

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
November 7, 2013
Location: 411 Chestnut Ridge Road
8:00 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, The Record and The Ridgewood News, have been notified.

ROLL CALL

Mayor Jeffrey Goldsmith asked for a roll call. Council members Abene, Bader and Gadaleta were present. Councilwoman Bae, Councilman Bloom and Councilman Rosenblatt were absent. Justin Santagata was present for Borough Attorney Paul Kaufman. Interim Administrator Thomas Richards, Deputy Borough Clerk Debbie Dakin and Borough Clerk Joyce Larena were also present.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance which was led by Councilman-Elect Carlos Rendo.

APPROVAL OF MINUTES

Minutes of a Mayor and Council Meeting on September 25, 2013, copies of which have been received by all Councilpersons, were pulled due to the amount of Councilpersons present. These minutes will be put on the Agenda for November 25, 2013.

Mayor extended his congratulations to Carlos Rendo and Corrado Belgiovine. They worked diligently through the election process. Great candidates make great council members.

Mayor Goldsmith read a flyer about 12 year old James Siasoyco from Emerson. He was recently diagnosed with Leukemia and is need of a bone marrow transplant. Flyers are on the table if anyone is interested to see if they could potentially be a donor.

The Mayor spoke about the fact that he had time to think over the weekend, and wanted to reiterate of what he said at the last Mayor and Council meeting. We need to be one community. Everyone should treat each other with respect, dignity and compassion. In a time of crisis we should be giving assistance, not advice. Mayor believes in the Freedom of Speech -- that is why everyone always has their say at the Mayor and Council meetings.

Mayor Goldsmith received several e-mails over the past week and wanted to point out that we could not have moved our last meeting to the Tice Center because we have to give` advance notice, which is 48 hours, when we plan to change a meeting location. Minutes cannot be posted on the website until they are approved at a Mayor and Council meeting. Mayor Goldsmith read the draft minutes from the October 21, 2013 Mayor and Council meeting and found them very accurate. However, he would like a majority of the Council to be present to approve them. The Mayor will be meeting with the Woodcliff Lake clergy on November 12, 2013 at 5:00 PM.

The Mayor welcomed Joyce Larena who is the Interim Borough Clerk.

MAYOR'S APPOINTMENT

Mayor appointed Kevin Zink for the position of laborer/driver for the Department of Public Works. Motion was made by Councilwoman Abene, second by Councilman Bader and approved by all present.

ORDINANCES

INTRODUCTION

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN, STATE OF NEW JERSEY
"ORDINANCE AMENDING CHAPTER 12 OF THE WOODCLIFF LAKE CODE TO SET FORTH
MUNICIPAL DISCOVERY FEE SCHEDULE"**

ORDINANCE 13-09

Section 1: Purpose & Authority. Pursuant to N.J.S.A. 2B:12-1, 40:48-1,40:49-2, and 2012 New Jersey Supreme Court Order 0019, the Borough of Woodcliff Lake hereby amends Chapter 12 of its Code to set forth a municipal discovery fee schedule consistent with that promulgated by the New Jersey Supreme Court.

Section 2: New Section to Chapter 12. Chapter 12 of the Borough Code shall now include new Section 12-19, titled "Municipal Court Discovery Fees," which shall state as follows:

(A) *Standard Fees.* The municipal prosecutor, or a private prosecutor in a cross-

complaint case, may charge a fee for a copy or copies of discovery. The fee assessed for discovery embodied in the form of printed matter shall be \$0.05 per letter size page or smaller, and \$0.07 per legal size page or larger. From time to time, as necessary, these rates may be revised pursuant to a schedule promulgated by the Administrative Director of the Courts and this chapter shall be amended accordingly. If the prosecutor can demonstrate that the actual costs for copying discovery exceed the foregoing rates, the prosecutor shall be permitted to charge a reasonable amount equal to the actual costs of copying. The actual copying costs shall be the costs of materials and supplies used to copy the discovery, but shall not include the costs of labor or other overhead expenses associated with making the copies, except as provided for in paragraph (i)(2) of this rule. Electronic records and non-printed materials shall be provided free of charge, but the prosecutor may charge for the actual costs of any needed supplies such as computer discs.

(B) *Special Service Charge for Printed Copies.* Whenever the nature, format, manner of collation, or volume of discovery embodied in the form of printed matter to be copied is such that the discovery cannot be reproduced by ordinary document copying equipment in ordinary business size, or is such that it would involve an extraordinary expenditure of time and effort to copy, the prosecutor may charge, in addition to the actual copying costs, a special service charge that shall be reasonable and shall be based upon the actual direct costs of providing the copy or copies. The defendant shall have the opportunity to review and object to the charge prior to it being incurred.

(C) *Special Service Charge for Electronic Records.* If the defendant requests an electronic record: (1) in a medium or format not routinely used by the prosecutor; (2) not routinely developed or maintained by the prosecutor; or (3) requiring a substantial amount of manipulation or programming of information technology, the prosecutor may charge, in addition to the actual cost of duplication, a special charge that shall be reasonable and shall be based on (1) the cost for any extensive use of information technology, or (2) the labor cost of personnel providing the service that is actually incurred by the prosecutor or attributable to the prosecutor for the programming, clerical and supervisory assistance required, or (3) both. The defendant shall have the opportunity to review and object to the charge prior to it being incurred.

