

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
February 21, 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 R. Goldsmith
Councilwoman Donna Abene
Councilman Jeffrey Bader
Councilman Kenneth Baum
Councilman John Glaser
Councilman Robert Rosenblatt
Councilman Michael Struk

PLEDGE OF ALLEGIANCE.

APPOINTMENT.

(MAYOR) I appoint Neil Tipograph to the Advisory Council to the Mayor for a term ending December 31, 2012.

(MAYOR) I appoint Kathleen Bagley to the Shade Tree Committee for a term ending December 31, 2012.

(MAYOR) I appoint Joseph T. LaPaglia as a member of the Mayors Budget Review Advisory Committee for a term ending December 31, 2012

(MAYOR) I appoint David Barcus as a member of the Mayors Budget Review Advisory Committee for a term ending December 31, 2012.

(MAYOR) I appoint Skip Dolan as a member of the Mayors Budget Review Advisory Committee for a term ending December 31, 2012.

(MAYOR) I appoint John Strauss as a member of the Public Utility Committee for a term ending December 31, 2012.

(MAYOR) I appoint Steve Berger as a member of the Public Utility Committee for a term ending December 31, 2012.

(MAYOR) I appoint, Steven Muhlstock, Esq. as Special Tax Appeal Counsel for the Remaining Mack-Cali Tax Appeals at a rate of \$115.00 per hour for a term ending December 31, 2012.

RESOLVED, that this appointment is confirmed.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Recognizing Josephine Higgins
Upon Receiving the William D. Diedtrich Memorial Award**

WHEREAS, the Borough of Woodcliff Lake wishes to recognize members of the community for their various volunteer accomplishments; and

WHEREAS, certain residents have contributed to the quality of life in Woodcliff Lake;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake hereby recognize and applaud Josephine Higgins upon receiving the William D. Diedtrich Memorial Award which recognizes the volunteer service providers from the Tri-Boro Ambulance Corp.

AND BE IT FURTHER RESOLVED that the Mayor and Council applaud Josephine Higgins for her paving the way for women to join the Tri-Boro's Volunteer Ambulance Corp.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

**Resolution Honoring the Memory of Chief Marshal Christian Huljus
Upon the 70th Anniversary of His Death in the Line of Duty**

WHEREAS, the Borough of Woodcliff Lake wishes to recognize and honor members of the community for their devoted service to Woodcliff Lake; and

WHEREAS, certain residents have contributed to the quality of life in Woodcliff Lake; and

WHEREAS, the Woodcliff Lake Mayor and Council wishes to honor the memory of Chief Marshal Christian Huljus, a highly esteemed member of the Woodcliff Lake Family upon the 70th Anniversary of his death in the line of duty on February 22, 1942; and

WHEREAS, during his years with the Department, Chief Marshal Christian Huljus continually demonstrated his devotion to the Borough of Woodcliff Lake and Bergen County through his steadfast commitment to securing the safety and welfare of its' citizenry; and

WHEREAS, within all spheres of his life and work, Chief Marshal Christian Huljus established a model to emulate and set a standard of excellence toward which others might strive;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake hereby recognizes his ultimate sacrifice for the citizens of Woodcliff Lake, Bergen County, and this State, and extends profound gratitude to all Woodcliff Lake Police Officers for their dedication and commitment to law enforcement.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of the **Mayor and Council held on February 21, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

STANDING COMMITTEE REPORTS.

Administration/Finance	JOHN GLASER/Donna Abene
DPW & Roads/Sewers & Sanitation, Ecology	MICHAEL STRUK/Donna Abene
Parks & Recreation	Co Commissioner ROBERT ROSENBLATT Co Commissioner KENNETH BAUM
Public Safety/Police/OEM/TriBoro	JEFFREY BADER/Michael Struk
Buildings & Grounds/Building Dept.	JEFFREY BADER/Michael Struk
Board of Health, Mental Health & Welfare	MICHAEL STRUK/John Glaser
Education (elementary) (high)	KENNETH BAUM/Donna Abene DONNA ABENE/John Glaser
Public Information, Newsletters, Ordinances	KENNETH BAUM/John Glaser
Fire – Volunteer/Fire Prevention	KENNETH BAUM/ROBERT ROSENBLATT
Library	ROBERT ROSENBLATT/John Glaser
Senior Citizens' Program	JOHN GLASER/Michael Struk

OLD BUSINESS.

