

BOROUGH OF WOODCLIFF LAKE
SINE DIE MEETING MINUTES
MAYOR AND COUNCIL
January 2, 2012
7:30 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 called for the Roll Call. Councilmembers Bader, Baum, Camella, Glaser, Hoffman, and Stuk 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 Mayor Joseph T. LaPaglia.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a **Regular Mayor and Council Meeting on November 21, 2011** have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

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

RESOLVED, that the Minutes of an **Executive Closed Session of the Mayor and Council on November 21, 2011** have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

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

RESOLVED, that the Minutes of a **Regular Mayor and Council Meeting on December 5, 2011** have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

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

RESOLVED, that the Minutes of an **Executive Closed Session of the Mayor and Council on December 5, 2011** have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

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

RESOLVED, that the Minutes of a **Regular Mayor and Council Meeting on December 19, 2011** have been received by all Councilpersons, are hereby approved as amended.

ROLL CALL:

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

RESOLVED, that the Minutes of an **Executive Closed Session of the Mayor and Council on December 19, 2011** have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

ROLL CALL:

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

STANDING COMMITTEES.

ADMINISTRATION/FINANCE/EDUCATION (HIGH)/SENIOR CITIZEN'S PROGRAM

Mr. Glaser stated that there were many events that occurred over the past year. The Planning Board approved a new assisted living facility on Chestnut Ridge Road, and a medical building on Chestnut Ridge Road. The Borough lost a sliver of property on Chestnut Ridge Road due to the development of townhomes in Saddle River. A study is almost complete on the redevelopment of the Broadway Corridor to include a mix of residential, office and retail properties.

In regards to administration, the joint court which merged with Park Ridge and Montvale earlier this year is very successful. The savings have been approximately \$60,000 this year. The search committee which replaced the administrator was very fortunate to have successfully hired Wolfgang Albrecht as our borough administrator.

DPW & ROADS/SEWERS & SANITATION, ECOLOGY

Mr. Stuk stated that the DPW has done a fantastic job cleaning up after Hurricane Irene and the Halloween snowstorm. The Borough will be going out to bid for requested capital items for the DPW.

Mayor LaPaglia agreed that our DPW did a fantastic job with cleanup after each event. The Mayor stated that David Antoine has done a great job stepping into the shoes of Eddie Barboni after his retirement.

PARKS AND RECREATION

Councilman Hoffman stated he had no report at this time.

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

Mr. Bader reported that contract negotiations with Northwest Bergen are continuing and will be voted on within the first quarter of 2012.

The Office of Emergency Management was tested several times this year. All agreed that OEM coordinator Herb Kuehlke has done an outstanding job.

The Police Department is back to full staffing with 18 members. The two probationary officers have successfully completed their probationary periods. It should be noted that the Chief has done a great job on his overtime budget, coming in under budget.

Building and Grounds has had a positive cash flow with expenses being offset by fees collected. The building department has had the least amount of neighborhood complaints filed this year. Mr. Bader would like to thank Nick Saluzzi and his staff for their handling of neighbors differing opinions and property disputes without any fines or punitive damages.

This year we completed the toddler park at the Westervelt-Lydecker property. The Borough purchased property on Werimus Road which is currently undeveloped. Development can only begin when the economic future improves.

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

NIXLE membership continues to grow. The weather conditions that have taken place over the last months have shown how important communication between the Borough and residents is.

We rejoined North Jersey Media this past year to publish our community newsletter. We published two editions which were very professionally done. Most importantly we saved approximately 60% over prior costs.

FIRE-VOLUNTEER/FIRE PREVENTION

Fire Department has been very active over the last two weeks. Mr. Camella showed pictures of a recent fire in Park Ridge. He cannot say enough good things about the Fire Department.

OUTGOING COUNCIL MEMBER COMMENTS.

Councilman Paul Camella stated that the question he has been asked the most over the past few weeks is if he had any regrets. Mr. Camella stated that there are things he wished he could have done and there are always a few regrets. Life doesn't always work out 100%. On the positive side, he has made very good friends, and has seen how people can work together. Mr. Camella continued that the residents of Woodcliff Lake should be very pleased with the administration and staff in the Borough. Mr. Camella was proud to have been on the Council who chose Wolfgang Albrecht as our new administrator. Mr. Camella ended by saying although people sometimes disagree, everyone is here to serve the public.

Councilman Jeffrey Hoffman stated that "it has been an honor".

MAYOR JOSEPH T. LAPAGLIA'S REPORT.

