

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

November 21, 2011

8:00 p.m.

CALL TO ORDER.

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

ROLL CALL.

Mayor LaPaglia asked for a roll call. Councilmembers Bader, Camella, Glaser, Hoffman and Struk were present on roll call. Attorney Madaio, Administrator Albrecht and Borough Clerk Sciara were present. Councilman Baum arrived at approximately 8:10 p.m. due to a parent teacher conference.

PLEDGE OF ALLEGIANCE.

All present recited the Pledge of Allegiance led by Mayor LaPaglia.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of the **Mayor and Council Meeting on November 9, 2011**, copies of which have been received by all Councilpersons, are hereby approved as amended.

ROLL CALL:

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

COUNCIL MEMBER REPORTS

ADMINISTRATION/FINANCE/EDUCATION (HIGH)/SENIOR CITIZENS' PROGRAM

Mr. Glaser stated that he had no report.

Mr. Bader asked that the Finance Committee give a final draft report to the Mayor and Council on the new purchasing procedures they are currently working on. Mr. Bader stated again that he has a major concern with the purchasing process at Borough Hall. The current procedure does not allow for a Councilmember to approve a purchase until after it is has already been approved by the department head and administrator. Mayor LaPaglia stated that there are certain exceptions on smaller purchases that must be allowed or government could be at a standstill. Mr.

Bader specifically cited an incident when the Senior Association purchased a computer table for over \$3,000.00. Mr. Bader felt the price was very high and that if the Council had known in advance, a cheaper computer table could have been found.

DPW & ROADS/SEWERS & SANITATION, ECOLOGY

Mr. Struk stated that the DPW was still concentrating their efforts cleaning up from the October storm. The DPW expects all tree branches and related debris to be picked up by the end of the month. Leaf pickup has begun. The work at the train station is almost complete. Footings for the bus stop pad on Kinderkamack Road and Prospect Avenue have been installed.

PARKS AND RECREATION

Mr. Hoffman reported that soccer season has ended and basketball season has begun.

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

Mr. Bader stated that he has received several letters and phone calls about the terrific work the Police, DPW and OEM departments did during the October storm. Mr. Bader reminded all those in attendance that NIXLE is a free service that is used by the borough to alert residents of important news.

Mr. Bader reported on a new State law that prohibits any private snow plow operator from dumping snow on public streets.

Mr. Bader reported that a recent meeting with the Tri-Boro Safety Committee to discuss 2012 dispatch services went very well. All involved voiced their concerns and a meeting to discuss final terms of an agreement will be held within the next two weeks.

Mr. Bader stated that Chief Jannicelli submitted to him as Police Commissioner copies of the extra hours the chief has worked in 2011. By contract he is only able to bank 40 comp hours. His spreadsheets showed that he has worked over 125 hours. Mr. Bader asked the Council to think over the next two weeks about whether or not the Chief should be compensated for his extra hours. It was also stated that the acting DPW Superintendent and the OEM Coordinator, as well as the administrator, all put in extra hours due to the unusual weather circumstances this year.

Mayor LaPaglia stated that he has great difficulty in approving a bonus for the highest paid employee in the Borough of Woodcliff Lake. As Police Chief he makes approximately \$160,000 base pay. He gets 5 weeks vacation, 13 holidays and innumerable hours off to attend classes and professional events. As the Chief it is his obligation to do what needs to be done in that role. Mayor LaPaglia stated that in his professional career, there were many times he had to work additional hours and never received overtime pay. The Chief is salaried and it is a very competitive salary. He makes slightly less than the Montvale Chief of Police and more than the Chief of Police in Park Ridge. He believes the request is just a bit disingenuous.

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

Mr. Baum reported that he would like to introduce the ordinance for fire department/loss mitigation rates that has already been discussed.

FIRE-VOLUNTEER/FIRE PREVENTION

Mr. Camella reported that it is been quiet at the fire department.

Mr. Camella stated that the Montvale and Park Ridge fire departments have been discussing solar panels. Although environmentally friendly, solar panels create a new set of safety problems. Extra training is necessary for fireman to familiarize themselves with solar panels. Mr. Bader stated that Assemblyman Schroeder has introduced legislation that will require buildings to clearly label whether they have solar panels, to help avoid any unintended threat to firefighters.

OLD BUSINESS.

Administrator Albrecht reported that the revaluation conducted by Appraisal Systems, Inc. has been completed in accordance with rules mandated by the State of New Jersey. Residents will receive a letter within the next week with their new property values along with contact numbers to call with any questions they may have. The Borough asks that residents not apply the 2011 rate to the new value because the new county and school numbers will not be correct.

NEW BUSINESS.

None

PUBLIC FORUM

Motion

CONSENT AGENDA DISCUSSION.

CONSENT AGENDA VOTE.

Resolution to Authorize Entering into Executive Closed Session

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

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

WHEREAS, the Governing Body wishes to discuss: litigation filed against the Borough of Woodcliff Lake, Councilmen Bader, Baum, Glaser and Struk; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this portion of the meeting.

ROLL CALL:

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

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

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

ADJOURNMENT

Motion to adjourn was made by Mr. Bader, second by Mr. Camella and approved unanimously by voice call vote. The time is 9:30 p.m.

Respectfully submitted,

Lori Sciara, RMC/CMC
Borough Clerk

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

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

Current Fund	\$ 819,817.41
Animal Control Fund	\$ 1,314.80
Trust Other Funds	\$ 890.23
State Unemployment	\$ 8,809.00
Public Assistance	\$ 400.00
General Capital	\$ 3,897.00

Payroll**(Consent Agenda-2)**

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

Payroll released	\$ 192,470.41
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Resolution Requesting Approval of items of Revenue and Appropriation – Chap 159 – NJSA40A 4-87 – State Body Armor Replacement Program. **(Consent Agenda – 3)**

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget: and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts;

NOW, THEREFOR BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2011 Budget in the sum of \$2,033.73 which is now available from N.J. Division of Criminal Justice - State Body Armor Replacement Program.

