

# BOROUGH OF WOODCLIFF LAKE MAYOR AND COUNCIL WORK SESSION AGENDA MARCH 4, 2019 6:30 PM

### **CALL TO ORDER**

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

### **ROLL CALL**

Mayor Carlos Rendo
Councilman Corrado Belgiovine
Council President Jacqueline Gadaleta
Councilwoman Nancy Gross
Councilwoman Angela Hayes
Councilman Brian Singleton
Councilman Ian Spelling

#### **PLEDGE OF ALLEGIANCE**

### **CLOSED SESSION**

Resolution No. 19-64

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

PRESENTATION - Erik Gundersen, Superintendent of Pascack Valley Regional High School District

### **APPROVAL OF MINUTES**

February 11, 2019 (Closed) February 11, 2019 (Open)

### **MAYOR'S REPORT**

#### **COMMITTEE APPOINTMENTS**

Appointments will expire on December 31, 2019.

- Green Team Bert Taylor
- 125th Anniversary Committee Edward Barboni, Bert Taylor
- Council of the Arts Nora Singleton, Suzanne Mohan, Elena Lebedeva, Michelle Rendo, Jill Strassberg, Elayne Marks, Nilufer DeScherer, Malcolm McLaren, Nilufer DeScherer, Elizabeth Calderone

### **ADMINISTRATOR'S REPORT**

### **ENGINEER'S REPORT**

### **COUNCIL MEMBERS' REPORTS/COMMENTS**

### **CORRESPONDENCE**

Letter dated February 14, 2019 from the Tri-Boro Food Pantry

### **NEW BUSINESS**

• Determination and Award Certificate, led by Administrator Padilla

### **ORDINANCE**

Introduction

Ordinance No. 19-01

An Ordinance to Amend the Borough Fee Ordinance Contained in Chapter 163 of the Code of

Bergen and State of New Jersey

### **PUBLIC COMMENT**

(limited to 5 minutes per speaker)

### **CONSENT AGENDA**

Resolution No. 19-65	Resolution Authorizing Payroll and Payment of Claims
Resolution No. 19-66	Resolution Authorizing Contract for Custodial Maintenance in the Borough of Woodcliff Lake
Resolution No. 19-67	Resolution Authorizing a Refund of Overpayment of Taxes Due to Sale of Property and Mortgage Company Making Payment
Resolution No. 19-68	Resolution Authorizing Solicitor's License to Clean Water Action
Resolution No. 19-69	Resolution Authorizing the Appointment of Construction Official, Building Sub- Code, Building Inspector and Zoning Official in the Borough of Woodcliff Lake
Resolution No. 19-70	Budget Reserves Transfer – March 4, 2019
Resolution No. 19-71	2019 Temporary Emergency Budget Appropriation
Resolution No. 19-72	Resolution Authorizing Award for Soil Removal and Blending at Galaxy Gardens

### **ADJOURNMENT**

\*\*\*\*Disclaimer\*\*\*\*

**Subject to Additions and/or Deletions** 

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						
Hayes						
Singleton						
Spelling						
Gadaleta						
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. 19-64 MARCH 4, 2019

**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:

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.

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
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: Risk Management Strategies and tax appeal matters.
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 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:

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 March 4, 2019 that an Executive Session closed to the public shall be held on March 4, 2019 at 6:30 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 March 4, 2019.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross						i
Hayes						
Singleton						
Spelling				•		
Gadaleta						
Mayor Rendo		_				

### RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

### RESOLUTION NO. 19-65 MARCH 4, 2019

**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 2/28/2019

\$182,978.71

**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:

\$ 1,142,040.55

Open Space:

\$ 2,100.13

Escrow:

\$ 6,250.65

Manual:

\$ 9,010,613.35

### **CERTIFICATION OF FUNDS**

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

Harold Laufeld 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 March 4, 2019.

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### RESOLUTION AUTHORIZING CONTRACT FOR CUSTODIAL MAINTENANCE IN THE BOROUGH OF WOODCLIFF LAKE

### RESOLUTION NO. 19-66 MARCH 4, 2019

WHEREAS, the Borough of Woodcliff Lake has recognized the need for custodial maintenance of several municipal buildings; (i.e. Borough Hall, Police Department and Tice Senior Center); and

WHEREAS, the Borough has recognized the need to award this contract based on several factors including cost, job performance, qualification and experience of vendor, the vendors record with municipal organizations, and that the vendor has demonstrated a track record of service as evidenced by on-time and contract compliance performance; and

WHEREAS, the Borough sought quotes for such services; and

WHEREAS, National Maintenance Service, Inc. a New Jersey corporation with offices at 62 Tenafly Road, Englewood, New Jersey 07631 did provide the third lowest (\$34,700.00) of four quotes and is the best candidate to meet the above criteria to fulfill the needs of the Borough; and

WHEREAS, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts that fall below the bidding threshold without competitive bids.

**NOW THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Mayor to execute and the Clerk to attest to any documentation to contract with National Maintenance Service, Inc for the custodial maintenance in the amount of \$34,700.00. Such service shall not extend beyond December 31, 2019.

