

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
May 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 Matthew Berry as Facebook Coordinator for a term ending December 31, 2012.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of the **of the Mayor and Council meeting on May 7, 2012** copies of which have been received by all Councilpersons, are hereby approved as presented.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

PUBLIC HEARING

[Ordinance 12-06](#)

- 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 227-2.H to Amend the Hours Permitting Use of Lawn Mowers/Blowers”**

C. 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

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 227-2.H to Amend the Hours Permitting Use of Lawn Mowers/Blowers”**

introduced at a Regular Meeting of the Mayor and Council held on May 7, 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

[Ordinance 12-08](#)

A. Clerk offers Proof of Publication.

D. 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 Amend Article XII, Entitled “Police Department” at §5-44, Contracted Extra Duty
 Employment”**

E. 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

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 Amend Article XII, Entitled “Police Department” at §5-44, Contracted Extra Duty
 Employment”**

introduced at a Regular Meeting of the Mayor and Council held on May 7, 2012 published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and

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.

NEW BUSINESS.

Public Hearing – 2012 Municipal Budget.

Introduction of Ordinance No. 12-10

ORDINANCE OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO REVISE ORDINANCE 250-14A TO INCLUDE ADDITIONAL AREAS WHERE PARKING IS PROHIBITED AT ALL 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 4th day of June , 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Introduction of Ordinance No. 12-11**ORDINANCE OF THE BOROUGH OF WOODCLIFF LAKE,
COUNTY OF BERGEN, STATE OF NEW JERSEY, TO REVISE
ORDINANCE 250-15 TO INCLUDE AN ADDITIONAL AREA
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 be held on the 4th day of June, 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.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

- **Shaw Road – traffic discussion**
- **Special Meeting for United Water Presentation on Church Road Dam Reconstruction Project – discussion of possible dates**
- **New Business – Discussion of Pool memberships for people who work in Woodcliff Lake – Councilwoman Abene**

MAYOR'S REPORT.**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

CONSENT AGENDA DISCUSSION.**CONSENT AGENDA VOTE.**

ADJOURNMENT

CONSENT AGENDA – May 21, 2012

1. Authority to Pay Claims, **page 7**
2. Payroll, **page 7**
3. Resolution Authorizing Repairs to Pascack Valley Shared Vac-Con Sewer Truck, **page 7**
4. Resolution Authorizing Stipulation of Settlement Tax Court of New Jersey, Docket No. 010254-20122, Thomas S. and Linda J. Novak vs. Woodcliff Lake, NJ, **page 8**
5. Resolution Authorizing Stipulation of Settlement Tax Court of New Jersey, Docket No. 009580-2011, **page 8,9**
6. Resolution Adopting Personnel Policies and Procedures Manual and Employee Handbook, **page 9, 10**
7. Resolution Authorizing Facebook Account for the Borough of Woodcliff Lake, **page 10**
8. Resolution Authorizing Use of Electronic Board for Family Celebration News, **page 11**
9. Resolution Awarding Contract for Pascack Valley Cooperative Pricing Program - 2012 Road Program and Authorization for D&L Paving to Perform Work in Woodcliff Lake as Outlined in Master Contract, **page 11, 12**
10. Resolution Authorizing 2012 Municipal Road Paving Program Construction Inspection Services to be Performed by Boswell McClave Engineering, **page 12**
11. Resolution Objecting to the Proposal to Transfer Affordable Housing Trust Funds Monies to the State of New Jersey Without a Requirement That Such Monies Be Available to the Borough at a Later Date to be Used by the Borough to Implement a Fair Share Plan for the Third Round, **page 12, 13**
12. Resolution Authorizing Award of Professional Services Contract, **page 13, 14**

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:	\$	80,844.78
Animal Fund	\$	123.00
Trust Fund	\$	65.86
Unemployment Fund	\$	422.80

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	\$	184,797.94
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Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Payment of Repairs to Pascack Valley Shared Vac-Con Sewer Truck

(Consent Agenda – 3)

WHEREAS, the Pascack Valley Cooperative shares a 2002 Vac-Con Sewer Truck amongst six (6) municipalities; and

WHEREAS, the Vac-Con Shared Sewer Truck was in need of various repair and replacement parts; and

WHEREAS; a sub-committee of DPW Superintendents determined that it was in the best interests of the PV Coop to repair the Vac-Con Sewer Truck; and

