

**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL AGENDA  
August 9, 2010**

**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 4, 2010 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  
Councilman Bader  
Councilman Camella  
Councilman Glaser  
Councilman Hoffman  
Councilwoman Howley  
Councilman Rosenblatt

**PLEDGE OF ALLEGIANCE.**

**PRESENTATION.**

Presentation by Price, Meese, Shulman & D'Arminio – Request for Consideration of Rezoning.

**PRESENTATION.**

Presentation by Councilman Glaser – results of Citizen Survey.

**APPROVAL OF MINUTES.**

**RESOLVED**, that the Minutes of a **regular Meeting of the Mayor and Council on July 12, 2010** copies of which have been received by all Councilpersons, are hereby approved as presented.

**Bader      Camella      Glaser      Hoffman      Howley      Rosenblatt      LaPaglia**

**APPOINTMENTS**

Mayor appointments to the Tri-Boro Shared Service Committee.

**INTRODUCTION**

**Ordinance 10-04**

**Be it Resolved, that the Ordinance entitled, “An Ordinance to Fix the Compensations of Certain Officers and Employees of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey.”**

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 7th day of September, 2010 , 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.

**Bader      Camella      Glaser      Hoffman      Howley      Rosenblatt      LaPaglia**

**STANDING COMMITTEES.      (CAPITALS indicate committee chair).**

- |                 |  |
|-----------------|--|
| John Glaser     | <b>PLANNING BOARD</b><br><b>EDUCATION (High School)</b><br><b>ADMINISTRATION/FINANCE</b><br>Public Information, Newsletters, Ordinances<br>Library<br>Senior Citizen’s Program |
| Paul Camella    | <b>LIBRARY</b><br>Administration/Finance<br>Fire (Volunteer)<br>DPW & Roads/Sewers & Sanitation, Ecology   |
| Jeffrey Bader   | <b>PUBLIC SAFETY/POLICE/OEM/TRIBORO</b><br><b>BUILDING &amp; GROUNDS/BUILDING DEPARTMENT</b>   |
| Jeffrey Hoffman | <b>BOARD OF HEALTH, MENTAL HEALTH &amp; WELFARE</b><br><b>EDUCATION (ELEMENTARY)</b><br><b>PARKS AND RECREATION</b><br>Building & Grounds/Building Department                  |
| Joanne Howley   | <b>PUBLIC INFORMATION, NEWSLETTERS, ORDINANCES</b><br><b>FIRE/VOLUNTEER/FIRE PREVENTION</b><br>Education (elementary)<br>Senior Citizen’ Program                               |

Robert Rosenblatt

**DPW & ROADS/SEWERS & SANITATION/ECOLOGY  
PARKS AND RECREATION**  
Public Safety/Police/OEM/TriBoro  
Education (elementary)  
Board of Health, Mental Health & Welfare

