

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
September 4, 2012
8:00 p.m.**

CALL TO ORDER.

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

ROLL CALL.

Mayor Jeffrey Goldsmith asked for a roll call. Council members Abene, Bader, Baum, Glaser, Rosenblatt and Struk were present. Attorney Madaio, Administrator Albrecht and Borough Clerk Sciara were also present.

PLEDGE OF ALLEGIANCE.

All present recited the Pledge of Allegiance led by Jean Bae.

APPOINTMENT.

(Mayor) I appoint Christopher Woods of Woodcliff Lake, New Jersey as a member of the Woodcliff Lake Junior Volunteer Fire Department.

RESOLVED, that this appointment is approved.

ROLL CALL:

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

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of the **of the Mayor and Council meeting August 13, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

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

Not eligible: Mr. Baum, Mr. Struk, Mr. Glaser

RESOLVED, that the Minutes of a **Special Mayor and Council meeting August 20, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

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

RESOLVED, that the Minutes of an **Executive Session of the Mayor and Council on August 20, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

These minutes were pulled by Mr. Glaser for additions.

PUBLIC HEARING

Ordinance 12-14

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

**Be it Resolved, that the Ordinance entitled
An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to
Revise Chapter 58 entitled "Salaries"**

- C. Motion to open the meeting to the public was made by Mrs. Abene, second by Mr. Glaser 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. Glaser, second by Mr. Baum and approved unanimously by voice call vote.

- D. Adoption.

**Be it Resolved, that the Ordinance entitled
An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to
Revise Chapter 58 entitled "Salaries"**

introduced at a Regular Meeting of the Mayor and Council held on August 20, 2012 published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and made part of this Resolution and shall be passed on second and final reading, and the

Borough Clerk is authorized to advertise the same according to law.

ROLL CALL:

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

OLD BUSINESS.

None

ENGINEER'S REPORT

Intersection Improvements at Woodcliff Avenue and Werimus Road

The County has advised Boswell that they would like to dovetail this project along with the Improvements with Chestnut Ridge Road/Saddler River Road Project. Boswell submitted an updated/revised design drawing to Gary Ascolese, Assistant Bergen County Engineer. Mr. Ascolese advised that now he needs to determine how much money will be remaining from the Chestnut Ridge Road/Saddle River Road Project to fund this project. Boswell is awaiting a response from Mr. Ascolese regarding the project funding amount. Boswell will evaluate the budget to determine if additional funds are required due to the number of alternate designs that have been proposed and number of meetings attended in order to try to accommodate the resident's concerns.

Improvements to Chestnut Ridge Road and Saddle River Road

This project is under construction and inspected by Bergen County. A portion of Saddle River Road has been widened, curbs and catch basins have been installed and the storm water management facility has also been installed.

2013 NJDOT Local Aid Grant Application Package

Engineer Sachs stated that the above referenced application packages are out on the street. Last year the borough administrator, DPW Superintendent and borough engineer performed road inspections and were considering Mill Road from Pascack Road to Woodcliff Avenue as the best choice for the 2013 NJDOT Local Aid Application. Engineer Sachs asked the Mayor and Council to choose their road if they desired Boswell would complete the application on behalf of the Borough at a cost of \$1,500.00. The application is due by the end of September and time is needed for the Mayor and Council to pass an endorsing resolution. The endorsing resolution for Mill Road was e-mailed to the borough administrator and Clerk on August 23, 2012 to be enacted upon at this meeting.

Proposals: Street Pavement Management Study, 4/10/12

ADMINISTRATOR'S REPORT

Borough Hall Boiler Replacement Project

The first phase of the boiler replacement project was complete over Labor Day weekend. All went very smoothly. Mr. Saluzzi, Construction Code Official thanked Tom Torpey for his help over the weekend during the asbestos removal.

Summer Extended Borough Hall Hours – Recap

Summer hours are over for 2012. Although not many residents used the service of extended hours, we hope to advertise for greater usage next year.

Bergen County Open Space Trust Fund Application – Completed and submitted

Administrator Albrecht thanked the Woodcliff Lake School Board for their endorsing resolution of this grant application. Some of the proposed work will be on school property.

WCL 9/11 Candlelight Vigil

A candle light vigil to commemorate those who gave the ultimate sacrifice to their county will be held on Tuesday, September 11, 2012 at the Jack D'Ambrosi, Jr. Field.

Sustainable Jersey Initiative

Councilwoman Abene has had meetings during the summer with a very enthusiastic green team. As a recommendation from the eGreen, a LED bulbs pilot project has begun. All light bulbs around the perimeter have been changed in order to save the Borough in electric bills.