WHEREAS, the Borough of Westwood, acting as Lead Agency for the Pascack Valley Cooperative Pricing System (#107-PVCPS), solicited written quotes for the repair of the 2002 Vac-Con Sewer Truck; and

WHEREAS, the sub-committee determined that Eagle Equip, Inc. 3388 Route 22 West, in Branchburg, New Jersey was the sole company capable of repairing and supplying specialty parts for the Vac-Con Sewer Truck.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Borough's portion of the payment in the amount of \$4,786.00 to Eagle Equipment, Inc., 3388 Route 22 West, Branchburg, New Jersey.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Stipulation of Settlement Tax Court of New Jersey , Docket No: 010254-20122, Thomas S. and Linda J. Novak vs. Woodcliff Lake, New Jersey

Consent Agenda – 4)

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

Block: 1108
 Lot: 6
 Street Address: 20 Hunter Ridge
 Years: 2011

	Original Assessment	County Board Judgment	Requested Tax Court Judgement
Block 1108, Lot 6			
Land	\$ 297,100.00	N/A	\$ 297,100.00
Improvements	926,200.00	Direct Appeal	779,900.00
Total	\$1,223,300.00	\$	\$1,077,000.00

2. The undersigned have made such examination of the value and proper assessments of the properties and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the properties 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 this settlement and has concurred.
3. Based upon the foregoing, the undersigned represents to the Court that the above settlement will result in an assessment at the fair assessable value of the properties consistent with assessing practices generally applicable in the taxing district as required by law.
4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment.

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Stipulation of Settlement Tax Court of New Jersey , Docket No: 009580-2011
(Consent Agenda – 5)

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

Block: 906
 Lot: 3
 Street Address: 69 Mill Road Ext.
 Years: 2011

	Original Assessment	County Board Judgment	Requested Tax Court Judgement
Block 906, Lot 3			
Land	\$ 239,400	N/A	\$ 239,400
Improvements	915,200	Direct Appeal	735,600
Total	\$1,154.600	\$	\$ 975,000

2. The undersigned have made such examination of the value and proper assessments of the properties and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the properties 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 this settlement and has concurred.
3. Based upon the foregoing, the undersigned represents to the Court that the above settlement will result in an assessment at the fair assessable value of the properties consistent with assessing practices generally applicable in the taxing district as required by law.
4. As a result of this tax reduction, a refund will be issued and no credits shall be applied to future tax payments unless taxes delinquent. All refunds as a result of this settlement shall be payable to "WILLIAMS S. WINTERS, ESQ." and the taxpayer, 199 Route 18 South

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Adopting Personnel Policies and Procedures Manual & Employee Handbook
(Consent Agenda – 6)

WHEREAS, it is the policy of the Borough of Woodcliff Lake to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Borough of Woodcliff Lake has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Borough of Woodcliff Lake that the Personnel Policies and Procedures Manual and Employee Handbook attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough of Woodcliff Lake officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Woodcliff Lake employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Woodcliff Lake Mayor and Council and/or Borough Administrator.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Woodcliff Lake shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that Frederick Danser III of Apruzzese, McDermott, Mastro & Murphy has been appointed as Labor Attorney to advise the Borough of Woodcliff Lake in personnel matter; and

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Labor Attorney shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Facebook Account for the Borough of Woodcliff Lake
(Consent Agenda – 7)

WHEREAS, the Technology Committee has researched the benefits of using Facebook as a communication tool for the Borough; and

WHEREAS, the Technology Committee has presented an overview to the Mayor and Council; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Borough’s use of Facebook as described below:

1. The Borough Administrator is designated Facebook Administrator.
2. The Borough’s Facebook shall only have outgoing posts; any change will require Mayor and Council approval.
3. The Borough Administrator, with advice from the Technology Committee, shall designate a Facebook Coordinator; at this time Technology Committee member Matthew Berry is designated Facebook Coordinator through the office of the Administrator.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing Use of Electronic Board for Family Celebration News
(Consent Agenda – 8)

WHEREAS, the Borough Administrator and Finance Committee has discussed the benefits of using the electronic board to acknowledge family celebratory events such as birthdays, anniversaries, graduations, retirements, etc.; and

WHEREAS, the Borough Administrator and Finance Committee have agreed that a fee of twenty-five (\$25.00) dollars per message shall be appropriate for each celebratory message; and

NOW THEREFORE BE IT RESOLVED that the Finance Committee recommends the use of the electronic board to acknowledge family celebratory events for twenty-five (\$25.00) dollars per message.