As I reflect back on the past eight years as Mayor, I am proud of what we accomplished together with the help of many of you who are here tonight. Our major accomplishments include:

- The refurbishment and reopening of the Old Mill Pool in 2005, one year after taking office in 2004.
- The approval and subsequent expansion of our largest commercial ratable, the BMW Corporate Campus on 82 acres starting in 2005 thru 2008.
- The systematic annual roadway repaving program of Borough and County roadways in Woodcliff Lake from 2005 thru 2011.
- The acquisition of additional future park properties adjacent to the Old Mill Park and Recreation Complex. These include the Hathaway and Freedman properties off Werimus Road next to the tennis courts.
- The approval of the first age-restricted (55 years and older) residential housing units on Chestnut Ridge Road and Woodmont. Scheduled for construction in 2012 or 2013 depending on market conditions.
- The approval of an upscale 140 unit assisted living facility on Chestnut Ridge Road and Glen Road scheduled for construction in 2012.

- The approval of a new combined retail store and office building on Broadway between Lincoln and Columbus Avenues also scheduled for 2012. This will hopefully be the beginning of a long awaited retail and office development of the Broadway Corridor.
- The creation of the Pascack Joint Court with Montvale and Park Ridge this past year. The first joint court in Bergen County, and hopefully the first step in additional consolidation of police and fire services in the Tri-Borough.
- The creation of the first toddler park on the Westervelt-Lydecker property at the entrance to the Old Mill Recreation Complex along with a new passive recreation walking path with benches in the wooded area.
- Purchase of the former Fisher property on Broadway just north of Highview for future affordable housing needs.
- The widening of Broadway at the Woodcliff Lake train station allowing for a left turn lane heading north with the installation of a new traffic control signals coordinated with the Pascack Valley Line commuter trains. Hopefully, the railroad will speed up the coordination of the train and traffic signals this month.

As I look ahead to the challenges facing our new Mayor and Council, controlling the future property tax burden on our residents should be the first priority of the new Mayor and Council.

Since our schools make up 66% of our property taxes, we need to actively pursue a more equitable Regional High School funding formula. We can no longer afford to absorb unequal per student costs from the Regional High School. I am grateful to our new Mayor for appointing me to a new Committee to achieve a more equitable Regional high School funding formula. Paying the same average cost per student as the other sending towns will save Woodcliff Lake property taxpayers over \$2.5 million per year.

The second biggest tax saving opportunity is the consolidation of our municipal police department with Montvale and Park Ridge. We have a successful history of shared emergency services with the Tri Boro Ambulance Corps. and more recently the Pascack Joint Court. Another potential Tri Boro consolidation should be our Volunteer Fire Department. We do not need three million dollar ladder trucks to serve a ten square mile Tri Boro community. One million dollar ladder truck would do just fine! We need to put parochial interests aside and move ahead with these consolidations.

We need to move ahead with the Broadway Corridor study, and make recommended zoning changes in 2012. The Broadway Corridor zoning needs updating to permit desirable development in an area that has not keep up with development in the rest of the town. The Planning Board and Governing Body should take the lead in this updating to assure a desirable outcome for all our residents.

These are not small tasks, but they need to be addressed now. If properly accomplished they will lessen our future property tax burden and they will make Woodcliff Lake a more desirable place to live.

It has been an honor being your Mayor for the last eight years. I did not accomplish all that I set out to do, but I did accomplish a lot of good things that will last long after I am gone. Hopefully, our new Mayor and Council will be equally successful.

Thank you all and have a Happy New Year.

Mr. Bader stated that as the council president it is his honor to recognize and honor the outgoing Mayor and Council\ members. Jeffrey Hoffman has served the Borough for three years. His leadership in the areas of park and recreation, Westervelt-Lydecker House improvements and uses and the beautification of our town are just a few of Mr. Hoffman's accomplishments. Mr.

Bader thanked him on behalf of the residents of Woodcliff Lake and wished him great success in the future.

Mr. Camella has served the Borough for nine years. His leadership on the fire department, education and the sharing of his general business knowledge are just a few of Mr. Camella's accomplishments. Mr. Bader stated that he would personally miss his wit and humor. Mr. Bader thanked him on behalf of the residents of Woodcliff Lake and wished him great success in the future.

Mayor Joseph T. LaPaglia service to the Borough has spanned over three decades. His devotion to the planning board, council, and the office of the Mayor is one we should all be proud of. His business knowledge and CPA skills have assisted many governing bodies balance their budgets and has help keep our taxes among the lowest in the Pascack Valley. His leadership was noted by his peers when he was elected President of the Pascack Valley Mayor's Association. Mr. Bader thanked him on the behalf of the residents of Woodcliff Lake and wished him great success in the future.

PUBLIC FORUM

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

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

ROLL CALL:

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

ADJOURNMENT

Motion to adjourn was made by Mr. Camella, second by Mr. Bader and approved unanimously by voice call vote. The time is 7:55 p.m.