Section 4: Special Service Charges. As referenced in Sections 2(B) and (C) of this ordinance, the following special service charges apply (non-exhaustive):

A. Large-sized paper documents and maps. Fees shall be for actual costs incurred; a deposit of \$5 per page shall be required:

- (1) Zoning Map.
- (2) Street Map.

(3) Drug-Free School Zone Map.

(4) Soils Survey Map.

(5) Site plan.

(6) Subdivision plat.

(7) Tax maps.

(8) Engineering plans.

B. Preprinted documents:

(1) Copy of the Code book: \$300.

(2) Zoning/land use pamphlet: \$25.

(3) Master Plan: actual cost to copy.

C. The furnishing of any information on a CD-ROM, including of any Mayor and Council, board or commission meeting recorded in the Borough of Montvale's Council Chambers on the recording system, shall be at the cost of \$0.36 per CD and \$0.32 per CD case.

D. Police reports:

(1) Police accident reports: same as in Section 2(A) above, if requested and picked up in person;

(2) Police accident reports, when copies are requested other than in person: \$5 for the first three pages and \$1 per page for each additional page, as established by N.J.S.A. 39:4-131.

F. Applicable postage shall be added for any and all records requested by mail. The cost of standard-sized envelopes shall be \$0.25.

G. A deposit shall be paid prior to filling any anonymous or out-of-state request where it is estimated that the information requested will cost in excess of \$5 to reproduce. The amount of the deposit shall equal the total estimated cost of filling the request.

Section 5: Implied Repeal. All provisions of the Borough Code that are inconsistent with this ordinance, either on their face or in effect, are hereby repealed.

Section 6: Savings Clause. Any portion of this ordinance that is declared to be invalid by a court of competent jurisdiction shall be excised from the ordinance, but the remainder of the ordinance shall survive. The excision shall be as limited as possible. To the extent possible, everything that can be saved shall be saved consistent with the purpose of this ordinance.

Section 7: Effective Date. This ordinance shall take effect immediately upon final publication.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the

remainder of this Ordinance shall remain in full force and effect.

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 November 25, 2013 at 8:00 PM 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 Acting 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 or the time and place when and where said Ordinance be further considered for final passage.

ROLL CALL:

Introduce: Mr. Bader

Second: Mrs. Gadaleta

Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta

Nays: None

Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

Abstain: None

INTRODUCTION

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN, STATE OF NEW JERSEY
ORDINANCE AMENDING CHAPTER 349-4(3) OF THE WOODCLIFF LAKE CODE**

ORDINANCE 13-10

Section 1: Purpose & Authority. Pursuant to 40:48-1 and 40:49-2, the Borough of Woodcliff Lake hereby amends Chapter 349-4(3) of its Code.

Section 2: Amendment to Chapter 349-4(3). Chapter 349-4(3) of the Code shall is amended as follows [deletions in strikethrough; additions highlighted]:

(3) Rotating list. The Borough shall accept and place on its rotating list of towing operators ~~the first~~ four towing operators who submit completed application forms, who comply with all of the requirements of this chapter, and have been approved by the Chief of Police and in accordance with all applicable laws.

Section 3: Implied Repeal. All provisions of the Borough Code that are inconsistent with this ordinance, either on their face or in effect, are hereby repealed.

Section 4: Savings Clause. Any portion of this ordinance that is declared to be invalid by a court of competent jurisdiction shall be excised from the ordinance, but the remainder of the

ordinance shall survive. The excision shall be as limited as possible. To the extent possible, everything that can be saved shall be saved consistent with the purpose of this ordinance.

Section 5: Effective Date. This ordinance shall take effect immediately upon final publication. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

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 November 25, 2013 at 8:00 PM 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 Acting 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/or the time and place when and where said Ordinance be further considered for final passage.

ROLL CALL:

Introduce: Mrs. Abene

Second: Mr. Bader

Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta

Nays: None

Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

Abstain: None

INTRODUCTION

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN, STATE OF NEW JERSEY
ORDINANCE 13-11**

**ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO INCLUDE
MITIGATION RATES FOR EMERGENCY AND FIRE SERVICES**

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Borough of Woodcliff Lake hereby amends Chapter 178 of the Woodcliff Lake Code to add Article VI, "Mitigation Rates." The purpose of the amendment is for the Woodcliff Lake Fire Department to implement a fair and equitable procedure by which to collect mitigation rates in certain circumstances.

Section 2. Findings. The emergency services response activity to incidents continues to increase each year. The United States Department of Environmental Protection and Homeland Security requirements for equipment and training create additional demands on all operational aspects of the services of the Fire Department.

The Fire Department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands. Maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage.

Raising real property tax to meet the increase in service demands would not be fair when the responsible parties should be held accountable for their actions.

The Fire Department desires to implement a fair and equitable procedure by which to collect mitigation rates in certain defined circumstances and shall establish a billing system in accordance with applicable laws, regulations, and guidelines.