**OLD BUSINESS.**

1. Indemnification of Councilmember.

**NEW BUSINESS.**

1. School Funding Referendum – Go out the Vote Campaign.

**PUBLIC FORUM.**

Open to Public  
Bader Camella  
Glaser Hoffman  
Howley Rosenblatt  
LaPaglia

Close to Public  
Bader Camella  
Glaser Hoffman  
Howley Rosenblatt  
LaPaglia

**CONSENT AGENDA DISCUSSION.**

**CONSENT AGENDA VOTE.**

**ADJOURNMENT.**

**CONSENT AGENDA – August 9, 2010**

1. Payroll, **page 5**
2. Authority to Pay Claims, **page 5**
3. Resolution Authorizing Raffle License for Our Lady Mother of the Church, **page 5**
4. Resolution Authorizing Raffle License for Community Blood Services Foundation, **page 6**
5. Resolution Authorizing Raffle License for Community Blood Services Foundation, **page 6**
6. Resolution Authorizing Appointment of Annual Representatives to the Borough Community Development Committee, **page 6**
7. Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Tice Boulevard project, **page 7**
8. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket No. 000116-2009 for the year 2009, **page 8**
9. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket No. 017627-2009, **page 8, 9**
10. Resolution Authorizing a Refund of Overpaid Taxes Caused by Tax Court Judgment Docket No. 016691-2009, **page 9**
11. Resolution Authorizing Stipulation of Settlement between Lawrence M. Bibi and Elana F. Bibi and the Borough of Woodcliff Lake, **page 10**
12. Resolution Calling on the State Legislature and Governor to Enact Property Tax Reform with Passage of the “Municipal toolkit” and other Mandates Relief, **page 11, 12**
13. Resolution Requesting the County Clerk to Place upon the Official Ballot to be Utilized at the Next General Election in the Borough of Woodcliff Lake a Certain Proposition or Question, **page 12, 13**
14. Resolution Authorizing Revision to the Personnel Policy Manual, **page 13**
15. Resolution to Approve the Corrective Action Plan for the Fiscal Year 2009 Audit Report of the Borough of Woodcliff Lake, **page 14**
16. Resolution of the Governing Body Certification of the Annual Audit, **page 14,15**

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

**Bader      Camella      Glaser      Hoffman      Howley      Rosenblatt      LaPaglia**

**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 07/15/10	\$	202,946.44
Payroll released 07/31/10	\$	202,869.87

**Bader      Camella      Glaser      Hoffman      Howley      Rosenblatt      LaPaglia**

**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:

<b>Current Fund</b>	\$
<b>Animal Control Fund</b>	\$

**Bader      Camella      Glaser      Hoffman      Howley      Rosenblatt      LaPaglia**

**Resolution Authorizing Raffle License for Our Lady Mother of the Church**

**(Consent Agenda – 3)**

**WHEREAS**, application has been made by Our Lady Mother of the Church, Woodcliff Lake, NJ, for one on-premise raffle on December 18, 2010; 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 application of Our Lady Mother of the Church, Woodcliff Lake, NJ is approved and the Borough Clerk is hereby authorized to issue Raffle License No. 10-396.

**Resolution Authorizing Raffle License for Community Blood Services Foundation**

**(Consent Agenda – 4)**

**WHEREAS**, application has been made by the Community Blood Services Foundation, Oradell, NJ, for one (1) off-premise 50/50 raffle on October 15, 2010 to be held at the Woodcliff Lake Hilton, Woodcliff Lake, New Jersey; 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 application of the Community Blood Services Foundation, Oradell, NJ is approved and the Borough Clerk is hereby authorized to issue Raffle License No. 10-394.

**Resolution Authorizing Raffle License for Community Blood Services Foundation**

**(Consent Agenda – 5)**

**WHEREAS**, application has been made by the Community Blood Services Foundation, Oradell, NJ, for one (1) off-premise tricky tray on October 15, 2010 to be held at the Woodcliff Lake Hilton, Woodcliff Lake, New Jersey; 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 application of the Community Blood Services Foundation, Oradell, NJ is approved and the Borough Clerk is hereby authorized to issue Raffle License No. 10-395.

**Resolution Authorizing Appointment of Annual Representatives to the Borough Community Development Committee**

**(Consent Agenda – 6)**

**WHEREAS**, the Borough is required to appoint representatives to the Bergen County Community Development Committee,

**NOW, THEREFORE, BE IT RESOLVED**, that the following are appointed to the Community Development Committee;

- Edward Sandve, Borough Administrator – Borough Representative
- Lorinda Sciara, Borough Clerk – Alternate Borough Representative
- Councilman John Glaser – Council Representative
- Councilman Jeff Bader – Alternate Council Representative

**Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Tice Boulevard project** (Consent Agenda – 7)

**WHEREAS**, the Borough of Woodcliff Lake is desirous of improving Tice Boulevard from its intersection with Chestnut Ridge Road, a County Road, to its terminus; and,

**WHEREAS**, Tice Boulevard is a major corridor serving a number of commercial buildings that provide employment for many of the Borough’s resident’s; and,

**WHEREAS**, a grant application for NJDOT Local Aid is required to apply for the funding; and,

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the Borough of Woodcliff Lake, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Borough Administrator and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Woodcliff Lake Borough – 00181 to the New Jersey Department of Transportation on behalf of the Borough of Woodcliff Lake.

**BE IT FURTHER RESOLVED** that the Borough Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Woodcliff Lake, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this            day of            , 2010.