2012 Pascack Valley Shared Services Road Paving

An engineer, Azzolina and Feury, for the Pascack Valley Shared Services Road Paving was recently hired.

2012 PV Municipal Road Paving Program – Recap

PV 2012 NJDOT Road Projects – Engineer Selection for Participating Municipalities
PV Administrator's Initiative - Utility Bills Audit – Report
Werimus and Woodcliff - update
2013 NJDOT Local Aid Grant Application – Authorization Resolution

NEW BUSINESS.

Introduction of Ordinance 12-16

Be it Resolved that the Ordinance Entitled,

Bond Ordinance to Amend Sections 4,7,8,9,11 and 12 of the Bond Ordinance (Ord. No. 12-12) Entitled: “Bond Ordinance to Authorize the Making of Various Public Improvements and the Acquisition of New Additional or Replacement Equipment and Machinery, New Communication and Signal Systems Equipment, New Information Technology Equipment and a new Automotive Vehicle, Including Original Apparatus and Equipment, In, By, and for the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$361,200 to Pay the Cost Thereof, to Make a Down Payment, to Appropriate Capital Fund Balance, to Authorize the Issuance of Bonds to Finance Such

Appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds, "Adopted on July 16, 2012.

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to held on the 19th day of September, 2012 at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given any opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance be further considered for final passage.

ROLL CALL:

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

Introduction of Ordinance 12-17(Change to Ordinance 12-10)

**Be it Resolved that the Ordinance Entitled,
"Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to
Revise the Ordinance 250-14A to Include Additional Areas Where Parking is Prohibited at
Certain Times".**

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to held on the 19th day of September 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given any opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance be further considered for final passage.

ROLL CALL:

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

PUBLIC FORUM

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

Josephine Higgins, 10 Pond Road asked if the Open Space Referendum was up for a vote yet.

Mayor Goldsmith stated he would have the administrator look into it.

Rich Ridici, DMR Construction asked the Mayor and Council if there was anything else he could do in order to clean-up the site on Pascack Road. He feels that he is being "picked" on by someone who is not even a resident of Woodcliff Lake. He stated that he was waiting for PSE&G to do work on the site and they delayed for three months. He stressed that this area was a construction site. He removed the truck and the equipment as requested. However, once he comes in for permits to start construction on the remaining two houses, the equipment will be back.

Mayor Goldsmith stated that he appreciated Mr. Ridici's fine work and thanked him in his efforts of maintaining the site. Mr. Rosenblatt stated that Mr. Ridici is the third contractor on this project and he unfortunately has inherited some bad baggage.

CONSENT AGENDA VOTE.

Motion to approve the Consent Agenda as presented was made by Mr. Bader, second by Mr. Rosenblatt.

ROLL CALL:

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

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: the Pascack Valley Regional High School Equity Funding Formula with Vito Gagliardi, Esq.; 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. Glaser

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

ADJOURNMENT

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

Motion to adjourn was made by Mr. Bader, second by Mr. Baum and approved unanimously by voice call vote. The time is 10:00 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:	\$	1,988,059.19
Capital Fund:	\$	18.39
State Unemployment	\$	286.50
Animal Control Fund	\$	2,522.40

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 \$194,102.93

Resolution Authorizing Boswell Engineering to Prepare 2013 NJDOT Local Aid Grant Application

(Consent Agenda - 3)

WHEREAS, Boswell McClave Engineering was recently advised that the 2013 NJDOT Local Aid Grant Applications are out and need to be completed and submitted to the NJDOT for consideration by September 28, 2012 along with the governing body resolution of endorsement; and

WHEREAS, the Borough of Woodcliff Lake is desirous of submitting a 2013 NJDOT Grant Application for rehabilitation of a municipal road that meets the criteria outlined by the NJDOT; and

WHEREAS, the Borough of Woodcliff Lake has received correspondence from Boswell Engineering indicating that the fee for the preparation of this application is \$1,500.00; and

WHEREAS, the Boswell Engineering has conferred with the Borough Administrator and Acting DPW Superintendent; and

WHEREAS, based on the NJDOT criteria, Boswell Engineering recommends that, as discussed at the August 13, 2012 Mayor and Council meeting, the Borough might want to consider Mill Road from Pascack Road to Woodcliff Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake endorse the submission of the 2013 NJDOT Grant Application for Mill Road from Pascack Road to Woodcliff Avenue.

AND BE IT FURTHER RESOLVED THAT, the Mayor and Council of the Borough of Woodcliff Lake authorize Boswell Engineering to prepare the aforementioned application for a fee not to exceed \$1,500.00.