### **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 March 4, 2019.

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Mayor Rendo						

### **RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES**

### RESOLUTION NO. 19-67 MARCH 4, 2019

WHEREAS, the property tax on the following parcel were overpaid by the former property owner's mortgage company; and

WHEREAS, this has resulted in the overpayment of property tax on this parcel by \$2719.32; and

WHEREAS, the owner of the property has 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 \$2719.32 to the homeowner listed below:

B/L

**OWNER** 

AMT.

**REASON** 

2006/2

Halder

\$2719.32

**DUPLICATE PAYMENT** 

PAYMENT TO: KIMBERLY HADLER 38 CARTERET ROAD ALLENDALE, NJ 07401

### **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 March 4, 2019.

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### RESOLUTION AUTHORIZING SOLICITORS LICENSE TO CLEAN WATER ACTION

### RESOLUTION NO. 19-68 MARCH 4, 2019

WHEREAS, Clean Water Action, a New Jersey Nonprofit Organization has applied to the Borough Clerk's Office for a solicitor's license to conduct door-to-door education and fundraising drive. The purpose of the campaign is to inform the community about the protection of the waterways and drinking water supplies from toxins, ensure that citizens know what is in their water, reduce pesticide use, and to elect "green candidates; and

WHEREAS, the Police Department has stated that there is no reason to deny this application; and

WHEREAS, the applicant has been advised of the rules and guidelines established in the Borough of Woodcliff Lake and strict adherence to this policy must be followed.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitor's license to Clean Water Action.

### **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 March
4, 2019.

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Gross						
Hayes						
Singleton						
Spelling						
Mayor Rendo						

## RESOLUTION AUTHORIZING THE APPOINTMENT OF CONSTRUCTION OFFICIAL, BUILDING SUB-CODE, BUILDING INSPECTOR AND ZONING OFFICIAL IN THE BOROUGH OF WOODCLIFF LAKE

### **MARCH 4, 2019**

WHEREAS, due to the impending retirement of Nick Saluzzi from the Woodcliff Lake Building Department, it is necessary to hire an individual to perform his duties as Construction Official, Building Sub-Code and Building Inspector and Zoning Official; and

WHEREAS, after a review of the resumes on file, the Borough would like to appoint Mark Berninger to the position of Construction Official, Building Sub-Code and Building Inspector and Zoning Official to replace Nick Saluzzi; and

WHEREAS, Mr. Berninger possesses all the qualifications and experience necessary for the position; and

**WHEREAS**, Mark Beninger's appointment shall be effective March 5, 2019 at a total annual salary of \$55,000 as follows:

- a. Construction Code Official \$30,000
- b. Building Sub-Code Official \$10,000
- c. Building Inspector \$5,000
- d. Zoning code Official \$10,000

WHEREAS, the Borough Administrator and Personnel Committee have reviewed this matter and recommend that Mark Berninger be appointed to the position of Acting Construction Official, Building Sub-Code and Building Inspector and Zoning Official effective March 5, 2019 for

a total annual salary of \$55,000. Effective April 1, 2019 Mark Berninger will be appointed to the position of Construction Official, Building Sub-Code and Building Inspector and Zoning Official.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake that Mark Berninger be and he is hereby appointed as Acting Construction Official, Building Sub-Code and Building Inspector and Zoning Official for the Woodcliff Lake Building Department from March 5, 2019 to March 31, 2019 and effective April 1, 2019 Mark Berninger will appointed Construction Official, Building Sub-Code and Building Inspector and Zoning Official; and

**BE IT FURTHER RESOLVED**, that Mark Berninger's employment with the Borough shall be effective March 5, 2019 at a total annual salary of \$55,000 as follows:

- a. Construction Code Official \$30,000
- b. Building Sub-Code Official \$10,000
- c. Building Inspector \$5,000
- d. Zoning code Official \$10,000; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to Mark Berninger 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 March 4, 2019.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine				· -	18 18	
Gross		-				
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

### **2018 BUDGET RESERVES TRANSFERS FOR MARCH 4, 2019 MEETING**

### RESOLUTION NO. 19-70 MARCH 4, 2019

<u>DEPARTMENT</u>	ACCOUNT NUMBER	FROM	<u>TO</u>
Municipal Clerk – Other Expenses Municipal Clerk – Salaries and Wages	8-01-20-120-020 8-01-20-120-010	1,000.00	1,000.00
TOTAL		1,000.00	1,000.00

### **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 March 4, 2019.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
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Mayor Rendo					_	

### **EMERGENCY TEMPORARY BUDGET APPROPRIATION**

### RESOLUTION NO. 19-71 MARCH 4, 2019

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2019 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 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$822,000.00.