\_\_\_\_\_  
Clerk  
Lorinda Sciara, RMC

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_  
(Clerk)  
Lorinda Sciara, RMC

\_\_\_\_\_  
(Presiding Officer)  
Edward Sandve, P.E.  
Borough Administrator

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET NO. 000116-2009 FOR THE YEAR 2009** (Consent Agenda – 8)

WHEREAS, the owners of Block 301 Lot 3.02 C0002, 123 Tice Blvd., 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>2009 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
7,500,000.00 LAND	7,500,000.00 LAND
7,250,000.00 IMPROVEMENTS	6,000,000.00 IMPROVEMENTS
<u>14,750,000.00 TOTAL ASSESSMENT</u>	<u>13,500,000.00 TOTAL ASSESSMENT</u>
303,702.50 taxes paid	25,737.50 refund due

WHEREAS, this has resulted in their overpaying their property tax for the year 2009 in the amount of \$ 25,737.50 and,

**TOTAL REFUND FOR 2009 \$ 25,737.50**

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 \$ 25,737.50 for the year 2009 to the owner of record, IPC, NY PROP.LLC. C/O NASHEL & NASHEL,LLC

MAIL VOUCHER TO:  
 IPC, NY PROP., LLC C/O  
 NASHEL & NASHEL,LLC  
 415 SIXTIETH ST.  
 WEST NEW YORK, NJ 07093

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #017627-2009** (Consent Agenda – 9)

WHEREAS, the owners of Block 1804 Lot 11, 18 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>2009 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
238,500.00 LAND	238,500.00 LAND
737,200.00 IMPROVEMENTS	589,000.00 IMPROVEMENTS
<u>975,700.00 TOTAL ASSESSMENT</u>	<u>827,500.00 TOTAL ASSESSMENT</u>
\$20,089.66 taxes paid	\$17,038.23 tax court judgment taxes

**MUNICIPAL TAX RATE FOR YEAR 2009=\$2.059 PER 100 OF ASSESSED VALUE**

**2009 TAX REFUND= \$3051.43**

WHEREAS, this has resulted in their overpaying their property tax for the years 2008 and 2009 in the amount of \$3051.43 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 **\$3051.43** for the year **2009** to the owner of record Gary S. Newman

Mail Voucher to:

Gary S. Newman  
18 Winding Way  
Woodcliff Lake, NJ 07677

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #016691-2009** (Consent Agenda - 10)

**WHEREAS**, the owners of Block 201 Lot 5.03, 1 Taryn Court., 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>2009 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
284,200.00 LAND	238,500.00 LAND
536,900.00 IMPROVEMENTS	436,900.00 IMPROVEMENTS
<u>821,000.00 TOTAL ASSESSMENT</u>	<u>721,100.00 TOTAL ASSESSMENT</u>
\$14,847.45 taxes paid	\$14847.45 tax court judgment taxes

**MUNICIPAL TAX RATE FOR YEAR 2009=\$2.059 PER 100 OF ASSESSED VALUE**

**2009 TAX REFUND= \$2059.00**

**WHEREAS**, this has resulted in their overpaying their property tax for the years 2008 and 2009 in the amount of **\$2059.00** 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 **\$2059.00** for the year **2009** to the owner of record Kenneth Zucherberg

Mail Voucher to:

Kenneth Zuckerberg  
1 Taryn Court  
Woodcliff Lake, NJ 07677

**Resolution Authorizing Stipulation of Settlement between Lawrence M. Bibi and Elana F. Bibi and the Borough of Woodcliff Lake** (Consent Agenda– 11)

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

- (a) **Block**                    **2201.03**  
**Lot**                            **1**  
**Street Address:**        **12 Mulholland Drive**  
**Year(s)**                    **2009**

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
<b>LAND:</b>	\$ 344,500	\$ 344,500	\$ 344,500
<b>IMPMNT:</b>	\$ 768,600	\$ 768,600	\$ 575,500
<b>TOTAL</b>	\$ 1,113,100	\$ 1,113,100	\$ 920,000

- (b) **Block**                    **2201.03**  
**Lot**                            **1**  
**Street Address:**        **12 Mulholland Drive**  
**Year(s)**                    **2010**

