Grant for work done at the Senior Center (ie installing panic bars on the doors) from 2014-15. Placed the required resolution on the Feb 9th agenda so that we can receive reimbursement on this grant as well. Spoke with Ron Dario about updating the employment manual according to Jif requirements. Continued to work on the 2015 budget. Attended Pascack Valley Administrators meeting to discuss possible shared capital purchases. Met with Gramco to discuss a community bulletin board and possible rebroadcast scheduler. Awaiting a proposal from Gramco. Arranged for an upgrade to the Edmunds system 2.7 to 3.2 on Wednesday, February 18th, 2014.

Administrator's Report for the week of February 9, 2015

Allowed Lime Energy to complete the required HVAC replacement project started in 2014. This included the replacement of several HVAC units and one boiler located at Borough Hall, and the Police and Fire Departments. This grant will cost us approximately \$31,000 for \$100,000 worth of equipment and lighting upgrades. Worked with Borough risk manager to come up with a temporary solution for first retiree under Chapter 48. Discussed with Nick Saluzzi his desire to hook up Borough Hall to the generator that currently services the Police Department. Placed resolution on the February agenda to get approval to solicit quotes for this work. Dave Antione is working Peter Blanos from Millenium Strategies on hooking up the Fire Department to this generator as well but this work will more than likely not get done until 2016. This expense should be able to be covered by a grant whereas the Borough Hall hookup will be covered by insurance proceeds received when previous generator was flooded. Worked on capital budget as well as finalizing the operating budget for Finance Committee review. Called Cablevision and FIOS to check live broadcast feeds that did not work the night of February 9th, 2014. FIOS reported no problems while Cablevision reported that on their last visit to Borough Hall, the cable they replaced was never terminated. This is what caused the issue. They will still need to come back one additional time to replace connectors. Met with representatives of the Bank

of New Jersey to discuss the possibility of receiving check scanners to help with recording/depositing the volume of checks received during tax time. Checked technical requirements with Dart Computers and received affirmation that we met the requirements. Put a request in to Cablevision for pricing on improving our internet speed.

Administrator's Report for the week of February 16, 2015

Monday was a Holiday and Borough Hall was closed. Tuesday I began looking at the Borough's personnel files, which are in really bad shape. Worked with Joy to order the required supplies to begin this project next week. My plan is to completely revamp the personnel files so that they are organized by salary actions versus requests for time off versus trainings and various certifications and employment history. Wednesday an upgrade to our Edmunds Systems software was performed which brings us one step closer to the implementation of the on-line requisition software. Met with finance committee to review the preliminary 2015 Budget. Received feedback from Harold on missing accounts, Tom and Elizabeth on the Parks and Rec Budget. Corrado requested some changes to the spreadsheet which were made on Friday and were redistributed to the Finance Committee and the Mayor. Joy worked up an analysis of our senior van usage and I spoke with Pete Blanos about a possible grant opportunity for a new Tri-Boro Van. Pete indicated that there will be a Federal Grant that will be administered through the Department of Transportation at the State level accepting applications in 4 to 5 weeks. Although this is not a guarantee, the grant is specifically suited for filling this need as it is called a "5310 United we Ride" grant for senior citizens. Once we apply it will take about six months before we know if we are approved. Spoke with Frank Covelli to understand the various issues regarding Chapter 48. Interviewed three candidates responsible for the pool management over the summer.

Administrator's Report for the week of February 23, 2015

Reviewed revenue accounts to begin working with Lois on better recording of various revenue amounts. Worked with Elizabeth and Jeanine on securing their new hirers for the summer season. Visited all locations that received Lime Energy upgrades to verify that the work that was scheduled to be done was accomplished. Reported the discrepancies to Peter Blanos. Received notification of the 2015-16 Community Development Grant allocation meeting scheduled for March 11, 2015 which someone from Woodcliff Lake must attend. Received check scanner from Bank of New Jersey and arranged training for everyone that works the front counter. Reviewed all ids and approval levels with Edmunds to allow for our on-line requisition system to go live by March 31, 2015. Reviewed issues regarding Tri-Boro back billing with entire Council. Sought approval to move forward with the recapture of the volunteer ambulance insurance premiums that were never appropriately billed for. Distributed a hand out as part of this report. Continued to work on senior van issues, Land Sale, Chapter 48 options, revenue reporting, and blanket expense processing to make our Finance operations more efficient.