- Goals and Objectives Identified and Ranked

- Technology Recommendation – Taping of Mayor and Council Meetings
Draft Ordinance from Mark Madaio on Video Recording – discussion only

NEW BUSINESS.

Resolution Authorizing the Borough Attorney to Sign the Stipulation of Settlement, Mack Cali Realty LLP c/o D. Danscuk V. Woodcliff Lake, Block 202, Lot 4.01; 530 Chestnut Ridge Road, Docket Nos. 01025310 & 007053-11

WHEREAS. it is hereby stipulated and agreed that the assessment of the aforementioned property be adjusted and a judgment be entered as attached.

Refund Amount – 10,390.87

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing the Borough Attorney to Sign the Stipulation of Settlement, Mack Cali Realty LLP , 400 Chestnut Ridge Realty LLC, Block 402, Lot 2, 400 Chestnut Ridge Road , Docket Nos. 010249-10 & 007036-11

WHEREAS. it is hereby stipulated and agreed that the assessment of the aforementioned property be adjusted and a judgment be entered as attached.

Refund Amount - \$ 17,896.00

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing the Borough Attorney to Sign the Stipulation of Settlement, Mack Cali Realty LLP c/o D. Danscuk V. Woodcliff Lake, Block 202, Lot 4.01; 530 Chestnut Ridge Road, Docket Nos. 010254-10 & 007056-11

WHEREAS. it is hereby stipulated and agreed that the assessment of the aforementioned property be adjusted and a judgment be entered as attached.

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Refund Amount - \$ 9,126.96

Introduction of Bond Ordinance 12-01

Refunding Bond Ordinance Providing for Payment of Amounts Owing to Others for Taxes Levied In, By and for the Borough of Woodcliff Lake, in the County of Bergen, New Jersey, to Appropriate the sum of \$875,000 for Pay the Cost Thereof and to Authorize the Issuance of \$875,00 of Bonds or Notes to Finance Such Appropriation.

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on the **19th day of March 2012** at 8:00

o'clock 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 an 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution of the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, New Jersey Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-55

WHEREAS, the Borough Council of the Borough of Woodcliff Lake desires to make application to the Local Finance Board for its review and/or approval of a proposed refunding bond ordinance authorizing the Borough's issuance of obligations for the purpose of paying amounts owing to others for taxes levied, as permitted by N.J.S.A. 40A:2-51(a); and

WHEREAS, the Borough Council of the Borough of Woodcliff Lake believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare and convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

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

Section 1. The application to the Local Finance Board is hereby approved, and Lerch, Vinci & Higgins, LLP, Borough Auditor, and Rogut McCarthy LLC, Bond Counsel, along with other representatives of the Borough of Woodcliff Lake, are hereby authorized to prepare such application and to represent the Borough of Woodcliff Lake in matters pertaining thereto.

Section 2. The Borough Clerk of the Borough of Woodcliff Lake is hereby directed to prepare and file a copy of the proposed refunding bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Introduction of Multi-Purpose Bond Ordinance 12-02

Bond Ordinance to Authorize the Making of Various Public Improvements In, By and For the Borough of Woodcliff Lake, In the County of Bergen, State of New Jersey, to Appropriate the Sum of \$525,00 to Pay the Cost Thereof, to Make a Down payment, 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.

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on **the 5th day of March 2012** at 8:00 o'clock 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 an 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Discussion of the Moody's Determination Report

PUBLIC PRESENTATION.

Sanitary Sewer Excess User Charge System – Paul Lerch, RMA

PUBLIC FORUM

Motion to open to the public

Abene Bader
Baum Glaser
Rosenblatt Struk
Goldsmith

Motion to close to the public

Abene Bader
Baum Glaser
Rosenblatt Struk
Goldsmith

MAYOR'S REPORT.

CONSENT AGENDA DISCUSSION.

CONSENT AGENDA VOTE.

