

BOROUGH OF WOODCLIFF LAKE
MINUTES
MAYOR AND COUNCIL
January 19, 2009
8:00 p.m.

CALL TO ORDER.

This meeting, in accordance with the Open Public Meetings Law, P. L. 1975, C. 231, was announced at the Reorganization Meeting held on January 5, 2009 in the Municipal Building. Notice of this meeting has been posted, and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL.

Mayor LaPaglia was present. Councilmembers Bader, Camella, Glaser, Hoffman, Howley and Rosenblatt were present on roll call. Attorney Madaio, Administrator Sandve and Borough Clerk Sciara were also present.

PLEDGE OF ALLEGIANCE.

All present recited the Pledge of Allegiance led by Mayor LaPaglia.

APPOINTMENT.

(Mayor) I appoint **SUSAN KEENAN** Municipal Court Administrator Effective January 15, 2009.

RESOLVED, that this appointment be confirmed.

ROLL CALL:

Introduce: Mr. Bader
Second: Mr. Camella
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

(Mayor) I appoint Herb Kuehkle as Deputy OEM Coordinator for a term ending December 31, 2011.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of the **Sine Die meeting of the Mayor and Council of January 5, 2009** copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mr. Bader
Second: Mr. Camella
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Rosenblatt
Nays: None
Abstain: None
Absent: Mrs. Howley

RESOLVED, that the **Minutes of the Reorganization Meeting of the Mayor and Council of January 5, 2009** copies of which have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mr. Bader
Second: Mr. Glaser
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mr. Rosenblatt
Nays: None
Abstain: None
Absent: Mrs. Howley

Mrs. Howley stated that the fees charged for returned checks should be researched as new higher rates may not be reflected.

ADMINISTRATOR'S REPORT.

Ordinance – Outdoor Wood Burning Furnaces

Nick Saluzzi, Construction Code Official has recommended that the Borough adopt an Ordinance regulating outdoor wood burning furnaces. This Ordinance will be included on the February 2, 2009 meeting for introduction.

Ordinance – Regulating Clothing Bins

The State has required municipalities to adopt Ordinances related to the regulation of clothing bins. If there are no comments to the draft Ordinance being circulated, this Ordinance will be included on the February 2, 2009 meeting for introduction.

Municipal Facilities - Energy Audit

An incentive program is being offered through the BPU. The program provides reimbursement to the Borough for 75% of the cost of the energy audit up front. Should the borough proceed with implementing a certain portion of the recommendations in the energy audit the remaining 25% will also be reimbursed.

Professional Services 2009

Many surrounding municipalities are requesting that their professionals hold their billing rates the same as 2008. Administrator Sandve was asked to write to our professionals stating the Borough's wish to hold any increase on billing rates.

2009 Municipal Budget

The draft of the 2009 Municipal Budget is being finalized. It is expected that the Finance Committee will begin in the next week or two.

Establish 2009 Goals & Objectives

The Council should provide a list of Goals and Objectives so that the full list can be distributed to the Mayor and Council for their rankings.

Mr. Glaser stated that he had sent an e-mail to the Mayor and Councilmembers listing 12 goals he felt were important. He asked that the Mayor and Council add any issues they felt were important and then rate each item. Mr. Glaser would then rank the issues.

MAYOR'S REPORT.

The Mayor reported that the award of grant funding for the acquisition of the Hatheway property is on the agenda of the next Freeholder's meeting on January 21, 2009. Mr. Bader will attend the meeting with Mayor LaPaglia to thank the Freeholders on their decision.

Mayor LaPaglia reported that also on January 21st there will be a meeting at the Westwood Community Center on the Certificate of Need transfer to HUMC. The Mayor of Westwood has asked for support from all neighboring municipalities.

OLD BUSINESS.

None

NEW BUSINESS.

None

PUBLIC FORUM.

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

Mike Fells, 81 Werimus Road asked the status of the Hatheway property acquisition. Mayor LaPaglia answered that there is a Freeholder meeting this week and the Borough is expecting to receive a grant in the amount of \$800,000. Once this grant and a Green Acres grant from the State are acquired, the acquisition of the property will go forward. Plans for construction to this site will not be available to the public for several months.

Hearing no further comments from the public, a motion to close the meeting to the public was made by Mr. Bader, second by Mr. Camella and approved unanimously by voice call vote.

CONSENT AGENDA DISCUSSION.

None

CONSENT AGENDA VOTE.

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

ROLL CALL:

Introduce: Mrs. Howley
Second: Mr. Bader
Ayes: Mr. Bader, Mr. Camella, Mr. Glaser, Mr. Hoffman, Mrs. Howley,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

ADJOURNMENT.