Section 3. Mitigation Rates. Chapter 178 of the Woodcliff Lake Code is amended to add Article VI, "Mitigation Rates," with Section 38 to read as follows:

(a) The Fire Department shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies, and equipment to the scene of emergency and non-emergency incidents as listed in the Mitigation Appendix adopted with this ordinance. The Mitigation Appendix shall be kept on file with the Borough Clerk. The mitigation rates shall be based on actual costs of services and that which is usual, customary, and reasonable, which may include any services, personnel, supplies, and equipment and with baselines established by necessary addendums to the Mitigation Appendix.

(b) A claim for mitigation rates shall be served on the responsible party through their insurance carrier, if any. In some circumstances, the responsible party will be billed directly. Responsible party means the party responsible for the accident/incident giving rise for Fire Department services; if there is more than one responsible party, mitigation rates may be proportioned accordingly. If there is a dispute over whether someone or something is a responsible party, that party may raise any purported lack of responsibility as a defense to the bill. In addition, if there is litigation (broadly construed) arising from the accident/incident, the Fire Department may await the outcome of the litigation to bill the responsible party, as determined by the litigation.

(c) The Fire Department Board may from time to time amend, revoke, or add rules and regulations to the Mitigation Appendix to the extent consistent with this ordinance. Any such rules or amendments shall be filed with the Borough Clerk, who shall notify the Woodcliff Lake Governing Body.

(d) Mitigation rates will generally only apply to persons and companies who are not residents of Woodcliff Lake. Residents within Woodcliff Lake currently subsidize these emergency service costs through their property taxes. However, responses involving intoxicated drivers, hazmat clean-up, intentional and negligent acts, or any act that violates any ordinance, local, state or federal statute may be subject to all applicable rates regardless of residency. For purposes of this section a resident is defined as: (a) any person who maintains his or her full time residence within the Woodcliff Lake; or (b) is the majority owner of a business that operates from real property owned by the business located within the Woodcliff Lake. (For purposes of this section, a business includes any type of business no matter the character of its formation.)

Section 4. Mitigation Fund. Any mitigation rates paid under this ordinance shall be paid to the Borough of Woodcliff Lake for approved use by the Fire Department. The Woodcliff Lake Chief Financial Officer shall set up a "mitigation rate fund" for any mitigation rates paid under this ordinance. The purpose of the "fund," as set forth in this ordinance, will be to offset the cost of certain Fire Department services. The Fire Department shall request use of the "fund" for such purpose, which request shall be subject to the Chief Financial Officer's approval. Copies of all requests must be sent to the Borough Clerk and the Woodcliff Lake Governing Body.

Section 5. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 6. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

Section 7. Codification. This ordinance shall be codified as Article VI, "Mitigation Rates," Chapter 178-38 of the Woodcliff Lake Code.

Section 8. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$495.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 - \$1,800.00

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). We will bill at this level if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Level 4 - \$2,200.00

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter is utilized to transport the patient(s).

Level 5

Itemized Response: We have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

HAZMAT

Level 1 - \$700.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 – \$5,900.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$300.00 per HAZMAT team.**

PIPELINE INCIDENTS / POWER LINE INCIDENTS

(Includes, but not limited to: Gas, Sewer, Septic to Sewer, and Water Pipelines)

Level 1 - \$400.00

Basic Response: Claim will include engine response and first responder assignment, perimeter establishment, evacuations, first responder set-up and command. Includes inspection without damage or breakage.

Level 2 - \$1,000.00

Intermediate Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair.

Level 3 – Itemized Claim Charges

Advanced Response: Claim will include engine response, first responder assignment, and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command. May include HAZMAT team, Level A or B suit donning, breathing air and detection equipment. Supervise and/or assist pipeline repair of intermediate to major pipeline damage.

May include set-up and removal of decon center, detection, recovery and identification of material. Disposal and environment clean up.

FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

OPTIONAL: We have the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$400 plus \$50 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$800 plus \$50 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection

equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels", and are typical for the incident responses listed; however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

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 November 25, 2013 at 8:00 PM 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 Acting 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 or the time and place when and where said Ordinance be further considered for final passage.

COMMENTS:

Jared Shapiro, Fire Chief, explained the Ordinance. He explained that the fire department would be charging back the insurance companies, not the residents of Woodcliff Lake, nor the corporations in Woodcliff Lake. Councilman Bader expressed that he wanted it to be clear that we are not charging the taxpayers of Woodcliff Lake for this service. Councilwoman Abene asked with reference to the Garden State Parkway that goes through Woodcliff Lake, what effect will this have if they are not Woodcliff Lake residents. Chief Shapiro stated that if they are not Woodcliff Lake residents, their insurance companies will be billed.

Mayor Goldsmith stated that all surrounding towns have this Ordinance and that if you have car insurance, you are already paying for this in your policy. Councilwoman Abene stated that this somehow feels wrong to charge someone for saving their life. Chief Shapiro stated that they are not doing this to make money but the fire department needs to recoup this money for their budget. Every year budgets are being cut, and there might not be enough funds to pay for equipment. Mayor Goldsmith explained that he sat down with Chief Shapiro over the last year and Chief Shapiro truly believes in this Ordinance. Mayor Goldsmith also thanked Councilwoman Gadaleta for bringing this before the Council.

Councilman Bader stated that he wants to make sure that Harold Laufeld sets this account up as a replenishing fund.