ADJOURNMENT

CONSENT AGENDA – February 21, 2012

1. Authority to Pay Claims, **page 10**
2. Payroll, **page 10**
3. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket #01867-2010, **page 10, 11**
4. Resolution Authorizing a Refund Overpaid Taxes Caused by Tax Court Judgment Docket #018318-2010, **page 11**
5. Resolution Authorizing a Refund of Overpayment of Taxes, **page 12**
6. Resolution Authorizing Revision to the Personnel Policy Manual, **page 12**
7. Resolution Authorizing Pistol Range Agreement Between the Borough of Park Ridge and the Borough of Woodcliff Lake and Park Ridge, **page 12, 13**
8. Resolution Authorizing Stipulation of Settlement Between Guiseppe Condemi and Robin Condemi, Block 1905, Lot 1.02, 5 Ellis Court, Woodcliff Lake, NJ, Docket No. 18927-2010, **page 13, 14**
9. Resolution Authorizing Stipulation of Settlement Between Guiseppe Condemi and Robin Condemi, Block 1905, Lot 1.02, 5 Ellis Court, Woodcliff Lake, NJ, Docket No. 10816-2011, **page 14, 15**
10. Resolution Authorizing Mutual Aid – Pascack Valley Fire Departments, **page 15, 16**
11. Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ, Docket No. 001217-2007, **page 16**
12. Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ, Docket No. 001323-2008, **page 16, 17**
13. Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ, Docket No. 001254-2009, **page 17, 18**
14. Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ, Docket No. 001255 -2010, **page**
15. Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ, Docket No. 001001 -2011, **page 18, 19**

16. Resolution Authorizing Wolfgang Albrecht, Borough Administrator to Attend the New Jersey Recreation and Park Association Conference on March 4-March 7, 2012 in Atlantic City, NJ, **page 20**
17. Authorize the Borough Administrator to Draft an Interlocal Agreement Between the Boroughs of Woodcliff Lake, Park Ridge and Montvale for the Use of the Woodcliff Lake Diesel Fueling Tank During Emergencies, **page 20**
18. Resolution Authorizing the Mayor to Sign An Interlocal Agreement for the Use of the Park Ridge Mobile Fueling Delivery Truck During Emergencies, **page 21**
19. Resolution Authorizing Budget Reserve Transfers, **page 21, 22**
20. Resolution Authorizing Emergency Temporary Budget Appropriations, **page 22, 23**
21. Resolution Authorizing an Employment Agreement Between the Borough of Woodcliff Lake and Wolfgang Albrecht, Borough Administrator, **page 23**
22. Resolution Authorizing the Rejection of All Bids and Reauthorization to Solicit Written Quotes and/or Rebid for 17 Cubic Yard Roll Off Leaf Collector, **page 24**
23. Resolution Authorizing 2012 Municipal Road Paving Program, **page 24**
24. Resolution Authorizing the Borough Administrator and/or the Borough Clerk to Institute an On-Line Auction With gov.deals.com at a Later Date in 2012 to Be Determined, **page 24, 25**

RESOLVED, that the Consent Agenda is hereby approved as presented.

Abene

Bader

Baum

Glaser

Rosenblatt

Struk

Goldsmith

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:	\$	2,166,663.85
Animal Fund	\$	3.00
Capital Fund	\$	3,005.85
Unemployment	\$	445.0045

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

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 \$ 226,933.52

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #018167-2010 (

(Consent Agenda-3)

WHEREAS, the owners of Block 1902 Lot 10, 63 Winding Way, 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>
234,800.00 LAND	234,800.00 LAND
429,000.00 IMPROVEMENTS	365,200.00 IMPROVEMENTS
663,800.00 TOTAL ASSESSMENT	600,000.00 TOTAL ASSESSMENT
\$14,331.44 taxes paid Tax Rate 2.159	\$12,954.00 tax court judgment taxes

MUNICIPAL TAX RATE FOR YEAR 2010=\$2.159 PER 100 OF ASSESSED VALUE

2010 TAX REFUND= \$1,377.44

WHEREAS, this has resulted in their overpaying their property tax for the year 2010 in the amount of **\$1,377.44** and,

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 **\$1,377.44** for the year **2010** to the owner of record Nasair Fazal c/o Walter D Nealy Esq.