Motion to adjourn was made by Mrs. Howley, second by Mr. Bader and approved unanimously by voice call vote. The time is 8:58 p.m.

Respectfully submitted,

Lori Sciara, RMC
Borough Clerk

Payroll.

(Consent Agenda – 1)

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

Payroll released 01/15/09 \$ 192,344.52

CLAIMS AND BILLS.

Authority to Pay Claims.

(Consent Agenda - 2)

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 \$ 152,043.32
Capital \$ 101,800.00

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A COUNTY BOARD JUDGEMENT FOR THE YEAR 2008 Appeal # 68-0800002AA

(Consent Agenda – 3)

WHEREAS, The owners of Block 1902, Lot 2, KATSNELSON, VLADMIR & MARINA, 111 WINDING WAY, Woodcliff Lake, NJ, was successful in their appeal to the County Tax Board New Jersey and have won a Judgment adjusting their assessed value for the year 2008.

WHEREAS, this has resulted in their overpaying their property tax for year of 2008 in the amount of \$1967.04 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 \$1967.04 to KATSNELSON, VLADMIR & MARINA.

Check mailed to:
Katsnelson, Vladimir & Marina
111 Winding Way
Woodcliff Lake, NJ 07677

Mail check by February 3, 2009

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A COUNTY BOARD JUDGEMENT FOR THE YEAR 2008 Appeal # 68-0800103A
(Consent Agenda – 4)

WHEREAS, The owners of 104 Lot 3, PULZELLO, WILLIAM & GINA, 4 ANDREA COURT, Woodcliff Lake,NJ, was successful in their appeal to the County Tax Board New Jersey and have won a Judgment adjusting their assessed value for the year 2008.

WHEREAS, this has resulted in their overpaying their property tax for year of 2008 in the amount of \$677.54 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 \$677.54 to WILLIAM & GINA PULZELLO

Check mailed to:
Pulzello, William & Gina
4 Andrea Court
Woodcliff Lake, NJ 07677
Mail check by February 13, 2009

Bader Camella Glaser Hoffman Howley Rosenblatt LaPaglia

Resolution Authorizing Contract to Commerce National Risk Control to Coordinate Alcohol and Drug Testing Services
(Consent Agenda – 5)

WHEREAS, there exists a need for alcohol and drug testing services, and

WHEREAS, Commerce National Risk Control has submitted a proposal to perform such services for the term of January 1, 2009 to December 31, 2009 at a sum of \$66.34 per CDL holder or other participants, and

WHEREAS, the contract is a valid contract for Professional Services which may be awarded without competitive bidding in accordance with NJSA 40A:11(a) of the Local Public Contracts Law,

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Woodcliff Lake that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Commerce National Risk Control for the term of January 1, 2009 to December 31, 2009 at a sum of \$66.34 per CDL holder or other participants.

Resolution Authorizing Stipulation of Settlement Between The Great Atlantic & Pacific Tea Company and the Borough of Woodcliff Lake (Consent Agenda – 6)

WHEREAS, it is hereby stipulated and agreed that the assessment of the following listed property be adjusted and a judgment be entered by the Tax Court as depicted as follows

Block 202 **Lot 4** **Docket No. 001794-2007**
Year: **2007** **Docket No. 001616-2008**
Street Address: 520 Chestnut Ridge Road

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
LAND:	\$10,710,000	None	\$10,710,000
IMPMNT:	\$ <u>4,115,000</u>	Direct	<u>\$ 4,115,000</u>
TOTAL	\$14,825,000	Appeal	\$14,825,000

Year: **2008**

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
LAND:	\$10,710,000	None	\$10,710,000
IMPMNT:	\$ <u>4,115,000</u>	Direct	<u>\$ 3,790,000</u>
TOTAL	\$14,825,000	Appeal	\$14,500,000

2. It is further stipulated and agreed that the 2009 assessment shall be \$13,825,000.
3. 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 this settlement and has concurred.
4. 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.
5. Plaintiff hereby waives prejudgment interest.

Resolution for Local Government Energy Audit (Consent Agenda – 7)

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and

WHEREAS, the Governing Body of the Borough of Woodcliff lake has decided to apply

to participate in the Local Government Energy Audit Program; and

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Borough of Woodcliff Lake, are served by a New Jersey regulated public utility, and that the Borough of Woodcliff Lake has not already reserved \$100,000 in the Program this year as of this application; and

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and

WHEREAS, upon acceptance into the Program, the Borough of Woodcliff Lake will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the part B application; and

WHEREAS, the Borough of Woodcliff Lake understands that energy audit work cannot proceed until an Application Approval Notice is received from the Program.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Woodcliff Lake, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.