



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MEETING
NOVEMBER 8, 2021
6:00 PM EXECUTIVE SESSION
7:00 PM OPEN SESSION**

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 Carlos Rendo
Councilman Stephen Falanga
Councilwoman Jacqueline Gadaleta
Council President Angela Hayes
Councilwoman Josephine Higgins
Councilman Craig Marson
Councilman Richard Schnoll

CLOSED SESSION

Resolution No. 21-276

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

- Personnel Discussion
- Litigation Update

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

October 18, 2021 (Closed)

October 18, 2021 (Open)

PUBLIC COMMENT

(limited to 3 minutes per speaker)

MAYOR'S COMMENTS

APPOINTMENTS

- Appointment of Gary Menze to the Zoning Board with a term expiring on
- Appointment of Mary Decima Cummins to the Party City Committee

ADMINISTRATOR'S REPORT

- Best Practice Questionnaire

ENGINEER'S REPORT

COUNCIL MEMBERS' REPORTS/COMMENTS

ORDINANCES

Public Hearing	Ordinance 21-15 An Ordinance Providing for the Display and Flying of Flags in the Borough of Woodcliff Lake
Introduction	Ordinance 21-16 An Ordinance to Amend Chapter 173 Entitled "Firearms" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey
Introduction	Ordinance 21-17 An Ordinance to Amend Chapter 326 Entitled "Streets and Sidewalks" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey, to Include Section 326-32 Entitled "Mailbox Damage Due to Snowplowing"

CONSENT

Resolution No. 21-277	Resolution Authorizing Payroll and Payment of Claims
Resolution No. 21-278	Resolution Approving Raffle License
Resolution No. 21-279	Resolution Approving Dedication by Rider for Commemorative Tree Program
Resolution No. 21-280	Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2020-June 2025
Resolution No. 21-281	Resolution Authorizing Revision to Special Emergency Appropriation for the Master Plan
Resolution No. 21-282	Resolution Authorizing Change Order No. 1 for Additional Engineering Design Services for Glen Road Bridge Replacement
Resolution No. 21-283	Resolution Authorizing Refund of Permit Fees

NON-CONSENT AGENDA

Resolution No. 21-284	Resolution Awarding a Contract to AA Berms, LLC., to Perform Improvements for the Woodcliff Avenue "Causeway" Streetscape Project (NJDOT & Municipally Funded)
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ADJOURNMENT

****Disclaimer****

Subject to Additions and/or Deletions

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

ORDINANCE 21-15

AN ORDINANCE PROVIDING FOR THE DISPLAY AND FLYING OF FLAGS IN THE BOROUGH OF WOODCLIFF LAKE

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Purpose.

The purpose of this provision is to limit the display and flying of the following flags on public property to only: (a) Flag of the United States of America; (b) New Jersey State Flag; (c) United States Military Flags; and (d) Borough Department Flags.

Section 2. Display and Flying of Flags on Public Property.

The Borough Council hereby authorizes the Borough Administrator to only fly and/or display the Flag of the United States of America, the New Jersey State Flag, the United States Military Flags and Borough Department Flags on public property.

Section 3. Flying the United States of America Flag at Half-Staff.

The Borough Council, upon timely notification and verification of the death of a federal, state or local law enforcement officer, firefighter, ambulance/rescue squad member, emergency medical technician or paramedic who either works or volunteers in the Borough providing such services or is a resident of the Borough of Woodcliff Lake who dies in the line of duty or during the time of active service, or a military veteran who engaged in a combat theater, as approved by the United States Department of Defense, who either works for the Borough of Woodcliff Lake or resides in the Borough of Woodcliff Lake, shall direct that the United States Flag be flown at half-staff at all municipal buildings for a period of three (3) days from the date of notification and verification. Said notification shall be made at the time of death, but in no event later than one week after internment.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

**RESOLUTION NO. 21-276
NOVEMBER 8, 2021**

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____ 4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____ 5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

____ 6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: Litigation Update, Personnel.

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on November 8, 2021 that an Executive Session closed to the public shall be held on November 8, 2021 at 6:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated above.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 8, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**RESOLUTION NO. 21-277
NOVEMBER 8, 2021**

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

Payroll Released 10/31/2021 \$222,958.53

BE IT FURTHER 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:	\$ 1,701,207.91
Trust/Other:	\$ 986.99
Affordable Housing:	\$ 900.00
State Unemployment:	\$ 216.00

CERTIFICATION OF FUNDS

I, Jonathan DeJoseph, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

Jonathan DeJoseph
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 8, 2021.