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES
(Consent Agenda-5)

WHEREAS. The property tax on the following parcel were overpaid by property owners,

WHEREAS, this has resulted in the overpayment of property tax on this parcel by \$3969.00 and,

WHEREAS, the owners of the property listed have requested a refund of overpayment,

NOW, THEREFORE, BE IT RESOLVED, BY THE Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$3969.00 to the owner listed below:

<u>B/L</u>	<u>OWNER</u>	<u>AMT.</u>	<u>REASON</u>
1107/7	Maso & Tchack	\$ 3969.00	DUPLICATE PAYMENT

PAYMENT MAILED TO:

Maso, Martha & Tchack, Jonathan
 22 Maria Road
 Woodcliff Lake, NJ 07677

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

RESOLUTION AUTHORIZING REVISION TO THE PERSONNEL POLICY MANUAL
(Consent Agenda – 6)

WHEREAS, The Borough reserves the right to add a new policy, change, revise, eliminate, or deviate on a case-by-case basis from any of the policies and/or benefits described herein, subject to the requirements of collective negotiation agreements and/or state and federal laws or regulations; and

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake had agreed to the following revisions to the Personnel Manual on March 7, 2011 but did not memorialize the revision at the time.

DPW Salary Steps

NOW, THEREFORE, BE IT RESOLVED that this previously authorized personnel policy revision to the manual be approved.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Pistol Range Agreement Between the Borough of Park Ridge and the Boroughs of Woodcliff Lake and Montvale
(Consent Agenda – 7)

WHEREAS the Borough of Park Ridge currently owns and operates a pistol range facility; and

WHEREAS, for many years the Borough of Park Ridge has shared its use with the Borough of Montvale and the Borough of Woodcliff Lake; and

WHEREAS, for the calendar year 2012 the Borough of Montvale has indicated that it wishes to use said facility for the annual cost of \$3,500 with one day per work week being set aside for its use with the approval of the Park Ridge Police Chief; and

WHEREAS, for the calendar year 2012 the Borough of Woodcliff Lake has indicated that it wishes to use said facility for the annual cost of \$3,500 with one day per work week being set aside for its use with the approval of the Park Ridge Police Chief; and

WHEREAS, ½ of the payment shall be due on June 1, 2012 from each member municipality and the balance ½ of the amount owed shall be paid by December 1, 2012 from each respective Borough; and

WHEREAS, each member Borough shall issue to the Borough of Park Ridge a signed hold harmless agreement and certificate of insurance naming the Borough of Park Ridge as an additional insured for the use of said Pistol Range for calendar year 2012; and

WHEREAS, each member Borough shall comply with all rules and regulations of the Pistol Range as established by the Borough of Park Ridge. Active Police Department members and retire members with permission from their respective Chiefs shall be allowed to use the Pistol Range Facility subject to the approval of the Park Ridge Police Chief; and

WHEREAS, the Pistol Range shall be under the supervision of respective Borough Chief of Police or his designee and each member Borough, through their Police Chief or designee shall insure that their Police Officers comply with the operating procedures and safety rules as established by the Park Ridge Police Chief.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the Mayor and the Borough Clerk are authorized to execute the aforementioned agreement for the calendar year 2012.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Stipulation of Settlement Between Guiseppe Condemi and Robin Condemi, Block 1905, Lot 1.02, 5 Ellis Court, Woodcliff Lake, Docket No. 18927-2010

(Consent Agenda- 8)

1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment entered as follows:

Block 1905, Lot 1.02	5 Ellis Court, Woodcliff Lake, NJ		
<u>2010</u>	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 343,200.00	\$ 343,200.00	\$ 343,200.00
Improvements	\$ 1,145,300.00	\$ 1,145,300.00	\$ 970,800.00
Total	\$ 1,488,500.00	\$ 1,488,500.00	\$ 1,314,000.00

The parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2010 and 2011, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act years(s) shall be the basis for application of the Freeze Act for any subsequent year(s).

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

Refund Amount - \$3,767.00

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Stipulation of Settlement Between Guiseppe Condemi and Robin Condemi, Block 1905, Lot 1.02, 5 Ellis Court, Woodcliff Lake, Docket No. 10816-2011
(Consent Agenda-9)

1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment entered as follows:

Block 1905, Lot 1.02	5 Ellis Court, Woodcliff Lake, NJ		
2011	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 343,200.00	\$ 343,200.00	\$ 343,200.00
Improvements	\$ 1,145,300.00	\$ 1,145,300.00	\$ 970,800.00
Total	\$ 1,488,500.00	\$ 1,488,500.00	\$ 1,314,000.00

The parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2010 and 2011, and therefore agree that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act years(s) shall be the basis for application of the Freeze Act for any subsequent year(s).