ROLL CALL:

Introduce: Mrs. Gadaleta

Second: Mr. Bader

Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta

Nays: None

Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

Abstain: None

INTRODUCTION

**BOROUGH OF WOODCLIFF LAKE
COUNTY OF BERGEN, STATE OF NEW JERSEY**

ORDINANCE 13-12
ORDINANCE AMENDING CHAPTER 178 OF THE WOODCLIFF LAKE CODE TO CREATE A FIRE WATCH PROGRAM

Section 1. Purpose & Authority. Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Borough of Woodcliff Lake hereby amends Chapter 178 of the Woodcliff Lake Code to add Article VII, "Fire Watch Program." The purpose of the amendment is to create a fire watch program where, for example, a fire protection system is temporarily out of service.

Section 2. Fire Watch Program. Article VII, "Fire Watch Program," is added to Chapter 178 of the Woodcliff Lake Code:

(a) "Fire watch" is defined as a temporary measure ordered by the Woodcliff Lake Bureau of Fire Prevention intended to insure continuous and systematic surveillance of and response to the Borough or a portion thereof, or a building or portion thereof, by one or more qualified individuals, for the purpose of identifying and controlling fire and other life/property hazards, detecting early signs of an unwanted fire, raising an alarm of fire to the occupants, notifying the Woodcliff Lake Fire Department and engaging in firefighting or other emergency response.

(b) A fire watch may be ordered by the Fire Official with the preapproval of the Borough Administrator or his/her designee, except that in an emergency the Fire Official, or in his/her absence the ranking Fire Department officer present, may act on his/her own. A fire watch may be posted in any portion of the Borough and also in public and privately owned buildings and/or properties. As the Borough may direct, a fire watch shall be paid for by the Borough, or by a building owner, tenant, lessee, or organization under the following circumstances: required fire protection systems are out of service; a fire watch is directed by the Borough or is requested by the building owner, tenant, or lessee; public and private events where 100 people or more are in attendance; events where with the approval of the Fire Official or his assigned designee the posted occupancy load is exceeded; all other situations deemed necessary by the Fire Official or his assigned designee.

(c) A fire watch may include firefighting, rescue, recovery, and other emergency responses; the maintaining of posted fire lanes, means of egress, and posted occupancy loads; enforcement of no smoking in posted areas; area and building surveillance; checking for proper permits; inspecting for proper safety precautions of cooking equipment; and such other functions as required by the Fire Official or his assigned designee.

(d) Fire Prevention shall create a list of individuals authorized by law to perform a fire watch and available to the Borough of Woodcliff Lake for a fire watch, should one be deemed necessary. Any qualified individuals used for the purposes of a fire watch shall report directly to the Fire Official or his/her assigned designee, who will, in turn, report to and be subject to the direction of the Borough Administrator. Persons on the fire watch list shall be independent contractors who shall indemnify the Borough of Woodcliff Lake for their performance of a fire watch. They shall be paid by Fire Prevention, which shall bill the subject building owner for the fire watch. Whenever possible, the subject building owner shall be given notice of the cost for the fire watch prior to the watch and shall have the option to utilize its own private personnel to perform the fire watch, so long as the personnel is authorized by law to perform a fire watch.

(e) All fire watch services incurred and paid on behalf of the Borough directly shall be at the rate of \$17 per hour per person. All fire watch services ordered for the benefit/protection of private property shall be paid at the rate of \$40 per hour per person, and there shall be a minimum payment of four hours per worker plus an administration fee of 15% applied for the individual and the vehicle used. Additionally, there will be a fee of \$10 per hour for the use of a regular Borough motor vehicle and a fee of \$25 per hour for the use of each Borough fire apparatus. All payments shall be made within 10 days after service is provided. Payments shall be made payable to Fire Prevention, except that Borough-incurred payments shall be made to individual fire watchers directly.

(d) Fire Prevention, in conjunction with the Woodcliff Lake Chief Financial Officer, shall establish a "fire watch fund" for payments under this ordinance.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

Section 5. Codification. This ordinance shall be codified as Article VII, "Fire Watch Program," Chapter 178-39 of the Woodcliff Lake Code.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

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 November 25, 2013 at 8:00 PM 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 Acting 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 or the time and place when and where said Ordinance be further considered for final passage.

COMMENTS

Jared Shapiro, Fire Chief, explained the Ordinance. Councilman Bader expressed his concerns with the Ordinance. Jared Shapiro clarified some of Councilman Bader's concerns and agreed to change some of the wording in the Ordinance. Councilman Bader agreed that we could introduce the Ordinance since it is just a matter of language and Councilwoman Gadaleta stated that she will figure out all the kinks before the adoption of the Ordinance.

ROLL CALL:

Introduce: Mrs. Gadaleta

Second: Mr. Bader

Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta

Nays: None

Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

Abstain: None

OLD BUSINESS

Borough Administrator Richards discussed the proposal from Neglia Engineering regarding the Old Mill Recreation Bleachers and Walkway. He stated that we received a 6 month extension and this should be done by early April 2014.

Mr. Richards also spoke about the 2014 Open Space Grant for the pool and that we need to move forward on this grant, time is of the essence.

Mr. Richards spoke about the purchase order process and that he had a meeting with the finance committee before the Council meeting. He stated that we need to bring purchasing to the 21st Century with new software.