BE IT FURTHER RESOLVED, that a like sum of \$ 2,033.73. is hereby appropriated under the caption

General Appropriations
 Operations Excluded from CAPS
 State and Federal Programs Offset by Revenues
 State Body Armor Replacement Program

Resolution Authorizing the Flu/Pneumococcal Professional Agreement in Accordance with Health Insurance Portability and Accountability Act of 1996 (HIPPA) Between Borough of Woodcliff Lake and County of Bergen (Consent Agenda-4)

WHEREAS, this Agreement is made as of the date set forth between the Borough of Woodcliff Lake and the County of Bergen, Paramus NJ; and

NOW, THEREFORE, IT IS AGREED by and between the Borough of Woodcliff Lake and the County of Bergen to have the County of Bergen provide vaccines and will bill the Borough; and

WHEREAS, the County of Bergen Department of Health Services has submitted a proposal to perform such services for the 2011-2012 flu program at a sum of \$ 2,600.00 plus an additional charge per dosage; and

WHEREAS, the contract is a valid contract for Professional Services which may be awarded without competitive bidding in accordance with NJSA 40A:11(a) of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Woodcliff Lake that the Mayor and Borough Administrator are hereby authorized and directed to execute an agreement with the County of Bergen Department of Health Services for the 2011-2012 flu program.

Resolution Authorizing Bond Reduction for Four Seasons at Ridgemont, Block 202, Lots. 1, 1.1, 2, 3 and 4.1 (Consent Agenda - 5)

WHEREAS, based upon observations during site inspections, the Borough Engineer takes no exception to reducing the bond amount as follows:

Site work	\$ 207,966
Landscaping	2,912
Total	\$210,878

WHEREAS, the developer must provide the following information to this office for our review and consideration:

- All pressure and bacteriological taste performed on the water mains and their acceptance by the water utility
- All pressure testing results performed on the sanitary sewer system
- Certifications for installed retaining walls signed and sealed by a licensed professional engineer in the State of New Jersey

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council authorize the Bond Reduction for Four Seasons at Ridgemont as stated above.

Resolution Authorizing the Person to Person Transfer of Liquor License From New Castle Operating Company, #3, Inc. to Interstate Management Company, LLC d/b/a/ Woodcliff Lake Hilton
(Consent Agenda – 6)

WHEREAS, an application has been filed for a Person to Person Transfer of Plenary Retail Consumption License Number 0268-36-0003, heretofore issued to Interstate Management Company, LLC , for premises located at 200 Tice Boulevard, Woodcliff Lake, NJ; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen and State of New Jersey, does hereby approve, effective November 30, 2011, the person to person transfer of the aforesaid Plenary Retail Consumption License to Interstate Management Company, LLC d/b/a Woodcliff Lake Hilton and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Interstate Management Company, LLC d/b/a/ Woodcliff Lake Hilton.

2011 Budget Transfers for November 21, 2011 meeting
(Consent Agenda – 7)

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Administration - Salaries and Wages	1-01-20-100-010	1,000.00	
Municipal Clerk - Salaries and Wages	1-01-20-120-010		1,000.00
Administration - Other Expenses	1-01-20-100-010	5,000.00	
Administration - Salaries and Wages	1-01-20-100-010	5,000.00	
Legal - Other Expenses	1-01-20-155-020	15,000.00	
Group Insurance Plans for Employees	1-01-23-220-020		25,000.00
Legal - Other Expenses	1-01-20-155-020	20,000.00	
Tax Assessment - Other Expenses	1-01-20-150-020		20,000.00
Administration - Other Expenses	1-01-20-100-020	1,000.00	
Financial Administration - Other Expenses	1-01-20-130-020		1,000.00
Administration - Other Expenses	1-01-20-100-020	3,000.00	
Telephone	1-01-31-440-020		3,000.00
Landfill Disposal Costs	1-01-32-465-020	5,000.00	
Gasoline	1-01-31-460-020		5,000.00
Solid Waste - Other Expenses	1-01-26-305-020	15,000.00	

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Buildings and Grounds - Other Expenses	1-01-26-310-020		15,000.00
Maintenance of Parks - Other Expenses	1-01-28-375-020	1,000.00	
Parks and Recreation - Salaries and Wages	1-01-28-370-010		1,000.00
Administration - Salaries and Wages	1-01-20-100-010	1,200.00	
Sewer - Salaries and Wages	1-01-31-455-010		1,200.00
TOTAL		72,200.00	72,200.00

Resolution Authorizing a Single Town Contract for 2011 Pascack Valley NJDOT Project
(Consent Agenda – 8)

WHEREAS, the Borough is a participating member of the 2011 Pascack Valley NJDOT Project (NJDOT) and has entered into a Master Contract with the Borough of Westwood as lead agency; and

WHEREAS, each individual Municipality may, consistent with Local Public Contracts Law, arrange for additional work not to exceed Twenty (20%) Percent of its pro rata amount of the Contract ; and

WHEREAS, the Borough of Woodcliff Lake hereby undertakes to accept the work and services and to pay for them in accordance with the terms of the Contract Documents and upon presentation of a properly executed Voucher. The Contract Price for the Borough of Woodcliff Lake is \$170,532.21; and

WHEREAS, these funds have been certified available by the Chief Financial Officer.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council authorize a contract between the Borough of Woodcliff Lake and English Paving Contractors, Inc. for work to be done in Woodcliff Lake under the 2011 Pascack Valley NJDOT Project.