Tri-Boro Reconciliation for Insurance and Coordinator

	<u>Wooddell Lake</u>		<u>Park Ridge</u>		<u>Montvale</u>			
	<u>Total Pd</u>	<u>Owed</u>	<u>Paid</u>	<u>Outstanding</u>	<u>Owed</u>	<u>Paid</u>		<u>Outstanding</u>
2014	\$ 9,270.00	\$ 3,090.00	\$ 1,545.00	\$ 1,545.00	\$ 3,090.00	\$ 1,545.00	\$ 1,545.00	Letter sent June 18, 2014
2013	\$ 9,270.00	\$ 3,090.00	\$ 3,090.00	\$ -	\$ 3,090.00	\$ 2,317.50	\$ 772.50	Letter sent December 2013
2012	\$ 9,000.00	\$ 3,000.00	\$ 3,000.00	\$ -	\$ 3,000.00	\$ 3,000.00	\$ -	
2011	\$ 9,000.00	\$ 3,000.00	\$ 3,000.00	\$ -	\$ 3,000.00	\$ 3,000.00	\$ -	
2010	\$ 9,000.00	\$ 3,000.00	\$ 2,250.00	\$ 750.00	\$ 3,000.00	\$ 3,000.00	\$ -	Letter sent Feb 10, 2010
				\$ 2,295.00			\$ 2,317.50	

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

TRI-BORO VOLUNTEER AMBULANCE CORPS

ANNUAL INSURANCE COST - TRACKING REPORT - 2010 TO 2015

YEAR	BERGEN COUNTY MUNICIPAL JIF						VFIS ACCIDENT & SICKNESS	GRAND - TOTAL - ALL POLICIES
	PROPERTY	WORKERS COMP	AUTOMOBILE	GENERAL LIABILITY	VOLUNTEER D&O	BCM/JIF SUBTOTAL		
2010	\$1,044	\$5,048	\$2,621	\$2,825	\$456	\$11,994	\$6,232	\$18,226
2011	\$1,473	\$5,477	\$3,468	\$3,356	\$456	\$14,230	\$6,232	\$20,462
2012	\$1,694	\$6,457	\$3,326	\$3,635	\$456	\$15,568	\$6,232	\$21,800
2013	\$1,776	\$5,837	\$3,384	\$3,132	\$456	\$14,585	\$6,232	\$20,817
2014	\$1,662	\$7,027	\$3,352	\$4,063	\$456	\$16,560	\$6,232	\$22,792
2015	\$1,712	\$7,238	\$3,453	\$4,185	\$456	\$17,043	\$6,232	\$23,275

E X P A S I R S	PROPERTY		AUTOMOBILE		TIV
	Building	Contents	1999 Ford Crown Victoria	2006 Ford	
	\$1,121,178	\$74,119			\$20,094
		\$50,000	2004 Ford Ambulance		\$20,950
		\$40,000	2007 GMC Ambulance		\$134,694
		\$40,000	2012 Intl. Ambulance		\$167,565
		\$40,000			\$202,000
	Total Insurable Value (TIV)	\$1,325,297	Total Insurable Value (TIV)		\$545,303
	WORKERS COMPENSATION	TIV			
	30 Volunteers (\$1300 x 30)	\$39,000			

Sources:

Tri-Boro Vol. Ambulance Corps
WCL Insurance Schedule
Bergen County MJIF
VFIS



**ENGINEER'S REPORT
BOROUGH OF WOODCLIFF LAKE
March 2, 2015**

Joseph E. Neglia, PE, PP, PLS
CEO, Chairman of the Board

Michael J. Neglia, PE, PP, PLS
President

Gregory Polyniak, PE, PP

Michael F. Bertiner

Thomas R. Solfaro, PE, CME

Daniel Kaufman, PE, PP

Brian Intindola, PE

Joann Signa

Civil Engineering

Municipal Engineering

Landscape Architecture

Traffic Engineering

Planning

Land Surveying

Construction Management

34 Park Avenue

PO Box 426

Lyndhurst, NJ 07071

Tel: 201.939.8805

Fax: 201.939.0846

www.negliaengineering.com

Our file: WDLAMUN14.014
Project: 2014 Pascack Valley Cooperative Pricing Road Paving Program
Start Date: August 20, 2014
End Date: Spring, 2015
Contract: \$1,289,072.85 (Amended +8.21% by Change Order #1)
Budget Status: \$684,193.34 (Payment Voucher #4)

The list of roads identified for resurfacing and curb repair during the 2014 Road Program includes; Mill Road Extension, Indian Drive, Springhouse Road, Deerfield Drive, Mill Road, Arcadia Road, Woodland Road, Berkshire Road, Oakwood Drive, Dennis Court, Welter Avenue, Willow Street, Edward Place, James Street, Sylvia Court, Pond Road, Pinecrest Drive, Marz Drive, Allen Drive, and David Lane. Resurfacing efforts total approximately 4 ¼ miles, or 13%, of the 32 miles of roadway in the Borough. Curb repair on Clairmont Drive, Rutgers Court, Fieldstone Court, Harvard Court, Princeton Drive, Somerset Drive, and Marjo Court will also be addressed during this program.

At the June 30th meeting of Mayor and Council, Bond Ordinance 14-07 was authorized in support of this project. At the July 14th meeting of Mayor and Council, D&L Paving Contractors, Inc. was authorized in the amount of One Million One Hundred Ninety-One Thousand Two Hundred Seventeen Dollars and Eighty-Five Cents (\$1,191,217.85), as per the submitted bid package. Construction management of this project was also awarded to our office at this meeting.