Administrator Richards also discussed the generators. He is looking to have them installed within the next 6 – 8 weeks.

NEW BUSINESS

Mayor Goldsmith discussed that they are in the process of hiring a Technical Assistant for the building department and the Personnel Committee will be meeting next week. This would allow Debbie Dakin to spend more time in the Clerk's department and doing other various administrative duties.

Mayor Goldsmith shared a letter that he received from residents to move in moving the elections out of the school and to the Tice Center. Mayor Goldsmith informed residents that we have tried to do this in the past, but the plan was denied from the Superintendent of Elections. The Chief of Police has also tried to write a letter to try and get the elections moved. He stated that everyone should sign this petition or write a letter to the County Election's Board to try and get it moved. Woodcliff Lake will also do all we can as well.

Councilwoman Abene gave an update as to what is going on at the Planning Board. She stated that BMW gave a long presentation on its need to remove 2 parking spaces to allow for a car charging station.

Councilwoman Abene also mentioned that Maser Consulting assigned a new planner to Woodcliff Lake. His name is John Madden and he will review all the ongoing applications and report back to the Planning Board. Councilwoman Abene will keep everyone updated.

Councilman Bader gave an update on an e-mail that was received by Borough Hall regarding the amount of deer in Woodcliff Lake and the potential of having a large population of ticks. Mr. Bader researched this with Woodcliff Lake's health inspector and Tyco Animal Control. He gave an update on this topic and some solutions to try and remedy this situation. He will be sending out an e-mail to the individual that originally questioned this topic.

ENGINEER'S REPORT

Mike Neglia from Neglia Engineering gave his report. He also stated that the original proposal of the Old Mill Recreation Bleachers and Walkway price of \$8,500 has been reduced to \$7,500.

Councilman Bader stated that there is a Resident Association with regards to the pond near Saddle River Road and that there might be money floating on the municipal side. We should try and obtain the file from Boswell Engineering.

MOTION

Councilman Bader made a motion to approve Neglia Engineering's proposal of the Old Mill Recreation Bleachers and Walkway project, second by Councilwoman Abene and approved unanimously by voice call vote.

OPEN TO PUBLIC

Mayor asked for motion from the Council to open to the public. Motion was made by Councilman Bader and second by Councilwoman Gadaleta, and unanimously approved by voice call vote.

Cheryl Dispoto, President of the Concerned Neighbors of Woodcliff Lake Association, stated that she is happy to hear about the Resolution for the appraisal of the Galaxy Gardens property. She is cautiously optimistic how it will proceed down the road. She asked Mr. Santagata what the process is for eminent domain and he explained the process. Mrs. Dispoto asked if Woodcliff Lake could comment if we are going to wait for County funds. Mayor Goldsmith replied that we are fiscally responsible for tax payers' money.

Councilman Bader explained that the process can be accelerated but we are trying to get money in place so it will not be a burden on tax payers. Mr. Bader also stated that he believes the Borough made it clear that we want that property – we are going 100% forward. If we didn't, it would not be fair to Galaxy Gardens or to residents.

Sherry Fabio, Woodcliff Lake, if the Borough bought this property, would Peter, the owner of Galaxy Gardens, be okay? Has the potential buyer who has a contract closed on the property. Mayor Goldsmith stated that that is not public information. Mrs. Fabio asked that if new owners already own it, could Woodcliff Lake still purchase the property. The Mayor replied yes.

Lisa Yakomin, Woodcliff Lake, asked if there were DEP issues on the Galaxy Gardens property since it used to be a gas station. What about cleaning up any contamination. Mayor Goldsmith replied that it is the responsibility of the current property owner to clean up the property. Mrs. Yakomin also asked if there was a possibility that we could not develop the property because of DEP. Mrs. Yakomin stated that she did an OPRA request asking for a June 20, 2013 report from the Planning Board from Darlene Green. She stated that Ms. Rizza, Planning and Zoning Board Secretary, told her that she did not have the report. Councilwoman Abene told Mrs. Yakomin that she would look into it and get back to her. Mrs. Yakomin also asked if the December Planning

Board meeting can get moved to the Tice Center. Councilwoman Abene did not see this as to being a problem and would speak to Ms. Rizza about it. Ms. Yakomin also asked that if Woodcliff Lake did purchase the Galaxy property, what would it be used for. Councilman Bader stated that we could not make a commitment as to what the property would be used for.

Mr. Lango, Woodcliff Lake, asked that we check our website to make sure all Agenda and Minutes are posted on it in the appropriate places. He also asked why there is a map of Galaxy Gardens on the website and when was posted? Mayor Goldsmith that it was on there because it was requested by residents and it was put on there October 22 or 23, 2013.

Joseph LaPaglia, Woodcliff Lake, spoke about the Ordinance regarding Mitigation Rates. The Ordinance states that you must be a full time resident of Woodcliff Lake. He believes this should be changed because some residents own 2 houses and have dual residences. Mr. LaPaglia also believes that it is a big mistake to let the fire department determine at their discretion how the money is to be collected. They should make a recommendation to the Mayor and Council and the Mayor and Council should have to approve as to how the money is collected and there needs to be accountability for this. Mr. LaPaglia also stated that if this is done by other towns and paid by insurance companies, insurance rates might go up.