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorizes the use of the electronic board for Family Celebration News.

Abene Bader Baum Glaser Rosenblatt Struk Goldsmith

Resolution Awarding Contract for Pascack Valley Cooperative Pricing Program – 2012 Road Program and Authorization for D&L Paving to Perform Work in Woodcliff Lake as Outlined in Master Contract
(Consent Agenda -) 9

WHEREAS, on April 24, 2012 the Borough of Westwood, acting as Lead Agency for the Pascack Valley Cooperative Pricing Program, received bids for the 2012 Road Program; and

WHEREAS, six (6) bids were received, open and read for eight (8) municipalities; and,

WHEREAS, the bids were reviewed by Job & Job Consulting Engineers, on behalf of the Pascack Valley Cooperative Pricing Program; and,

WHEREAS, Job & Job Consulting Engineers has summarized the bid prices and recommends the award of the contract to D&L Paving Contractors, 681 Franklin Avenue, Nutley, NJ 07110 in the amount of \$2,843,887.21; and,

NOW, THEREFORE BE IT RESOLVED, that the Borough of Westwood as the Lead Agency for the Pascack Valley Cooperative Pricing Program authorizes the award of a master contract to D&L Paving Contractors, 681 Franklin Avenue, Nutley, NJ 07110 on behalf of the municipalities of Emerson, Old Tappan, Oradell, Paramus, River Vale, Rochelle Park, Westwood and Woodcliff Lake, in an amount not to exceed \$2,843,887.21 with each municipality contracting directly with D&L Paving for their portion of the contract; and,

BE IT FURTHER RESOLVED that the bid award is subject to attorney review and CFO certification of available funds and that D&L Paving Contractors is the lowest responsible bidder; and,

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorizes the appropriate Borough Official to prepare and execute a contract with D&L Paving Contractors for an amount not to exceed \$339,935.00.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Authorizing 2012 Municipal Road Paving Program Construction Inspection Services To Be Performed by Boswell McClave Engineering **(Consent Agenda – 10)**

WHEREAS, the Borough of Woodcliff Lake has received a proposal from Boswell McClave Engineering for the determination of quantities, preparation of a construction cost estimate (previously awarded by this Mayor and Council) and the performance of construction inspection services (yet to be awarded) for the 2012 Municipal Road Paving Program; and

WHEREAS, the Borough has awarded a construction contract for the 2012 Road Paving Program to D&L Paving Contractors in the amount not to exceed \$339,935.00; 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 \$30,000.00 for the performance of construction inspection services; and,

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

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes Boswell McClave Engineering to perform the construction inspection services for the 2012 Municipal Road Paving program in the amount not to exceed \$30,000.00.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**

Resolution Objecting to the Proposal to Transfer Affordable Housing Trust Funds Monies to the State of New Jersey Without a Requirement That Such Monies Be Available to the Borough at a Later Date to be Used by the Borough to Implement a Fair Share Plan for the Third Round **(Consent Agenda – 11)**

WHEREAS, the Borough of Woodcliff Lake has previously endorsed the Fair Share Plan adopted by the Woodcliff Lake Planning Board and has authorized the filing with the Council on Affordable Housing (“COAH”) of the Housing Element and Fair Share Plan dated October, 2008 (“Fair Share Plan”), prepared by Burgis Associates, Inc. (Donna Holmqvist, P.P., principal planner) and other related and required documentation, pursuant to COAH’s Third Round Regulations (“Regulations”), in order that the Borough seek Third Round substantive certification; and

WHEREAS, COAH by letter dated February 18, 2009 confirmed the filing by the Borough with COAH of a completed Petition for Substantive Certification (“Petition”) for the Third Round; and

1. The Borough of Woodcliff Lake is hereby entering in a Professional Service Agreement with PerforMax HRx to provide Human Resource Management Services for the Updating of Job Descriptions and Organization Charts in an amount not to exceed \$3,000.00 see attached schedule "A".

BE IT FURTHER RESOLVED that the Borough Attorney be and is hereby directed to prepare the Contract for same and the Borough Administrator is authorized to sign same on behalf of the Borough of Woodcliff Lake.

Abene Bader Baum Glaser Rosenblatt Struk **Goldsmith**