The pre-construction meeting was held on August 5th at Borough Hall. Park Ridge Water confirmed that leak tests have already been performed on all roads in the program to address any repairs required prior to resurfacing. The NEA Inspector, DPW, and the Contractor coordinated project walkthroughs to identify exact locations of all curb replacements.

The Contractor mobilized for construction of concrete curb repairs in late August, starting on Clairmont Drive and surrounding roads. The contractor has since moved through the majority of curb repairs on roads which require resurfacing. Milling operations began the week of November 17th. The Contractor and NEA coordinated with the Board of Education to minimize impact to Dorchester Elementary by paving Arcadia and Woodland on Saturday, November 22nd.

The project was suspended as of early December due to weather conditions which made the continuation of paving operations impractical. Paving is to resume in Spring 2015 for completion of the project once warmer weather returns.

Payment Voucher #1 and Change Order #1 were processed at the October 6th Council meeting. Payment Voucher #2 was processed at the November 17th meeting. Payment Voucher #3 was processed at the December 15th meeting. Payment Voucher #4 was processed at the February 9th meeting.



Engineer's Report
March 2, 2015
Page 2 of 5

Our file: WDLAMUN13.017
Project: Old Mill Recreation Complex Improvements (Bleachers & Walkway)
Start Date: July 28, 2014
End Date: December 3, 2014
Contract: \$90,847.00 (Change Orders #1 and 2 & Final, 15.43% increase)
Budget Status: \$90,847.00 (Payment Vouchers #1, 2, 3, and 4 & Final)

The Borough of Woodcliff Lake has received a grant from the Bergen County Open Space Trust Fund for improvements at the Old Mill Recreation Complex. This grant is in the amount of \$20,525 with an anticipated match by the Borough's Open Space Fund and contributions from the Woodcliff Lake Baseball Association for the remainder of project costs.

The third Bid Opening for this project was held on July 9th at Borough Hall. The lowest of five (5) bids received was submitted by Trino Associates, LLC of Paramus, NJ in the amount of Seventy-Eight Thousand Seven Hundred and Two Dollars and Zero Cents (\$78,702.00) representing the total sum of Base Bid and Alternate Bid #1. Award of contract to Trino Associates, LLC was approved by the Council through Resolution at the July 14th meeting of Mayor and Council. Construction management of this project was also awarded to our office at this meeting.

The pre-construction meeting was held on July 25th at Borough Hall. The Contractor began construction on July 28th with tree removal, demolition of the existing bleachers and railroad tie wall, and excavations for construction of the new modular block retaining wall. Construction of the wall was completed within a week. A site meeting was held on August 7th to coordinate an additional bleacher unit to be purchased and installed at Lockwood Field through additional funding by the Baseball Association. The new bleacher unit and additional concrete quantities were accommodated by Change Order #1. Concrete sidewalks and bleacher pads were installed the week of August 11th. The new bleacher units were ordered the first week of August and were delivered in mid-September.

The Contractor coordinated with NEA's resident landscape architect regarding delivery and planting of all landscaping. Shrubs were delivered and planted mid-October. Two sycamore trees, for in-kind replacement of a mature sycamore which was removed during the project, were planted on Wednesday, November 19th.

Project closeout documents were prepared upon completion of the punch list by the Contractor and submitted to the Borough for processing at the December 15th Council Meeting.

NEA is currently coordinating with the Borough and Bergen County Open Space for final grant reimbursement.



Engineer's Report
March 2, 2015
Page 3 of 5

Our file: **WDLAMUN13.011**
Project: **77 Brookview Drive Drainage Repairs**
Start Date: **To Be Determined**
End Date: **To Be Determined**
Budget Cost: **\$107,000.00**
Budget Status: **To Be Determined**

On February 1, 2013 a site visit was performed at the above referenced address in response to a resident complaint and to evaluate damage that occurred to a drainage outfall that is apparently owned by the Borough. The site visit was performed with former Borough Administrator Wolfgang Albrecht, Superintendent of Public Works David Antoine, and this office. In response, NEA developed a preliminary estimate of the repair work to be as follows:

- Construction (head wall and repair)	\$ 75,000.00
- Engineering and permitting	<u>\$ 20,000.00</u>
	\$ 95,000.00
- If NJDEP requires a stream study add	<u>\$ 12,000.00</u>
	\$107,000.00

On March 11, 2013 a second site visit was performed with Park Ridge Water and Sewer representatives William Beattie, Director of Operations, and William Hahn, General Supervisor. This meeting was held on-site to discuss the potential reductions in engineering and permitting costs for both entities by coordinating a joint project. Park Ridge Water and Sewer was supportive of this proposal as both sides indicated that the close proximity of the damaged outfall and exposed utility crossing will, at minimum, require the coordination of design drawings as not to adversely affect the adjacent repair.