Mrs. Levinson, Woodcliff Lake, petitioned that Woodcliff Lake move elections out of the school. Councilman Bader stated that we would get a letter together to send immediately to the County Board of Elections and we would try and have our counsel try and help us. She believes that the most dangerous situation at the school is the traffic issue and the safety outside of the building.

Mr. Zislin, Woodcliff Lake, asked that we update him on the Overlay Zone. Councilwoman Abene explained that we have a new representative from Maser Consulting and he needs time to get up to speed on all our applications and she will keep the residents updated.

Tom Carlucio, Woodcliff Lake, asked that if the purchaser is a religious institution, could there be a roadblock because of the Religious Land Use Act? The Mayor asked Mr. Carlucio to forward him this information and we would get it to Paul Kaufman to look into.

Mr. Donaldson, Woodcliff Lake, stated that he doesn't its fair that the public cannot speak at the Planning Board meetings. He also stated that they have their meetings end at 11:00 PM and if there are time constraints, everyone does not have a chance to talk. Could they extend their meeting like Mayor and Council does so that everyone get an opportunity to be heard. Mayor Goldsmith and Councilwoman Abene understand his frustration and will speak to the Planning Board Chair. Mr. Donaldson asked what happens then if the Chair does not take action? Mayor responded that he will speak to the attorney and address all concerns.

Frank Covelli from Professional Insurance Associates, Woodcliff Lake's RISK Manager, gave an update of issues addressed by PIA since their appointment.

Safety:

- Conducted Special Safety Committee meeting at the Borough of 10/10/13
- Review of 2013 Safety Incentive Program
- JIF Safety Director attended as well as Police, Fire and Administrative personnel
- Assisted the Borough in submission of 1-3 Quarterly Safety Reports, and as a result, increased the Safety Incentive Points from 0 to 66 through the third quarter

JIF Program:

- Performing full review of Property exposures utilizing the Fixed Inventory Asset Schedule of the Borough including:

Buildings
 Equipment/Mobile Equipment/Special Floaters
 Vehicle Schedules

Policy Reviews:

- Full review and analysis of the Accident & Health Policies covering the Borough's Recreation participants as well as volunteers
- By combining the policies, the resulting policy provides broader coverage at a savings to the Borough of \$2,150

Employee Benefits:

- Developed benefit grid and cost analysis of State Health Benefits Plan for contract negotiations

MAYOR GOLDSMITH IS NOW ON TWITTER -- @MAYOR GOLDSMITH

Closed to Public

Motion to close to the public was made by Councilman Bader, second by Councilwoman Gadaleta and unanimously approved by a show of hands.

CONSENT AGENDA DISCUSSION

Consent Agenda Resolution 13-165, 2013 Budget Transfer, was removed from the Agenda.

CONSENT AGENDA VOTE

Motion to approve Consent Agenda was made by Mr. Bader, second by Mrs. Gadaleta and approved by voice call vote.

ROLL CALL:

Introduce: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

Respectfully submitted,



Deborah A. Dakin
Deputy Borough Clerk



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

**BOROUGH OF WOODCLIFF LAKE
RESOLUTION NO. 13-162
November 7, 2013**

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL

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

Payroll Released 10/31/2013: \$173,765.10

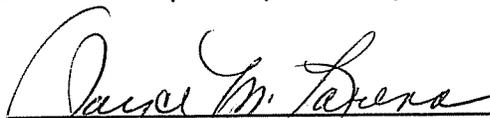
Approved: November 7, 2013 by roll call vote.

ROLL CALL:

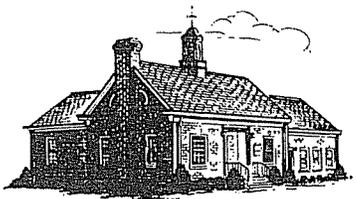
Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

CERTIFICATION

I, Joyce Larena, RMC, 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 7, 2013.



JOYCE LARENA, BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

BOROUGH OF WOODCLIFF LAKE RESOLUTION NO. 13-163 November 7, 2013

RESOLUTION AUTHORIZING PAYMENT OF CLAIMS

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:	\$ 61,990.00
Animal Control:	\$ 785.00
Capital Fund:	\$ 2,979.61

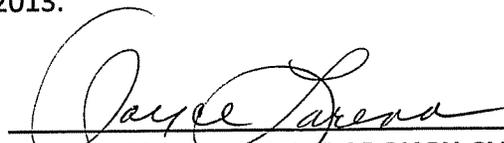
Approved: November 7, 2013 by roll call vote.