Resolution: Establishing a New Petty Cash Fund (Consent Agenda – 4)

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

WHEREAS, it is the desire of the Borough of Woodcliff Lake, County of Bergen to establish such a fund for the in the amount of \$ 500.00 ; and

WHEREAS, the custodian for this fund is Lorinda Sciara, RMC/CMC , who is bonded for the amount of \$1,000.00 ; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE BE IT RESOLVED that the hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Resolution Approving the Submission of a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Mill Road Improvements Project (Consent Agenda – 5)

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Woodcliff Lake formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Woodcliff Lake Borough-00020 to the New Jersey Department of Transportation on behalf of the Borough of Woodcliff Lake.

BE IT FURTHER RESOLVED that the Borough Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Woodcliff Lake, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Borough Administrator)

Resolution Ratifying Issuance of Emergency Contract – Dutra Excavating & Sewer, Inc. Repairs To Highview Avenue (Consent Agenda -6)

WHEREAS, an emergency condition arose on July 23, 2012 due to sinkhole on Highview Avenue; and

WHEREAS, Boswell McClave Engineering recommended in their July 23, 2012 correspondence to the Borough Administrator/QPA that his matter be declared an emergency since it causes a danger to the public health, safety and welfare of the public at large, and

WHEREAS, it was necessary to invoke the provisions of N.J.S.A. 40A:11-6 in order to obtain the immediate delivery of goods or performance of services described in the attached requisition; and

WHEREAS, the Borough Administrator/QPA approved issuance of a purchase order without receipt of bids or solicitation of quotations; and

WHEREAS, upon the recommendation of the Acting DPW Superintendent the Borough did immediately hire a Contractor to televise the pipe to determine the area where the structural integrity of the pipe had been sacrificed and the pipe then be replaced, and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Woodcliff Lake that the following emergency contract was awarded to Dutra Excavating & Sewer, Inc., 10 Stone Hollow Road, Montvale, New Jersey 07645 in an amount of \$12,599.82 for repairs to Highview Avenue.

BE IT FURTHER RESOLVED that the payment of \$12,599.82 to Dutra Excavating & Sewer, Inc., 10 Stone Hollow Road, Montvale, New Jersey 07645 is hereby authorized.

Resolution Changing the Status of the Finance Assistant from Part-Time to Full-Time
(Consent Agenda – 7)

WHEREAS, the CFO has requested that more assistance is needed in the finance office; and

WHEREAS, the CFO has certified that the funds are available; and

WHEREAS, the current Finance Assistant has agreed to the change from a part-time employee to a full-time employee.

THEREFORE, be it resolved that Fariba Neghaban, Finance Assistance hours will be 8:30-4:30 with a one hour lunch.

BE IT FURTHER RESOLVED that the increase for this change in status will be \$7,000.00.

Resolution Authorizing the Submission of an Application for the Woodcliff Lake Alliance Grant for the Calendar Year 2013 (Consent Agenda – 8)

WHEREAS, the Borough of Woodcliff Lake Council of the Borough of the Woodcliff Lake, County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Borough of Woodcliff Lake Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THEREFORE BE IT RESOLVED by the Borough of Woodcliff Lake, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough of Woodcliff Lake does hereby authorize submission of an application for the Woodcliff Lake Municipal Alliance grant for calendar year 2013 in the amount of \$9,876.00.
2. The Borough of Woodcliff Lake acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:

(Mayor)

I, Lorinda Sciara, Municipal Clerk of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution duly authorized by the Borough of Woodcliff Lake Council on this 4th day of September, 2012.

(Borough Clerk)

Resolution Requesting Approval of Items of Revenue and Appropriation - Chap 159-NJSA 40A-897-Senior Citizen Grant (Consent Agenda – 9)

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, THEREFORE, 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 2012 Budget in the sum of \$4,469.00 available from Senior Citizen Grant from the County of Bergen for \$ 4,469. (2-0141724099)

Resolution Authorizing License as a Dealer of Second-Hand Gold, Silver, Gems, and Precious Metals (Consent Agenda-10)

WHEREAS, application has been made by First Montgomery LLC dba Montgomery Estate Buyers; and

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

NOW, THEREFORE, BE IT RESOLVED, that the application of First Montgomery LLC dba Montgomery Estate Buyers is approved and the Borough Clerk is hereby authorized to issue License for the period ending 12/31/12.

Resolution Authorizing Solicitor License Marketing Venture Partners (Consent Agenda – 11)

WHEREAS, Marketing Venture Partners, Inc. has applied for a Solicitor License to the Borough Clerk's office to solicit Verizon Wireless products within the municipality of Woodcliff Lake; and

WHEREAS, the Police Department has stated that there is no reason to deny the following representatives of Marketing Venture Partners, Inc. a license:

Lieko Blackwood, Daniel Babicz, Tinu Varughese, and Shengchen Niu; and

WHEREAS, the applicant has been advised of the rules and guidelines, specifically the Do Not Knock Ordinance established in the Borough of Woodcliff Lake and the strict adherence to this policy must be followed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitors license to the aforementioned representatives of Marketing Venture Partners, Inc. to solicit within the municipality of Woodcliff Lake.