On May 15, 2013 an on-site meeting was held with the homeowner Peter Goldsmith, former Borough Administrator Wolfgang Albrecht, and our office. The project status was discussed and the property owner was notified that the Borough has made proper appropriations in the FY2013 municipal budget to address this issue in conjunction with Park Ridge Water and Sewer's utility repair.

In late August, 2014 Park Ridge Water and Sewer indicated that an appropriation of funds for this project is now being made to address this repair as soon as practicable. Further coordination with Park Ridge Water and Sewer may provide an opportunity for joint permitting as a cost saving measure for both municipalities. Neglia Engineering Associates is prepared to provide proposal scoping for survey, design, permitting, and bidding of this project for the Council's consideration in 2015, upon request.



Engineer's Report
March 2, 2015
Page 4 of 5

Our file: **WDLAMUN13.016**
Project: **Woodcrest Drive Cul-de-sac Drainage Issue**
Start Date: **To be Determined**
End Date: **To be Determined**
Budget Cost: **To be Determined**
Budget Status: **To be Determined**

Two separate drainage issues exist at this location;

1. Property maintenance issues with respect to erosion of the existing stream bank.
2. Flooding of the Woodcrest Drive cul-de-sac and front yards of aforementioned properties during large rainfall events.

In regards to property maintenance, both properties abutting the stream are experiencing erosion of the existing stream bank. The most significant erosion takes place at the property north of Woodcrest Drive cul-de-sac. The residents at this property have enlisted the services of a professional engineer to design, permit, and install a retaining wall along the stream bank stabilize their side yard, minimizing its further impact on their property. The residents at the property south of Woodcrest Drive cul-de-sac are experiencing minor erosion of the stream bank. Their property also includes a large low-lying area adjacent to the stream, which commonly floods and remains saturated for extended periods of time.

The second issue is due to the inability of the Woodcrest Drive storm drain network to discharge freely to the stream. The existing outfall for this network discharges at the elevation of the streambed with little or no slope on the pipe. Although this stream does run dry at times, it commonly flows at a depth great enough to fully submerge the outfall during large storm events. As such, the Woodcrest Drive network is unable to discharge freely to the stream without first backing up to an elevation great enough to create the hydraulic pressure required to force water through the discharge pipe. The catch basin upstream of the outfall is less than 2 feet deep, providing little storage within the network before overflowing into the streets causing the cul-de-sac to flood. During large rainfall events this catch basin overflows immediately and floods the entire cul-de-sac to a great extent.

Minor relief of flooding may be attained through dredging operations and normalization of the stream bed and bank performed under an NJDEP permit in combination with reconfiguration of the existing storm drain network outfall. Preliminary scoping by our office estimated survey, engineering, and permitting fees in excess of \$30,000.

NEA has coordinated with the Borough to research alternative measures of flood relief which may provide a more cost effective solution to this issue.



Engineer's Report
March 2, 2015
Page 5 of 5

Our file: **WDLAADM13.001**
Project: Private Pond at 14 Saddle River Road
Budget Cost: Not Applicable / Private Issue

A spillway resides within the County right-of-way and discharges through a culvert under Saddle River Road and directly into Musquapsink Brook. This spillway is operational and in fair condition. The resident and Construction Code Official noted that 15 years ago this pond was approximately 15 feet deep. They also noted that over time the earthen dam separating the upper and lower ponds had eroded significantly, thereby significantly degrading the water quality in the lower pond through the transport of sediments. These sediments were observed in the lower pond at a depth no greater than 5 feet, indicating significant loss of storage within the lower pond since failure of the earthen dam.

Review of the Borough Tax Map indicated that both the upper and lower ponds reside on private property. The lower pond resides within Block 805, Lots 1.01, 1.02, 2, and 7. The upper pond resides within Block 804 Lot 4 and Block 805 Lot 1.02. The failed earthen dam, associated concrete spillway and stone-lined channel resides between Block 805 Lots 1.02 and 1.03.

Our cursory review indicates this is a private issue between property owners in regards to the maintenance of the pond and associated outlet control structure. It is suggested that a review of any prior developer's agreements and deed records for the above referenced properties be made by the Borough Attorney to ensure that at no point prior had title to the earthen dam and associated concrete spillway been transferred into the possession of the Borough.

The Construction Code Official, Nick Saluzzi, informed our office that a resident whose property is adjacent to the pond has been in contact with the Bergen County Mosquito Commission regarding assistance with dredging. The Commission indicated to this resident that they are able to perform the dredging if the Borough and/or residents obtain the necessary permits from NJDEP. Our office has assessed the level of effort required for surveying and permitting of this activity and, as per our original cursory review, have concluded this to be a private issue which falls under the responsibility of the property owners.

Sincerely,
Neglia Engineering Associates

Michael J. Neglia, PE, PLS, PP
Borough Engineer
Borough of Woodcliff Lake

Sincerely,
Neglia Engineering Associates

Joseph R. Vuich, PE
For the Borough Engineer
Borough of Woodcliff Lake



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

Resolution No. 15-74

March 2, 2015

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 matters to be discussed in closed session:

1. Matthew Miller Litigation
2. Kathy Rizza Litigation

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

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

ROLL CALL:

Introduction: Mrs. Chiavelli
Second: Mr. Rendo
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo,
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 March 2, 2015.

DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

March 2, 2015
Resolution No. 15-75

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 2/27/2015 - \$181,121.66

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:	\$ 6,085,984.19
Escrow:	\$ 5,505.40

ROLL CALL:

Introduction: Mr. Belgiovine
Second: Mr. Rendo
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo
Nays: None
Abstain: None
Absent: None

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, Acting 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 March 2, 2015.



DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION TO EXECUTE CONTRACT WITH PROFESSIONAL INSURANCE ASSOCIATES, INC.

March 2, 2015
Resolution No. 15-76

WHEREAS, Professional Insurance Associates, Inc., has offered the Borough of Woodcliff Lake professional risk management consulting services as required in the By-laws of the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds; and

WHEREAS, Woodcliff Lake desires these professional services and Professional Insurance Services was appointed as Risk Manager at the Mayor and Council meeting of January 5, 2015;

NOW, THEREFORE BE IT RESOLVED, that Mayor Jeffrey Goldsmith is hereby authorized to execute an agreement with Professional Insurance Associates, Inc. for the period of January 1, 2015 through December 31, 2015.

ROLL CALL:

Introduction: Mr. Belgiovine

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo

Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 March 2, 2015.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING AN OFFER OF EMPLOYMENT TO ROBERT BERGER AS A POOL MANAGER IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 15-78

March 2, 2015

WHEREAS, the Borough of Woodcliff Lake has determined the need to hire a Pool Manager and has conducted a hiring process for this position; and

WHEREAS, the Borough of Woodcliff Lake has identified a candidate for offer of employment, Robert Berger; and

WHEREAS, the Borough of Woodcliff Lake has determined that Robert Berger possesses the necessary skills and experience to hold the position of Parks Pool Manager; and

WHEREAS, it is in the Borough's best interest to hire Robert Berger as Pool Manager with a salary of \$11,500.00 with no vacation, personal or sick days; and

WHEREAS, said offer is contingent upon successful completion of background and reference investigation; and

WHEREAS, this position requires the applicant to have and maintain Certified Pool and Spa Operator certification.

NOW, THEREFORE, BE IT RESOLVED, that Robert Berger is hired as a Pool Manager for the 2015 season.

ROLL CALL:

Introduction: Mr. Belgiovine

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo

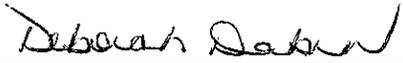
Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**

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.

Harold Laufeld
Chief Financial Officer



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING AN OFFER OF EMPLOYMENT TO SCOTT NOONAN AS ASSISTANT POOL MANAGER IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 15-79

March 2, 2015

WHEREAS, the Borough of Woodcliff Lake has determined the need to hire an Assistant Pool Manager and has conducted a hiring process for this position; and

WHEREAS, the Borough of Woodcliff Lake has identified a candidate for offer of employment, Scott Noonan; and

WHEREAS, the Borough of Woodcliff Lake has determined that Scott Noonan possesses the necessary skills and experience to hold the position of Assistant Pool Manager; and

WHEREAS, it is in the Borough's best interest to hire Scott Noonan as Assistant Pool Manager with a salary of \$9,500.00 with no vacation, personal or sick days; and

WHEREAS, said offer is contingent upon successful completion of background and reference investigation; and

WHEREAS, said offer is contingent upon successful completion of the Certified Pool and Spa Operator Certification course.

NOW, THEREFORE, BE IT RESOLVED, that Scott Noonan is hired as Assistant Pool Manager for the 2015 season.

ROLL CALL:

Introduction: Mr. Belgiovine

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo

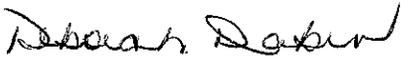
Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**

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.

Harold Laufeld
Chief Financial Officer



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING AN OFFER OF EMPLOYMENT TO DONNA FOU DY AS ASSISTANT POOL MANAGER IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 15-80

March 2, 2015

WHEREAS, the Borough of Woodcliff Lake has determined the need to hire an Assistant Pool Manager and has conducted a hiring process for this position; and

WHEREAS, the Borough of Woodcliff Lake has identified a candidate for offer of employment, Donna Foudy; and

WHEREAS, the Borough of Woodcliff Lake has determined that Donna Foudy possesses the necessary skills and experience to hold the position of Assistant Pool Manager; and

WHEREAS, it is in the Borough's best interest to hire Donna Foudy as Assistant Pool Manager with a salary of \$9,500.00 with no vacation, personal or sick days; and

WHEREAS, said offer is contingent upon successful completion of background and reference investigation; and

WHEREAS, said offer is contingent upon successful completion of the Certified Pool and Spa Operator Certification course.

NOW, THEREFORE, BE IT RESOLVED, that Donna Foudy is hired as Assistant Pool Manager for the 2015 season.