ROLL CALL:

Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

CERTIFICATION

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JOYCE LARENA, BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

**BOROUGH OF WOODCLIFF LAKE
RESOLUTION NO. 13-164
November 7, 2013**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL IN THE MATTER OF NEWMAN VS.
BOROUGH OF WOODCLIFF LAKE**

WHEREAS, Gary and Sari Newman are the owners and taxpayers of property located at 18 Winding Way, also known as Block 1084, Lot 11, Woodcliff Lake, New Jersey; and

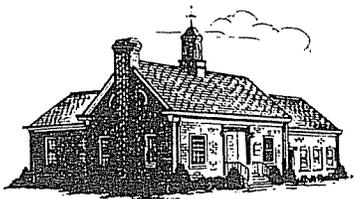
WHEREAS, the taxpayers have filed a tax appeal for the years 2012 and 2013 against the Borough of Woodcliff Lake in a matter entitled Gary and Sari Newman vs. Borough of Woodcliff Lake, which are presently pending in Tax Court; and

WHEREAS, it has been recommended by the Tax Appeal Attorney, the Borough Appraiser and the Borough Assessor that the matter be settled at this time, and that such settlement is in the best interest of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Gary and Sari Newman vs. Borough of Woodcliff Lake, so that for tax years 2012 and 2013, the assessment of \$1,049,800 will be reduced to \$1,000,000 for the tax year 2014; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicted upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the refunds are paid within 60 days of the Tax Court Judgments.

Approved: November 7, 2013 by roll call vote.



BOROUGH OF WOODCLIFF LAKE

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JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

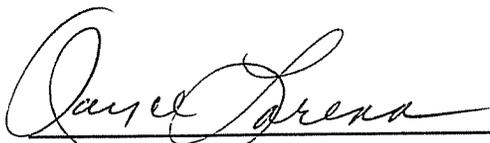
201-391-4977
Fax 201-391-8830

ROLL CALL:

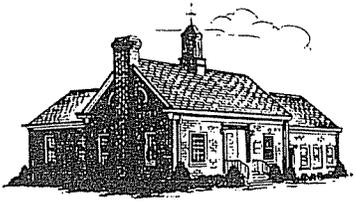
Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

CERTIFICATION

I, Joyce Larena, RMC, 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 7, 2013.



JOYCE LARENA, BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

**BOROUGH OF WOODCLIFF LAKE
RESOLUTION NO. 13-166
November 7, 2013**

**RESOLUTION AMENDING INTERIM ADMINISTRATOR'S
CONTRACT TO PERMIT DENTAL COVERAGE**

WHEREAS, on August 12, 2013, the Borough of Woodcliff Lake accepted a 60-day leave of absence of its Administrator, Wolfgang Albrecht; and

WHEREAS, on the same date, the Borough of Woodcliff Lake appointed Thomas Richards as Interim Administrator, subject to further discussion or negotiation of his salary and benefits;

WHEREAS, after such discussion or negotiation, the Borough of Woodcliff Lake agreed to pay Thomas Richards \$2,000 per week as salary with no other compensation or benefits; and

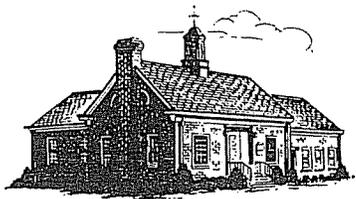
WHEREAS, the Borough of Woodcliff Lake would like to permit Thomas Richards to utilize the dental coverage provided to other Woodcliff Lake employees (non-police), provided that Mr. Richards pays for the coverage himself; and

NOW THEREFORE BE IT RESOLVED that the terms and conditions of the Mr. Richards' appointment as Interim Administrator are amended to permit Mr. Richards to utilize the dental coverage set forth above, provided that Mr. Richards pays for the coverage.

Approved: November 7, 2013 by roll call vote.

ROLL CALL:

Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

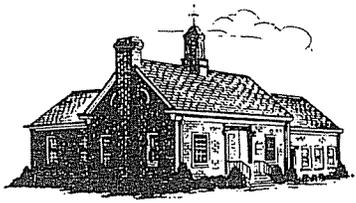
201-391-4977
Fax 201-391-8830

CERTIFICATION

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JOYCE LARENA, BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

BOROUGH OF WOODCLIFF LAKE RESOLUTION NO. 13-167 November 7, 2013

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE TO CONTRACT FOR PROFESSIONAL SERVICES FOR AN APPRAISER FOR CONDEMNATION PROCEEDINGS

WHEREAS, N.J.S.A. 20:3-1 et. seq., the Eminent Domain Act of 1971 (the "Act"), was enacted to confer authority upon a public entity to acquire property for a public use;

WHEREAS, pursuant to N.J.S.A. 20:3-1 et. seq. the Governing Body of the Borough of Woodcliff Lake has identified a property which the Governing Body believes is appropriate for acquisition pursuant to the Act; and

WHEREAS, such qualifying property is identified on the Tax Map of the Borough of Woodcliff Lake as Block 1402, Lot 7 and known as "Galaxy Gardens,"; and

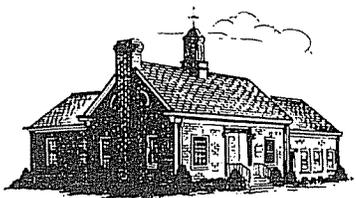
WHEREAS, pursuant to N.J.S.A. 20:3-6, the Governing Body must first appraise any property it seeks to acquire through eminent domain and then enter into good faith negotiations for the acquisition of the property with the property owner, which shall include presenting the property owner with a copy of all appraisals; and

WHEREAS, the Governing Body has previously qualified McNerny & Associates to perform the appraisals in the Borough; and

WHEREAS, it is in the best interest of the Borough of Woodcliff Lake to qualify and appoint McNearny & Associates to perform an appraisal of the property identified on the Tax Map of the Borough of Woodcliff Lake as Block 1402, Lot 7 and known as "Galaxy Gardens"; and

WHEREAS, the Governing Body has determined funds to pay for the appraisal are available by way of budget.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake hereby authorize the retention of McNearny & Associates to perform an appraisal of property identified on the Tax Map of the borough of Woodcliff Lake as Block 1402, Lot 7 and known as Galaxy Gardens for a fee not to exceed the sum of \$5,000.00.