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
<b>LAND:</b>	\$ 344,500	<b>N/A Direct</b>	\$ 344,500
<b>IMPMNT:</b>	\$ 768,600	<b>Appeal</b>	\$ 530,500
<b>TOTAL</b>	\$ 1,113,100		\$ 875,000

- 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 this 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. **The Taxing District agrees that refunds for the year(s) in question shall be made, without any offset or deduction whatsoever for any unpaid taxes or municipal charges for any tax year(s) subsequent to the latest year encompassed within this Stipulation, and draft(s) shall be issued and made payable to “Venino and Venino, Esqs., as attorneys for Lawrence M. and Elana F. Bibi” and forwarded in c/o Venino and Venino, Esqs., 8000 Kennedy Boulevard, North Bergen, New Jersey 07047.**

**Resolution Calling on the State Legislature and the Governor to Enact Property Tax Reform with Passage of the “Municipal Toolkit” and Mandates Relief** (Consent Agenda – 12)

**WHEREAS**, difficult times demand difficult choices, and facing an unprecedented revenue gap this year, Governor Christie introduced, and the Legislature passed, a budget that cut municipal property tax relief funding by about \$450 million, from last year’s already reduced totals; and

**WHEREAS**, realizing that a 20% cut in revenue replacement funding, instead of the statutorily required increase, would present a serious challenge to local budget makers, Governor Christie intended to provide local officials with meaningful tools to limit the, otherwise devastating, impact of the cuts; and

**WHEREAS**, the Governor’s “Tool Kit to Meet Today’s Fiscal Challenges” was supposed to accomplish six objectives: collective bargaining reform; pension and benefits reform; civil service reform; management reform; a constitutional cap on increases in spending for direct State government services; and a constitutional cap on property tax increases; and

**WHEREAS**, Governor Christopher Christie and the State Legislature have agreed on and enacted a 2% statutory cap for annual property tax levy increases; and

**WHEREAS**, the Governor was correct when he said, ‘New caps without the toolkit are unworkable.’ and

**WHEREAS**, with the cuts assured in the State’s new budget and with bi-partisan agreement reached on new property tax caps, New Jersey Mayors - from municipalities, large and small, and from all around our Garden State – still wait for Trenton policy makers to enact meaningful local government cost containment reforms; now therefore be it

**RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake calls for immediate passage of the “Toolkit” reforms and mandates relief, including, but not limited to interest arbitration reform, civil service reforms, public employee pension and benefits, disciplinary procedures, school and special district elections, reforms to the Fair Housing Act and the Council on Affordable Housing and mandates relief; and

**BE IT FURTHER RESOLVED**, that statutory arbitration reforms must limit the full economic impact of awards to conform to the 2% cap; and

**BE IT FURTHER RESOLVED**, that statutory Health benefit reforms must conform future health benefit costs to the 2% cap; and

**BE IT FURTHER RESOLVED**, that municipal revenues, such as the Energy Tax, which are now collected by, and diverted to, the State, but which are legally intended for municipal property tax relief, must be constitutionally dedicated for their original purpose; or in the alternative, those taxes should be reformed to allow collection directly by municipalities; and

**BE IT FURTHER RESOLVED**, that the Administration and Legislature must advance immediate mandates relief initiatives to assist municipalities in managing within the 2% cap; and

**BE IT FURTHER RESOLVED**, that the Administration and Legislature must advance reforms to the Fair Housing Act and the Council on Affordable Housing (COAH); and

**BE IT FURTHER RESOLVED**, that a cap exception for the costs associated with tax appeals should be included, and costs mandated by the Administrative Office of the Courts (AOC) should be excepted from the 2% cap or the costs of new AOC mandates should be capped at 2%; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

**Resolution Requesting the County Clerk Place Upon the Official Ballot to be Utilized at the Next general Election in the Borough of Woodcliff Lake a Certain Proposition or Question**

**(Consent Agenda – 13)**

**WHEREAS**, for the past five years, pursuant to a determination made by the voters of Woodcliff Lake, (the “Borough”), the Borough has maintained an “Open Space Trust Fund” (hereinafter, the “Fund”) designated solely for establishment, maintenance and improvement of a system of public recreation including parks, open space and playgrounds within the Borough.