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – CHAPTER 159 – NJSA 40a:4-87 – ALCOHOL EDUCATION REHAB FUND (Consent Agenda – 12)

WHEREAS, NJSA 40A:87 provides that the Director of the Division 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 made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$107.93 from the State of New Jersey in the amount of \$107.93 (2-01-41-780-099).

BE IT FURTHER RESOLVED, that the like sum of \$107.93 is hereby appropriated under the caption of Alcohol and Education Rehabilitation Fund (2-01-41-780-099)).

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey.

Resolution Requesting Approval of Items of Revenue and Appropriation – Chapter 159-NJSA-40A:4-87 Drunk Driving Enforcement Fund

(Consent Agenda – 13)

WHEREAS, NJSA 40A:87 provides that the Director of the Division 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 made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$1,116.96 from the State of New Jersey Division of Motor Vehicles, for the Drunk Driving Enforcement Fund, which is now available 2-01-41-702-000.

BE IT FURTHER RESOLVED that the like sum of \$ 1,116.96 is hereby appropriated under the caption Drunk Driving Enforcement Fund 2-01-41-717-099.

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Division of Motor Vehicles.

A RESOLUTION TO REAFFIRM THE APPOINTMENT OF VITO GAGLIARDI, ESQ., TO REPRESENT THE BOROUGH WITH REEGARD TO THE SCHOOL FUNDING FORMULA

(Consent Agenda – 14)

WHEREAS, the Borough has previously retained Vito Gagliardi, Esq., to represent the Borough in connection with efforts to revise what is commonly referred to as “the School Funding Formula” utilized in connection with the Regional School District in order to assure that all municipalities in the Regional School District pay their fair share of expenses; and

WHEREAS, such hiring was originally accomplished jointly with the Borough of Montvale – another municipality included in the Regional School District – and greatly interested in assuring that

fairness and equity was done with regard to all municipalities which participate in the Regional School District and fees incurred were to be divided equally between the municipalities; and

WHEREAS, the Borough has recently been informed by the Borough of Montvale that they no longer desire to retain counsel in order to attempt to achieve fairness and equity with regard to the funding formula utilized by the Regional School District; and

WHEREAS, the Borough desires to continue in its efforts to achieve fairness and equity in the Regional School District funding formula – regardless of the participation therein by Montvale – and desires to assure that Vito Gagliardi, Esq., continues to provide legal services only to the Borough of Woodcliff Lake.

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake as follows:

1. The Borough hereby retains, and reaffirms its prior appointment of, Vito Gagliardi, Esq., as Special Counsel with regard to the Regional School District Funding Formula as set forth herein.

Resolution Authorizing Entering Into An ADA Cooperative Engineering Design Grant Agreement Between the Borough of Woodcliff Lake and the County of Bergen
(Consent Agenda – 15)

BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake wishes to enter into an agreement with the County of Bergen for the purpose of an ADA Cooperative Engineering Design Grant Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Jeffrey Goldsmith to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the administrator to sign all County vouchers submitted in connection with the aforesaid agreement.

Resolution Awarding the Authorization for Professional Services. (Consent Agenda-16)

WHEREAS, the Borough of Woodcliff Lake is a municipal corporation of the State of New Jersey; and

WHEREAS, the Borough of Woodcliff Lake has identified the need to appoint a Special Tax Appeal Attorney for 50 and 300 Tice Boulevard – Mack-Cali appeal and other appeals as needed; and

WHEREAS, the Mayor and Council authorized the Borough Attorney to engage the services of special tax appeal attorney by letter dated February 23, 2012; and

WHEREAS, the CFO has certified that funds are available for these purposes; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1), et seq. requires that the Resolution authorizing the award of Contracts for Professional Services without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake hereby reaffirms the appointment of Steven Muhlstock of the firm Gitelman, Mulstock and Chewcaski, LLP . as a Special Tax Appeal Attorney for the Borough of Woodcliff Lake to a term ending December 31, 2012.

BE IT FURTHER RESOLVED, that the Borough Attorney is authorized to prepare and execute a contract for above services at a rate of \$115.00 per hour.

BE IT FURTHER RESOLVED, that this appointment is awarded without competitive bidding as a "Professional Service" under provisions of the Local Public Contracts Law because the services performed are by a person authorized by law to practice a recognized profession and such services are not subject to competitive bidding; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute this Resolution and advertise same according to law.