**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:

Financial Administration – Salaries and Wages	\$ 15,229.00
Planning Board – Salaries and Wages	10,000.00
Zoning Board – Salaries and Wages	10,000.00
Zoning Board – Other Expenses	20,000.00
Workmen's Compensation	40,000.00
Police – Tri-Boro Dispatch	10,000.00
Fire Hydrant Services – Other Expenses	3,000.00
Buildings and Grounds – Other Expenses	20,000.00
Sewer Charges – Borough of Montvale	10,000.00
Deferred Charges – Unfunded – Ord 18-04	125,003.00

Public Employees Retirement System
Police and Firemen's Retirement System

92,513.00 466,255.00

Total

\$ 822,000.00

- 2. That said emergency temporary appropriations will be provided for in the 2019 budget under the various titles listed above.
- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.

#### CERTIFICATION

l, 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 March 4, 2019.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						
Gross					<u>.                                      </u>	
Hayes						
Singleton						
Spelling						
Gadaleta						
Mayor Rendo						

### RESOLUTION AUTHORIZING AWARD FOR SOIL REMOVAL AND BLENDING AT GALAXY GARDENS

### RESOLUTION NO. 19-72 MARCH 4, 2019

WHEREAS, the Governing Body authorized the Borough Engineer to advertise for bids for "Soil Removal and Blending of Galaxy Gardens, located at 223 Woodcliff Avenue, Block 1402, Lot 7, in the Borough of Woodcliff Lake; and

WHEREAS, the Borough Engineer, on behalf of the Borough, received seven (7) bids with the lowest responsible bid submitted by Enterprise Network Resolutions Contracting, LLC (a/k/a ENR Contracting, LLC), located at 874 Piney Hollow Road, P.O. Box 70, Winslow, New Jersey 08095 in the amount of Two Hundred Twenty-Seven, Three Hundred Seventy-Five and 00/100 (\$227,375.00) Dollars; and

WHEREAS, it has been determined that the Borough of Woodcliff Lake has adequate funding to award the bid to ENR Contracting LLC as same represents the lowest responsible bid and ENR Contracting LLC has met all the requirements in the bid specifications; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the award of this Contract by way of the Borough's Open Space Trust Account, said certification is attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the bid and recommend that the bid be awarded to ENR Contracting LLC for the Soil Removal and Blending at Galaxy Gardens in the amount of \$227,375.00 as same represents the lowest responsible bid and ENR Contracting LLC has met all the requirements in the bid specifications.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that the bid for the Soil Removal and Blending at Galaxy Gardens located at 223 Woodcliff Avenue in the amount of \$227,375.00 submitted by ENR Contracting LLC, which represents the lowest responsible bid, be and is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and he is hereby authorized and directed to notify ENR Contracting LLC that their bid for the Soil Removal and Blending at Galaxy Gardens has been approved by the Governing Body.

**BE IT FURTHER RESOLVED** that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to ENR Contracting LLC upon its passage.

### **CERTIFICATION OF FUNDS**

I hereby certify to the availability of funds for the Soil Removal and Blending at Galaxy Gardens in the
following account number for the amount of this contract:

Acct. No.:	\$227,375.00	
		, CFO
	CERTIFICATION	
the State of New Jerse	cipal Clerk of the Borough of Woodcliff I y, do hereby certify that the foregoing passed and adopted by the Governing	resolution is a true copy of the
DEBORAH DAKIN, RMC	, CMR	

February 14, 2019

Tri-Boro Food Pantry 65 Pascack Road Park Ridge, NJ 07656 www.triborofoodpantry.org 201-573-9083



The Honorable Carlos Rendo, Mayor of Woodcliff Lake and Members of the Woodcliff Lake City Council Borough of Woodcliff Lake
188 Pascack Road
Woodcliff Lake, NJ 07677

Dear Mayor Rendo and Members of the City Council:

On behalf of the board of the Tri-Boro Food Pantry, I am writing to celebrate Demarest Farms and their continual support of the food pantry. We are grateful for their commitment to make a difference in our community. Over the last two years, Demarest Farms has supported our major meal distributions. During the Easter, Thanksgiving, and Christmas, we prepare over 80 meal kits. These kits allow a family to prepare, cook, and serve a large meal. For example, our Christmas meal kits included hams, pies, sides, and fresh vegetables. These meals need the support of many different organizations to pull it off. During our preparations, we now send a list of fresh produce to Demarest Farms. Demarest always responds with an immediate "yes." We estimate that Demarest Farms provided over \$1500 worth of produce for each special meal distribution. As a small pantry, our finances are secure but tight. In 2018, the number of people utilizing our pantry increased by almost 100%. Before Demarest Farms stepped in, these meal distributions (Thanksgiving, Christmas, and Easter) accounted for almost 50% of our budget. Demarest Farms generous gift allows us to do more for those we serve. Their support is making a difference in Woodcliff Lake, Park Ridge, Montvale, and more. Jason DeGise and the team at Demarest Farms continue to make a lot of men, women, and children happy at Easter, Thanksgiving, and Christmas. We are grateful for their continuing partnership.

Sincerely,

Rev Marc A Stutzel

Pastor of Christ Lutheran Church, Woodcliff Lake Treasurer, Tri-Boro Food Pantry, Park Ridge

CC: Jason DeGise, Demarest Farms

Rev. Marc A Shoul

BOROUGH OF WOODCLIFF LAKE