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

Refund Amount - \$3,767.00

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Mutual Aid - Pascack Valley Fire Departments

(Consent Agenda- 10)

WHEREAS, the Borough of Woodcliff Lake recognizes the necessity for the sharing of the emergency services, aka mutual aid, to communities or districts inside and outside of the presently established Pascack Valley and Tri-Borough Mutual Aid groups. For the purpose of providing of personnel and fire rescue equipment; and

WHEREAS, the Borough of Woodcliff Lake's Fire Chief or the Fire Chief's designated representative will be making decisions to provide mutual aid to area communities with brief notice; and

WHEREAS, the Borough of Woodcliff Lake's Fire Chief or the Fire Chief's designated representative will insure that arrangements are made, prior to providing such mutual aid to other communities, for appropriate emergency protection for the Borough of Park Ridge and its residents; and

WHEREAS, the Borough of Woodcliff Lake understands that the community or region requiring mutual aid may not be adjacent to or part of the existing Pascack Valley or Tri-Boro Mutual Aid groups already established in the Pascack Valley of Bergen County ; and

WHEREAS, Worker's Compensation will be provided by the Borough of Woodcliff Lake (employer), General Liability is assumed by the recipient of the service and Automobile Liability/Physical Damage and Property Insurance stays with the owner of the property (Woodcliff Lake).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that it authorizes the Borough of Woodcliff Lake's Fire Chief and or the Fire Chief's designated representative to provide mutual aid services to any community or district the Fire Chief or his designated representative deems necessary.

BE IT FURTHER RESOLVED, that the Borough of Woodcliff Lake will provide its insurance carriers and its insurance agents with copies of this Resolution to insure that insurance coverage, in the same manner as provided on an everyday basis, is provided to the Borough of Woodcliff Lake and its representatives during the time period mutual aid is provided to another community or district.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Governing Body of Emerson, Hillsdale, Montvale, Park Ridge, Old Tappan, River Vale, Township of Washington and Westwood.

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001217-2007
(Consent Agenda-11)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

Block 201, Lot 7	555 Chestnut Ridge Road		
Tax Year: 2007	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001323-2008
(Consent Agenda-12)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

Block 201, Lot 7	555 Chestnut Ridge Road		
Tax Year: 2008	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001254-2009 (Consent Agenda-13)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

Block 201, Lot 7	555 Chestnut Ridge Road		
Tax Year: 2009	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001255-2010
(Consent Agenda-14)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

Block 201, Lot 7	555 Chestnut Ridge Road		
Tax Year: 2010	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,800,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Stipulation of Settlement Between Woodcliff Lake Manor, LLC, Block 201, Lot 7, 555 Chestnut Ridge Road, Woodcliff Lake, NJ Docket No. 001001-2011 (Consent Agenda-15)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment entered as follows:

Block 201, Lot 7	555 Chestnut Ridge Road		
Tax Year: 2011	<u>Original Assessment</u>	<u>County Tax Board Assessment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 2,700,000	N/A Direct Appeal	\$ 2,700,000
Improvements	\$ 3,800,000	N/A Direct Appeal	\$ 3,550,000
Total	\$ 6,500,000	N/A Direct Appeal	\$ 6,250,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to the settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds resulting from the settlement set forth herein shall be paid to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq. McCarter & English LLP, Four Gateway Center, 100 Mulberry Street, Post Office Box 652, Newark, New Jersey 07102-0652.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the refund is provided within sixty (60) days from the date of judgment.

Refund Amount – \$5,593.00

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Wolfgang Albrecht, Borough Administrator to Attend the New Jersey Recreation and Park Association Conference on March 4 – March 7, 2012 in Atlantic City (Consent Agenda- 16)

WHEREAS, the Borough Administrator holds New Jersey Certification as a Certified Recreation Administrator since 1987; and

WHEREAS, this certification requires continuing education units towards recertification; and

WHEREAS, attendance at this conference will enable the Borough Administrator to obtain these continuing education credits.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the attendance of Wolfgang Albrecht, Borough Administrator to the New Jersey Recreation and Park Association Conference March 4-March 7, 2012 paid for by the Borough.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Authorize the Borough Administrator to Draft an Interlocal Agreement Between the Boroughs of Woodcliff Lake, Park ridge and Montvale for the Use of the Woodcliff Lake Diesel Fueling Tank During Emergencies (Consent Agenda- 17)