Deborah A. Dakin, RMC, CMR
Borough Clerk

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING RAFFLE LICENSE TO WOODCLIFF LAKE PFA

**RESOLUTION NO. 21-278
NOVEMBER 8, 2021**

WHEREAS, a raffle application has been made by the Park Ridge High School Booster Club for a raffle to be held on November 22, 2021; 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 raffle license application of the Park Ridge High School Booster Club is hereby approved, and the Borough Clerk is authorized to issue Raffle License RA21-02.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 8, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION APPROVING DEDICATION BY RIDER FOR
COMMEMORATIVE TREE PROGRAM**

**RESOLUTION NO. 21-279
NOVEMBER 8, 2021**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for the receipt of bequests, legacies and gifts to be utilized in the manner set forth in said bequest, legacy or gift; and

WHEREAS, N.J.S.A. 40A:5-29 provides the dedicated revenues anticipated from the Commemorative Tree Program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey, that the Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Commemorative Tree Program pursuant to N.J.S.A. 40A:5-29; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 8, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 2020 - JUNE 2025**

**RESOLUTION NO. 21-280
NOVEMBER 8, 2021**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of 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, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Woodcliff Lake Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Council of the Borough of Woodcliff Lake 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, Bergen County, State of New Jersey herby recognizes the following:

1. The Borough of Woodcliff Lake Council does hereby authorize submission of a strategic plan for the Woodcliff Lake Municipal Alliance Grant for the fiscal year 2023 in the amount of:

DEDR	\$ 3836.33
Cash Match	\$ 959.08
In-Kind	\$ 2877.25

2. The Woodcliff Lake Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

APPROVED: _____
Carlos Rendo, Mayor

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 8, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING REVISION TO SPECIAL EMERGENCY APPROPRIATION
FOR THE MASTER PLAN**

**RESOLUTION NO. 21-281
NOVEMBER 8, 2021**

WHEREAS, on February 8, 2021, Resolution No. 21-57 was adopted authorizing the Special Emergency Appropriation for the Master Plan in the total amount of \$50,000.00; and

WHEREAS, after a review of same, it is necessary to amend the total amount of the Special Emergency Appropriation for the Master Plan in an amount not to exceed \$70,000.00; and

WHEREAS, the Governing Body has reviewed this matter and recommends the approval of same.

WHEREAS, NJS40A:4-53 and -55 provide that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that Resolution No. 21-57 adopted on February 8, 2021 be and is hereby revised to reflect a Special Emergency Appropriation for the Master Plan in an amount not to exceed \$70,000.00; and

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 8, 2021.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR GLEN ROAD BRIDGE REPLACEMENT

**RESOLUTION NO. 21-282
NOVEMBER 8, 2021**

WHEREAS, the Borough of Woodcliff Lake and Neglia Engineering previously entered into a Proposal for Professional Engineering Design Services for the Glen Road Bridge Replacement; and

WHEREAS, Neglia Engineering has submitted Change Order No. 1, a copy of which is attached hereto and incorporated herein by reference, at a cost not to exceed \$53,632.80 for Additional Engineering for the Retaining Wall as follows: (a) additional permitting from the NJDEP for reconstruction of the wall in the amount of \$20,050.71; (b) additional borings and wall foundation design for new retaining wall in the amount of \$18,682.09; and (c) additional engineering subconsultant to design a new retaining wall in the amount of \$14,900.00; and

WHEREAS, the Borough Administrator and Finance Officer have reviewed Change Order No. 1 attached hereto and incorporated herein by reference, submitted by Neglia Engineering with regard to this matter and recommend the approval of same; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey, that Change Order No. 1 submitted by Neglia Engineering for Additional Engineering Design Services for the Retaining Wall for the Glen Road Bridge Replacement be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized and directed to execute Change Order No. 1 submitted by Neglia Engineering, a copy of which is

attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the signed Change Order No. 1 to Neglia Engineering upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 8, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

RESOLUTION AUTHORIZING A REFUND OF PERMIT FEES

RESOLUTION NO. 21-283

NOVEMBER 8, 2021

WHEREAS, Yong Jun Chee, the owner of property 61 Campbell Avenue submitted a permit to install a generator and paid a permit fee of \$430.00 (Permit 21-0125); and

WHEREAS, the installation of the generator was cancelled by the homeowner and work was never performed; and

WHEREAS, the owner of the property has requested a refund of the permit fees. Twenty percent of permit fees may be retained for Plan review fees. Eighty percent of permit fee or \$344.00 should be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the payment of \$344.00 to the owner listed below:

PAYMENT TO:

Yong Jun Chee
61 Campbell Ave.
Woodcliff Lake NJ 07677

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 8, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AWARDING A CONTRACT TO AA BERMS, LLC., TO PERFORM IMPROVEMENTS
FOR THE WOODCLIFF AVENUE "CAUSEWAY" STREETScape PROJECT
(NJDOT & MUNICIPALLY FUNDED)**

**RESOLUTION NO. 21-284
NOVEMBER 8, 2021**

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, upon the recommendation of the Borough Engineer, that the Contract for the Woodcliff Avenue "Causeway" Streetscape Project be awarded to **AA Berms, LLC., located at 106 Mill Street, P.O. Box 180, Belleville, New Jersey 07109, in the amount of Seven Hundred and Sixteen Thousand, Four Hundred and Forty-Four Dollars and Zero Cents (\$716,444.00) for the Base Bid,** being the lowest of four (4) bids received.

Jonathan DeJoseph
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 8, 2021.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**