ROLL CALL:

Introduction: Mr. Belgiovine

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo

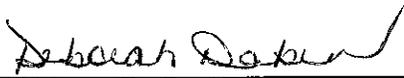
Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**

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.

Harold Laufeld
Chief Financial Officer



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION APPROVING THE REQUEST FOR PROPOSALS FOR THE PURCHASE OF RESIDENTIAL SOURCE SEPARATED RECYCLABLE MATERIALS COLLECTED IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 15-81 March 2, 2015

WHEREAS, the Borough of Woodcliff Lake has identified the benefits of offering to purchase the residential source separated recyclable materials collected in the Borough; and

WHEREAS, the Borough of Woodcliff Recycling Coordinator, Christopher Behrens has prepared a Request for Proposals to be responded to by those centers that purchase these materials in order to identify and secure the most economically beneficial provider; and

WHEREAS, such request for proposal is being solicited through a fair and open process in accordance with the "Pay-To-Play" Law: N.J.S.A. 19:44A-20.4 et seq.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the request for proposals for the purchase of residential source separated recyclable materials collected in the Borough of Woodcliff Lake.

ROLL CALL:

Introduction: Mr. Belgiovine
Second: Mr. Rendo
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.

DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

TAX REIMBURSEMENT CERTIFICATION

March 2, 2015
Resolution No. 15-82

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311 has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a Municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake hereby certifies a submission of expenditure for taxes pursuant to P.L. 2007, Chapter 311, in 2014 in the amount of \$6,258.81 (4-01-32-465-242). Documentation supporting this submission is available at Borough Hall, 188 Pascack Road, Woodcliff Lake, New Jersey and shall be maintained for no less than five years from this date.

ROLL CALL:

Introduction: Mr. Belgiovine

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo

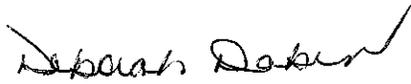
Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING WOODCLIFF LAKE POOL AND TENNIS RATES FOR THE 2015 SEASON

RESOLUTION NO. 15-63 (Amended) March 2, 2015

WHEREAS, the Mayor and Council authorize the Borough to collect the following fees for the 2015 pool and tennis season as stated:

2015 POOL AND TENNIS RATES

A *Family shall consist of not more than 2 adults and all children 23 and under and living at the same address.

Resident Family Pool and Tennis Membership Rates

Family Plan (Pool) + 10 pool guest passes	\$375
Family Plan (Pool & Tennis) + 10 pool and 10 tennis guest passes	\$425
Family Plan (Pool) with Nanny + 10 pool guest passes	\$500
Family Plan (Pool & Tennis) with Nanny + 10 pool and 10 tennis guest passes	\$575

Resident Individual Pool Membership Rates

An Adult is considered 24 and up.

Adult +3 guest passes	\$175
Couple + 5 guest passes	\$325
Student + 2 guest passes (ages 13-23)	\$150
Senior Citizen (Age 62 & over – proof of age required)	Free
Under Age 5	Free

Volunteer Fire Fighter & Ambulance

(Regardless of residency, but must be a current volunteer in the Borough of Woodcliff Lake for the current year)

Family Plan (Pool) + 5 guest passes	\$150
Family Plan (Tennis) + 5 guest passes	\$40

Passes

5 passes	\$45
10 passes	\$90

Daily Fee Rates

Ages 24 & up	\$15
Ages 5-23	\$10
Twilight – after 4 pm (all ages)	\$5

Non-Resident Pool Membership Rates

Family Plan (Pool) no guest passes	\$800
Couple Plan (Pool) no guest passes	\$625
Single Adult (Pool) no guest passes	\$350
Family Plan (Pool & Tennis) no guest passes	\$925

Lost Badges

There is a \$25 charge for replacing badges lost during the season

Resident Tennis Membership

Family Plan (Tennis) + 10 guest passes	\$75
Adult (Tennis)	\$50
Student (Under age 23) (Tennis)	\$30
Senior Citizen (Over age 62 – proof of age required)	Free
Daily Rate (Non-Member)	\$5

Non-Resident Tennis Membership

Family (Tennis)	\$125
Adult (Tennis)	\$100
Student (Age 5-23) (Tennis)	\$75

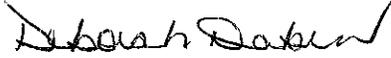
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the aforementioned rates are approved as presented.