WHEREAS, the Tri-Boro Shared Services Committee has discussed developing an agreement between the Boroughs of Woodcliff Lake, Park Ridge and Montvale for emergency diesel fueling at the Woodcliff Lake Department of Public Works; and

WHEREAS, during power outages or mechanical failure, certain emergency vehicles and apparatus require diesel fueling; and

WHEREAS, a Tri-Boro Interlocal Agreement between the Borough of Woodcliff Lake, Park Ridge and Montvale for access on an emergency basis to the Woodcliff Lake DPW Diesel Fuel dispensing unit will be beneficial to all three communities; and

WHEREAS, each municipality would have access to the Woodcliff Lake Diesel Fueling Station in an emergency and would be responsible for the cost of their amount of diesel fuel used.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Administrator to draft an agreement for Tri-Boro Interlocal usage of the Woodcliff Lake diesel fueling at the Department of Public Works.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing the Mayor to Sign An Interlocal Agreement for the Use of the Park Ridge Mobile Fueling Delivery Truck During Emergencies (Consent Agenda- 18)

WHEREAS, during a prolonged fire incident certain fire apparatus require refueling; and

WHEREAS, in the past when a certain fire apparatus needed to be fueled and are unable to exit the scene, there is no way to immediately obtain fuel; and

WHEREAS, the Borough of Park Ridge has a mobile fueling truck that would be available for use by the Boroughs of Woodcliff Lake and Montvale in the case of an emergency; and

WHEREAS, each municipality would have access to the Park Ridge Mobile Fuel Delivery Truck during emergencies and would be responsible for the cost of their amount of diesel fuel used.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Woodcliff Lake authorize the Mayor and the Borough Clerk to execute an interlocal agreement for the aforementioned when the agreement is finalized.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Budget Reserve Transfers (Consent Agenda- 29)

WHEREAS, balance exist in 2011 Appropriation Accounts and other 2011 Appropriation Accounts appear to be insufficient to meet the Borough's needs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the following Budget Reserve Transfers as given by the Chief Financial Officer.

2011 Budget Reserve Transfers for February 21, 2012 meeting

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,500.00	
MAYOR AND COUNCIL - OTHER EXPENSES	1-01-20-110-020		1,500.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,500.00	
MUNICIPAL CLERK - OTHER EXPENSES	1-01-20-120-020		1,500.00
FINANCIAL ADMINISTRATION - SALARIES AND WAGES	1-0120-130-010	1,000.00	
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,100.00	
FINANCIAL ADMINISTRATION - OTHER EXPENSES	1-01-20-130-020		2,100.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	1,000.00	
AUDIT SERVICES	1-01-20-135-020		1,000.00
TAX ASSESSMENT - SALARIES AND	1-0120-150-010	200.00	

WAGES			
TAX COLLECTION - OTHER EXPENSES	1-01-20-145-020		200.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	300.00	
LIABILITY INSURANCE	1-01-23-210-020		300.00
BUILDINGS AND GROUNDS - SALARIES AND WAGES	1-01-26-310-010	5,000.00	
VEHICLE MAINTENANCE - OTHER EXPENSES	1-01-26-315-020	5,500.00	
BUILDINGS AND GROUNDS - OTHER EXPENSES	1-01-26-310-020		10,500.00
LANDFILL DISPOSAL COSTS	1-01-26-465-020	11,000.00	
GASOLINE	1-01-31-460-020		11,000.00
PARKS AND RECREATION - OTHER EXPENSES	1-01-28-370-020	9,000.00	
ELECTRICITY	1-01-31-430-020		9,000.00
ADMINISTRATION - OTHER EXPENSES	1-01-20-100-020	2,000.00	
PUBLIC EVENTS - OTHER EXPENSES	1-01-30-420-020	2,000.00	
TELEPHONE	1-01-31-440-020		4,000.00
PARKS AND RECREATION - OTHER EXPENSES	1-01-28-370-020	600.00	
STREET LIGHTING	1-01-31-435-000		600.00
STREETS AND ROADS - SALARIES AND WAGES	1-01-26-290-010	3,000.00	
SEWER SYSTEM - OTHER EXPENSES	1-01-31-455-020	1,000.00	
SOLID WASTE COLLECTION - SALARIES AND WAGES	1-01-26-305-010		4,000.00
LANDFILL DISPOSAL COSTS	1-01-26-465-020	7,000.00	
SOLID WASTE COLLECTION - OTHER EXPENSES	1-01-26-305-020		7,000.00
TOTAL		52,700.00	52,700.00