BOROUGH OF WOODCLIFF LAKE

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JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

ROLL CALL:

Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

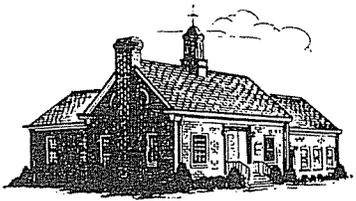
Approved: November 7, 2013 by roll call vote.

CERTIFICATION

I, Joyce Larena, RMC, 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 7, 2013.



JOYCE LARENA, BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
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201-391-4977
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BOROUGH OF WOODCLIFF LAKE RESOLUTION NO. 13-168 November 7, 2013

RESOLUTION PERMITTING RETENTION OF BOROUGH ISSUED LAPTOPS

WHEREAS, in furtherance of performing their duties as Members of the Council for the Borough of Woodcliff Lake and consistent with its general practice, Councilman Bader and Councilwoman Bae were previously issued certain laptop computers; and

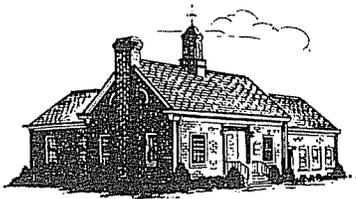
WHEREAS, Councilman Bader and Councilwoman Bae have represented to the Woodcliff Lake Governing Body that the Borough issued laptop computers contain personal, confidential and privileged communications which have no bearing on the Borough of Woodcliff Lake or its business; and

WHEREAS, the Woodcliff Lake Governing Body recognizes that no restrictions have been placed on the use of the Borough issued laptop computers and has further determined that that laptop computers have no retained value to the Borough of Woodcliff Lake; and

WHEREAS, Councilman Bader and Councilwoman Bae have agreed to make available and produce their respective laptop computers to the Woodcliff Lake Governing Body in the event the Governing Body is served with a subpoena or discovery demand requiring the production of emails or content contained therein in a litigation.

NOW THEREFORE BE IT RESOLVED that Councilman Bader and Councilwoman Bae be and the same are hereby permitted to retain the Borough issued laptop computers, at no cost but subject to the above condition.

Approved: November 7, 2013 by roll call vote.



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

ROLL CALL:

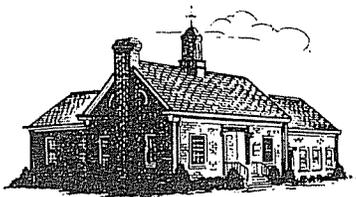
Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

CERTIFICATION

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JOYCE LARENA, BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

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JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

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**BOROUGH OF WOODCLIFF LAKE
RESOLUTION NO. 13-169
November 7, 2013**

**RESOLUTION AUTHORIZING APPOINTMENT OF A QUALIFIED PURCHASING
AGENT AT A RATE \$1,200 PER MONTH**

WHEREAS, the Borough of Woodcliff Lake wants to hire a Qualified Purchasing Agent (“QPA”) pursuant to New Jersey Local Finance Notice 2011-15 and the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, pursuant to the Local Public Contracts Law, “the governing body of any contracting unit, may by ordinance, in the case of a municipality...designate an individual to serve as the contracting unit’s purchasing agent”; and

WHEREAS, the Borough of Woodcliff Lake has previously created the title of QPA by ordinance; and

WHEREAS, pursuant to the Local Public Contracts Law, “the individual designated as [QPA]...may be a part-time or full-time employee of the contracting unit, an independent contractor, or an individual employed by another contracting unit through a shared services agreement”;

WHEREAS, the Borough of Woodcliff Lake wants to appoint Matthew Lynaugh as an independent contractor QPA at the rate of \$1,200 per month, with a purchasing threshold of \$36,000; and

NOW THEREFORE BE IT RESOLVED THAT: (1) Matthew Lynaugh is appointed as QPA at a rate of \$1,200 per month; (2) the purchasing threshold for the QPA shall be \$36,000; and (3) any other terms and conditions of Lynaugh’s appointment shall be set forth in a contract to prepared by the Borough Attorney consistent with this resolution and any further terms and conditions imposed by the Borough of Woodcliff Lake.

Approved: November 7, 2013 by roll call vote.



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

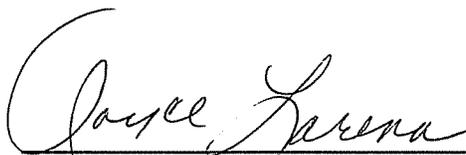
201-391-4977
Fax 201-391-8830

ROLL CALL:

Introduction: Mr. Bader
Second: Mrs. Gadaleta
Ayes: Mrs. Abene, Mr. Bader, Mrs. Gadaleta
Nays: None
Abstain: None
Absent: Mrs. Bae, Mr. Bloom, Mr. Rosenblatt

CERTIFICATION

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JOYCE LARENA, BOROUGH CLERK