ROLL CALL:

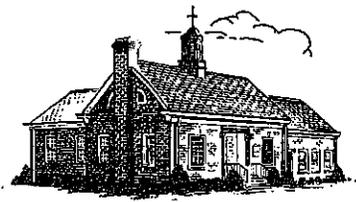
Introduction: Mr. Belgiovine
Second: Mr. Rendo
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,
Mr. Rendo
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
DONNA ALONSO, Interim Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING THE SALE OF BOROUGH PROPERTY NOT NEEDED FOR PUBLIC USE IN BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 15-83

March 2, 2015

WHEREAS, the Borough of Woodcliff Lake (hereinafter referred to as the "Borough") is the owner of the following properties; and

WHEREAS, said properties are not needed for public use; and

WHEREAS, the Borough is authorizing to sell any such properties by public sale to the highest bidder pursuant to N.J.S.A 40A:12-13 et. seq.; and

WHEREAS, it is in the best interest of the Borough that a public auction be held for such properties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Municipal Council of the Borough of Woodcliff Lake that:

1. The properties listed below in paragraph 19 are hereby offered for public sale to the highest bidder at no less than the minimum price set forth herein and delineated specifically in Paragraph 19, subject to the conditions hereinafter as set forth in the terms and conditions of a contract of sale to be executed by the parties.
2. The sale shall be conducted by the Borough Counsel.
3. The sale shall be made subject to:
 - a. such state of facts which an accurate survey may disclose
 - b. easements and restrictions of records, if any
 - c. tenancies, leaseholds, and lights of persons in possession
 - d. all federal, state, county and municipal laws, statutes, codes, ordinances, rules and regulations affecting the property, its use and occupation
 - e. riparian rights or claims
 - f. Certificate of Occupancy issued by the Building Department
 - g. All Borough land use codes and regulations
4. The properties herein described, or any part thereof, are sold "as is" and without any representation or warranty, either expressed or implied, as to their present condition.

- a. Prospective purchasers are put on notice that the Borough's records as to any code violations may not be accurate or up to date and the Borough expressly makes no representations as to such violations.
 - b. Purchasers will be given an opportunity to inspect the property prior to the auction to ascertain the condition of the property.
 - c. It shall not be grounds to nullify the contract of sale if the purchaser discovers or is notified of any code violations after the sale,
 - d. In the event that the State of New Jersey or any upland owner shall have any rights or claims on the land being sold herei11by reason of riparian interest or otherwise are to be paid for and home by the purchaser, in addition to the sale price which is bid for said property.
5. All prospective purchasers are put on notice to consult the Water and Sewerage Department for existing facilities.
6. The purchase price for such properties shall be paid by any of the following methods:
 - a. By payment to the Borough of Woodcliff Lake in cash, money order, bank check or certified check the full purchase price immediately after the conclusion of the bidding for a specific property.
 - b. By payment to the Borough of Woodcliff Lake immediately after the conclusion of the bidding for a specific property twenty (20%) percent of the minimum bid price by cash, money order, bank check or certified check.
 - c. The balance of the purchase price is to be paid by certified check, money order or bank check within two (2) months of the date of Confirmation of Sale.
 - d. If the purchaser fails to pay the balance of the purchase price within two (2) month time limit, the sale to the purchaser is automatically canceled and the deposit shall be forfeited.
7. Purchaser may at its option arrange for a report on title before closing. Within thirty (30) days after the confirmation of sale by the governing body, purchaser shall notify the Borough in writing of any defects of title which may render title unmarketable. Marketable title is defined herein to mean title which a title company authorized to do business in the State of New Jersey is willing to insure at regular rates. Upon confirmation of such notice, the Borough shall refund purchaser's entire purchase price without interest and neither party shall have any further obligation or claim under this contract. If the purchaser fails to notify the Borough in accordance with this paragraph, purchaser shall be deemed to have waived all objections to title.
8. Upon delivery of deed, the purchaser shall:
 - a. Make all payments to the Borough for all real property taxes.
 - b. Submit proof to the Borough that the deed to the property was recorded with the Register of Deeds and Mortgages in the County of Bergen within thirty (30) days following the closing or delivery of the deed or the deed will be null and void and consideration paid forfeited to the Borough.

9. If purchaser fails to pay the purchase price when due or within a time as extended or fails to comply with any term of this contract, the Division of Real Estate may at its option rescind the contract or sue purchaser for any damages accruing or both. The Borough's failure to exercise any right or power arising out of purchaser's breach of this contract shall not be deemed a waiver.
10. The highest bid shall be made subject to acceptance or rejection by the governing body, but the acceptance or rejection therefore shall be made not later than the second regular meeting of the governing body following the sale, and if the governing body shall fail or refuse to accept or reject the highest bid as afore said, the said bid shall be deemed to have been rejected. The Borough also reserves the right to reject all bids where the highest bid is not accepted upon notice to the highest bidder and hearing thereto.
11. PLEASE TAKE NOTICE that no employee, agent, officer body or subordinate body has any authority to waive, modify or amend any of the conditions of sale without the expressed approval of the governing body of the Borough.
12. No commissions shall be paid to any agent, representative or broker or the successful purchaser of any of the properties listed for sale by the Borough.
13. The prices set forth as minimum herein are merely upset prices and do not constitute market value or future assessments.
14. The Borough shall execute a Contract of Sale with any successful bidder upon Any additional terms and conditions which are necessary to effectuate the purposes herein and to secure the best interests of the Borough of Woodcliff Lake and its citizens, provided that any additional terms and conditions shall not be inconsistent with the terms and conditions of this resolution.
15. Additional Conditions of Sale.
 - a. No sale shall be made to any person nor shall said person be permitted to bid who, prior to such sale, has purchased the property being sold or any other property from the Borough and has breached any of the conditions of the purchase of property from the Borough.
 - b. No person who was the previous owner of the property to be sold be permitted to bid for said property if the property was acquired by the Borough by reason of the non-payment of taxes or other municipal charges by such prior owner.
 - c. No person shall be permitted to bid for any property to be sold by the Borough if that person is delinquent in the payment of taxes or other municipal charges on any other property which such person shall own in the Borough.
 - d. No sale shall be made to any person who owns other property in the Borough regarding which properties there exists violations of the Property Maintenance Code and/or Uniform Construction Code, which violations have not been corrected