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Emergency Temporary Budget Appropriations

(Consent Agenda- 20)

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2012 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, said total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 490, 185.00 and

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

Capital Improvement Fund	\$ 26,000.00
Public Employees Retirement System	96,526.00
Police and Firemen's Retirement System	329,043.00
Deferred charge special emergency revaluation program	38,616.00
Total	\$ 490,185.00

2. That said emergency temporary appropriations will be provided for in the 2012 budget under the various titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing an Employment Agreement Between the Borough of Woodcliff Lake and Wolfgang Albrecht, Borough Administrator (Consent Agenda – 21)

WHEREAS, Wolfgang Albrecht, Borough Administrator has been employed as the part-time Borough Administrator of the Borough of Woodcliff Lake since June 1, 2011; and

WHEREAS, on December 19, 2011 a review of the Administrator's progress and the terms and conditions of his previous letter of agreement were discussed; and

WHEREAS, it is the recommendation of the Personnel Committee and the Mayor and Council to authorize a change in the Borough Administrator's status from part-time to full-time (5 days per week, 35 hours per week) at a salary of \$112,500.00 which was determined by the Finance Committee and agreed to by the Mayor and Council (Resolution #R12-001); and

WHEREAS, Woodcliff Lake wishes to continue to employ Wolfgang Albrecht in the position of Borough Administrator commencing on January 1, 2012, and Albrecht hereby accepts full-time employment as the full-time Administrator for the Borough Commencing on that date; and;

WHEREAS, the remaining terms and conditions are set forth in the Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorize the execution of the Employment Agreement between the Borough of Woodcliff Lake and Wolfgang Albrecht, Borough Administrator.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing the Rejection of All Bids and Reauthorization to Solicit Written Quotes and/or Rebid for a 17-Cubic Yard Roll Off Leaf Collector (Consent Agenda – 22)

WHEREAS, the Borough of Woodcliff Lake (“Borough”) advertised for and received bids on January 24, 2012 for a 17 Cubic Yard Chassis or Rolloff Mount Leaf Collector; and

WHEREAS, the Borough received no bids; and

WHEREAS, the Borough of Woodcliff Lake’s Department of Public Works is in need of One (1) 17 Cubic Yard Roll-Off Manual Leaf Collector; and

WHEREAS, the Borough of Woodcliff Lake has an appointed Qualified Purchasing Agent which raises the bid threshold from \$17,500 dollars to \$36,000 dollars;

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Woodcliff Lake hereby authorizes its’ Borough Administrator/QPA to solicit written quotes or re-bid for the purchase of a 17 Cubic Yard Roll-Off Manual Leaf Collector.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing 2012 Municipal Road Paving Program (Consent Agenda – 23)

WHEREAS, the Borough of Woodcliff Lake has received a proposal from Boswell Engineering for the determination of quantities, preparation of a construction cost estimate and the performance of construction inspection services for the 2012 Municipal Road Paving Program; and

WHEREAS, the Borough is desirous to develop a road paving program in the amount of \$300,000.00; and

WHEREAS, a scope of work and written estimate was submitted to the Borough ; and

WHEREAS, Boswell McClave Engineering will perform the services as submitted in their proposal for a fee not to exceed \$32,600.00 and the CFO has certified that funds are available.

NOW, THEREFORE. BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorize Boswell McClave Engineering to perform the above mentioned services to develop a road paving program in the amount of \$300,000.00 in the Borough of Woodcliff Lake.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing the Borough Administrator and/or the Borough Clerk to Institute an On-Line Auction With govdeals.com at a Later Date in 2012 to Be Determined

(Consent Agenda – 24)

WHEREAS the Borough of Woodcliff Lake is the owner of certain surplus property which is no longer needed for public use, and

WHEREAS the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Borough Clerk’s office.

2) The sale will be conducted online and the address of the auction is govdeals.com.

3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

4) A list of the surplus property to be sold will be collected and advertised as per State law.

5) The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

6) The Borough of Woodcliff Lake reserves the right to accept or reject and bid submitted.

Abene

Bader

Baum

Glaser

Rosenblatt

Struk

Goldsmith