**WHEREAS**, the Open Space Trust Fund has been funded through the collection of local property taxes in the amount of \$0.01 per one hundred dollars of assessed value per year of real property within the municipality.

**WHEREAS**, in the original ballot authorizing the Open Space Trust Fund, it was stipulated that the Fund was to exist for a period of five (5) years, to 12/31/05, at which time it would end and the will of the voters would determine by proposition either extending the time for continued funding of the Open Space Trust Fund or permitting it to end.

**WHEREAS**, the voters elected to continue to fund the Open Space Trust fund during the November 2005 General Election for a period expiring 12/31/10

**WHEREAS**, it is the desire of the Governing Body to determine the sentiment of the voters with regard to the continuation of the Open Space Trust Fund for the period 1/1/11 through 12/31/15.

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

1. The Clerk of the County is hereby requested to print upon the official ballots to be used at the next general election a proposition or question in order that the Governing Body may determine the sentiment of the voters with regard to the attached proposition or question.
2. The proposition or question is set forth on Appendix A.
3. The Borough Clerk and Borough Administrator are authorized to certify as true the within Resolution and undertake such administrative steps as are necessary to assure the placement of the within public question upon the ballot, and to deliver the within Resolution, and attachments, to the County Clerk.

## MUNICIPAL PUBLIC QUESTION NO. 1

Shall the Borough of Woodcliff Lake continue the previously established “Open Space Trust Fund” which shall have the following purposes:

- A. The “Open Space Trust Fund” shall be funded through the collection of local property taxes in an amount which totals \$0.01 per one hundred dollars of assessed value per year for a period not to exceed five (5) years.
- B. Said funds shall continue to be designated solely for the establishment, maintenance and improvement of a system of public recreation including parks, open space and playgrounds within the Borough of Woodcliff Lake.
- C. Any property or easement purchased by the “Open Space Trust Fund” shall not be sold or conveyed unless and until authorized by binding Public Referendum.

## INTERPRETIVE STATEMENT

This binding referendum will give elected officials in the Borough of Woodcliff Lake the sentiment of the voters concerning the continuation of the “Open Space Trust Fund” originally established by Public Referendum in November 2000. This fund will continue to compliment bonding and continue to be used exclusively for establishment, maintenance and improvement of a system of public recreation including parks, open space and playgrounds within the Borough. The Borough Council has determined the yearly rate, which would be \$0.01 per one hundred dollars of assessed valuation. As an example the owner of a property assessed at \$624,000 (the average assessed value in the Borough of Woodcliff Lake) would be contributing approximately \$62 each year to the Open Space Trust Fund. Any property or easement purchased by the Open Space Trust Fund shall not be sold or conveyed unless and until authorized by binding Public Referendum. The continued “Open Space Trust Fund” shall again be funded for a period not to exceed five (5) years unless at that time a proposition extending the same is approved by the voters.

### Resolution Authorizing Revision to the Personnel Policy Manual

(Consent Agenda – 14)

**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 have determined that the existing policy pertaining to attendance at the League of Municipalities Convention needs to be modified,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake hereby revise the Borough policy pertaining to attendance at the League of Municipalities Convention effective for the 2010 Convention in November.

**Resolution to Approve the Corrective Action Plan for the Fiscal Year 2009 Audit Report of the Borough of Woodcliff Lake** (Consent Agenda – 15)

**WHEREAS**, the Division of Local Government Services requires the Chief Financial Officer to file a “Corrective Action Plan” outlining the actions to be taken by the Borough relative to the findings and recommendations in the annual audit report; and

**WHEREAS**, the “Corrective Action Plan” shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

**WHEREAS**, the governing body is required by resolution, to approve said “Corrective Action Plan”, as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the Borough Clerk’s office;

**NOW, THEREFORE, BE RESOLVED**, that the Borough Council of the Borough of Woodcliff Lake hereby approves the “Corrective Action Plan” for the Fiscal Year 2009 Audit Report submitted by the Chief Financial Officer.

**Resolution of the Governing Body Certification of the Annual Audit** (Consent Agenda – 16)

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the “Borough Clerk” pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”, and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Mayor and Borough Council of the Borough of Woodcliff Lake hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON AUGUST 9, 2010.

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Lorinda Sciara, RMC  
Borough Clerk