at the time of the sale.

- e. PLEASE TAKE NOTICE all bidders, whether they be the actual prospective purchasers or agents of or representatives of the actual prospective purchasers, shall submit an affidavit, under oath, setting forth the following:
 - i. That the actual purchaser is not a person who has previously breached a contract for the purchase of property from the Borough.
 - ii. That the actual prospective purchaser is not the former owner from whom the Borough acquired the property to be sold or any other property by reason of non-payment of taxes or other municipal charges.
 - iii. That the actual prospective purchaser is not the owner of any other property in the Borough who is delinquent in the payment of taxes or other municipal charges on said other property.
 - iv. That the actual prospective purchaser is not the owner of any other properties in the Borough regarding which there exists Violations of the Property Maintenance Code and/of Uniform Construction Code, which violations have not been corrected at the time of the sale.
 - v. Such affidavit shall contain the address and block and lot numbers of all the properties the prospective purchaser owns in the Borough.
- f. Such affidavit shall be submitted to the officer conducting the sale prior to the commencement of the public auction of the particular parcel in which the prospective bidder *is* interested. Failure to submit said affidavit shall disqualify a bidder from participating in the public auction.
- g. No sale to the highest bidder shall be confirmed by the Municipal Council, in the event an investigation and/or inspection reveals that the purchaser is a person who *falls* within the categories listed in paragraph 19 sub-section (a) through (f).
- h. In the event a sale is confirmed by the Municipal Council and after the sale *has* been confirmed by the Municipal Council, it is discovered that the purchaser is a person who falls within the categories set forth in paragraph 19 sub-section (a) through (f) of this resolution, then the purchaser is placed on notice that the said confirmation of sale shall be rescinded by the Municipal Council.

16. The Borough of Woodcliff Lake conveys this property to buyer so long as buyer utilizes the property in compliance with the Uniform Construction Code and the Property Maintenance Code. The buyer shall demonstrate compliance with the Uniform Construction Code and Property Maintenance Code by obtaining all building permits, inspections and Certificate(s) of Occupancy from the Construction Official.

17. The Borough of Woodcliff Lake's right of reversion is hereby subordinated to the mortgage of the buyer's lender specifically as follows: A transfer of title to such mortgagee pursuant to the mortgage will not be considered a condition activating the Borough of Woodcliff Lake's right of reversion. The express intent being that prior to reversion of title to the Borough of Woodcliff Lake, the mortgagee shall have the right to assume the obligations and duties of buyer set forth in this deed including the buyer's duty to make the required obligation as set forth in this Council resolution authorizing the sale of property

at public auction. The mortgagee's right to assume the duties and obligations of the buyer shall arise upon a default under the mortgage and/or upon a default under the terms and conditions of this Borough Council resolution authorizing the sale of this property at public auction.

18. All offers to bid shall be in increments of no less than one thousand dollars (\$1,000.00).

19. Property Description:

VACANT LAND

THE FOLLOWING PROPERTIES ARE OFFERED FOR SALE UPON THE CONDITION THAT THE PURCHASER SHALL CLEAN AND GRADE THE LOT, REPAIR THE SIDEWALK IF NECESSARY, ERECT A FENCE AROUND THAT PART OF THE PERIMETER OF THE LOT WHICH FRONTS ANY PUBLIC STREET WITH A MINIMUM HEIGHT OF SIX (6) FEET, EXCEPT WHEN ACQUIRED BY AN ADJACENT PROPERTY OWNER IN WHICH CASE, THE HEIGHT SHALL BE THE SAME AS THE FENCING ON THE PROPERTY, BUT IN NO CASE LESS THAN THREE (3) FEET IN HEIGHT. Any Physical description of each property as set forth in this Land sale are for informational purposes only and the Borough of Woodcliff Lake will not be responsible for their accuracy.

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>SIZE</u>	<u>MINIMUM BID</u>
2801	2	On Lincoln Avenue corner of Lincoln Ave. and Mallard St.	100 x150 Zone r-15, vacant lot	.344 (est.)	\$253,000.00

ROLL CALL:

Introduction: Mr. Rendo

Second: Mrs. Gadaleta

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of March 2, 2015.



**DEBORAH DAKIN
ACTING BOROUGH CLERK**