Respectfully submitted,

Lori Sciara, RMC/CMC

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:	\$	48,104.51
Private Duty Fund	\$	293.39

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 12/31/11 \$ 182,145.22

Resolution Authorizing the Assignment and Assumption Agreement

(Consent Agenda-3)

WHEREAS, that 365 Chestnut Ridge Road, LLC (Assignor Developer) has obtained final site plan and/or final subdivision approval for SP/SD No. 7963R-1 from the County for premises known as Block 402, Lots 5 and 6 commonly known as 364 Chestnut Ridge Road in the Municipality of Woodcliff Lake; and

WHEREAS, Assignor is transferring title to Engle Burman at Woodcliff Lake, LLC all./part of such the Property to Assignee and all of the obligations to perform all of the required work, duties and obligations by the Bergen County Planning Board; and

WHEREAS, the County requires that Assignee undertake, all of the obligation of Assignor by entering into a Developer's Agreement, posting performance guarantees, posting fees, etc; and

WHEREAS, Assignee who will also be the future owner of the property has agreed to enter into a Developer's Agreement, post performance guarantees, post fees and perform all of the required work, duties and obligations required by the Bergen County Planning Board.

NOW, THEREFORE, in consideration of the terms and covenants contained herein, the parties agree as follows:

1. Assignor hereby assigns all rights and obligations under final site plan and/or subdivision approval for SP/SD No. 7963R-1 from the County for premises known as Block 402, Lots 5 and 6 (the Property) in the Municipality of Woodcliff Lake.
2. Assignee hereby accepts such assignment and agrees to enter into a Developer's Agreement, post performance guarantees, post fees and perform all of the required work, duties and obligations required by the Bergen County Planning Board.
3. This Agreement shall bind the Parties, their Successors and/or Assigns.

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake approve this Assignment of Developer's Agreement from 364 Chestnut Ridge Road, LLC to Engel Burman at Woodcliff Lake, LLC.

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 017864-2010 FOR THE YEAR 2010

(Consent Agenda-4)

WHEREAS, the owners of Block 1805 Lot 2.01, 79 Glen Road, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2010 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
216,600.00 LAND	216,600.00 LAND
559,200.00 IMPROVEMENTS	478,400.00 IMPROVEMENTS
<u>775,800.00 TOTAL ASSESSMENT</u>	<u>695,000.00 TOTAL ASSESSMENT</u>
16,749.52 taxes paid	15,005.05 taxes

WHEREAS, this has resulted in their overpaying their property tax for the year **2010** in the amount of **\$1744.47** and,

TOTAL REFUND FOR 2010= \$1744.47

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **\$1744.47** for the year **2010** to the owner of record **Hornsey, Christopher c/o Thomas L. Murphy, Esquire**

MAIL VOUCHER TO:

Christopher Hornsey c/o Thomas Murphy
113 W. White Horse Road Suite 4
Voorhees, N.J 08043

RESOLUTION AUTHORIZING CANCELLATION OF FEDERAL AND STATE GRANT RECEIVABLES AND RESERVES IN THE CURRENT FUND

(Consent Agenda-5)

WHEREAS, certain receivable balances remain dedicated to programs or projects which have been completed; and

WHEREAS, these balances represent completed programs or projects in prior years and it is necessary to formally cancel these balances,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, that the following balances in the current fund be cancelled as follow:

<u>DESCRIPTION</u>	<u>ACCOUNT BALANCE</u>	<u>ACCOUNT</u>
<u>Current Fund – Grants Receivable</u>		
Municipal Alliance – 2009	\$ 1,048.73	Cancel Fund Balance
Handicapped Recreation Opportunities Grant -2009	3,649.79	Cancel Fund Balance
GDL Enforcement Grant	1,375.00	Cancel – App. Reserves
State Recycling Grant	6.00	Cancel – Fund Balance
 <u>Current Fund – Appropriated Reserves</u>		
Handicapped Recreation Opportunities Grant	\$ 3,322.00	Cancel Fund Balance
Emergency Beacon Grant	59.00	Cancel Fund Balance
Child Passenger Safety Grant	656.40	Cancel Fund Balance
State Police Disaster Grant	1,620.00	Cancel Fund Balance
Domestic Violence Grant	3,843.00	Cancel Fund Balance

2011 Budget Transfers for Sine Die Jan 2, 2012 meeting

(Consent Agenda-6)

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Administration - Other Expenses	1-01-20-100-020	2,500.00	
Buildings and Grounds - Other Expenses	1-01-26-310--010		2,500.00
Administration - Other Expenses	1-01-20-100-020	400.00	
Board of Health - Other Expenses	1-01-27-330-020		400.00
Water	1-01-31-445-020	1,000.00	
Electricity	1-01-31-430-020		1,000.00
Sewer - Other Expenses	1-01-31-455-020	500.00	
Sewer - Salaries and Wages	1-01-31-455-010		500.00
Municipal Court - Salaries and Wages	1-01-43-490-010	3,000.00	
Municipal Court - Other Expenses	1-01-43-490-020		3,000.00
TOTAL		7,400.00	7,400.00