



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
February 17, 2014
7:30 PM**

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", was posted at Borough Hall on February 12, 2014 two newspapers, The Record and The Ridgewood News, were notified on February 7, 2014.

ROLL CALL

Mayor Jeffrey R. Goldsmith
Council President Donna Abene
Councilman Corrado Belgiovine
Councilman Eric Bloom
Councilwoman Jacqueline Gadaleta
Councilman Carlos Rendo
Councilman Robert Rosenblatt

PLEDGE OF ALLEGIANCE

CLOSED SESSION

1. Contract negotiation with Park Ridge Water Contract Extension
2. Contract negotiation with Millennium Strategies, LLC
3. Litigation – Galaxy Gardens
4. Hiring of Plumbing Subcode Official
5. Litigation - Matrix Study
6. Litigation - Purcell

APPROVAL OF MINUTES

January 6, 2014 (Sine Die)
January 6, 2014 (Reorganization)
January 6, 2014 (Closed Session)
January 23, 2014

MAYORAL COMMITTEE APPOINTMENTS (no Council confirmation needed)

Technology Committee

Steve Bressler to the Technology Committee for a term of one (1) year, ending on December 31, 2014.

NEW BUSINESS

- Pool Membership Discussion – led by Council President Abene
- Summary of 2013 Goals and Objectives – led by Councilman Rosenblatt
- Discussion of 2014 Goals and Objectives – led by Council President Abene
- Spring Projects – led by Councilwoman Gadaleta
- Shaw Road – led by Mayor Goldsmith and Councilman Rendo

Introduction of Ordinance 14-01

**BE IT RESOLVED THAT THE ORDINANCE ENTITLED,
“REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR
TAXES LEVIED IN, BY AND FOR THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN, NEW
JERSEY, TO APPROPRIATE THE SUM OF \$4,000,000 TO PAY THE COST THEREOF AND TO AUTHORIZE
THE ISSUANCE OF \$4,000,000 OF BONDS OR NOTES TO FINANCE SUCH APPROPRIATION”**

Hereto 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 17th day of March, 2014 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 of the time and place when and where said Ordinance be further considered for final passage.

MAYOR’S REPORT

ADMINISTRATOR’S REPORT

ENGINEER’S REPORT

RESOLUTIONS

Resolution No. 14-47

Resolution Approving Appraisal of Block 1402, Lot 7 and Authorizing the Borough Attorney to Make an Offer to Purchase the Property and to Obtain a Phase 1 Environmental Site Assessment

PUBLIC COMMENT

(limited to 5 minutes per speaker)

CONSENT AGENDA

- | | |
|----------------------|--|
| Resolution No. 14-40 | Resolution Authorizing Payroll and Payment of Claims |
| Resolution No. 14-41 | Resolution Authorizing Change Order No. 2 to D&L Paving |
| Resolution No. 14-42 | Resolution Authorizing Mayor and Council to Enter into Grant Agreement with County of Bergen for \$3,274.00 in 2013-2014 Community Development Block Grant – Senior Citizen Activities |
| Resolution No. 14-43 | Resolution for Woodcliff Lake to Confirm Endorsement of Community Development Projects |
| Resolution No. 14-44 | Resolution Authorizing Mayor and Council to Enter into a Service Agreement for Certified Recycling Professional (CRP) to Prepare the Annual Recycling Tonnage Report |
| Resolution No. 14-45 | Resolution Authorizing Emergency Purchase of Replacement Generator for the Borough of Woodcliff Lake |
| Resolution No. 14-46 | Resolution Authorizing the Mayor of the Borough of Woodcliff Lake to Sign Professional Services Agreements for the Year 2014 |
| Resolution No. 14-48 | Resolution Authorizing the Borough of Woodcliff Lake to Appoint a Plumbing Subcode Official |
| Resolution No. 14-49 | Tonnage Grant Application |
| Resolution No. 14-50 | Resolution Authorizing the Borough of Woodcliff Lake to Approve and Pay for the Construction of a Baseball Park Shed at Old Mill Park |
| Resolution No. 14-51 | Resolution Authorizing Steven Mulhstock, Esq. to Defend the Borough of Woodcliff Lake Against Claim Filed by Richard K. Purcell and Elizabeth A. Purcell |
| Resolution No. 14-52 | Resolution to Make Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-55 |

ADJOURNMENT

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**Resolution No. 14-39
February 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake, pursuant to the provisions of N.J.S.A. 10:4-12(b), may meet in closed session for certain purposes and exceptions enumerated therein; and

WHEREAS, the following is the subject matter to be discussed in closed session:

1. Contract negotiation with Park Ridge Water Contract Extension
2. Contract negotiation with Millennium Strategies, LLC
3. Litigation – Galaxy Gardens
4. Hiring of Plumbing Subcode Official
5. Litigation – Matrix Study
6. Litigation - Purcell

WHEREAS, Minutes of the closed session will be kept and will be released at such time as the need for confidentiality no longer exists.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake shall discuss in closed session, pursuant to N.J.S.A. 10:4-12(b), the matters set forth above.

BE IT FURTHER RESOLVED that any formal action that may be taken with respect to the above matters, shall be taken in open session.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK

ORDINANCE 14-01

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN, BY AND FOR THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,000,000 TO PAY THE COST THEREOF AND TO AUTHORIZE THE ISSUANCE OF \$4,000,000 OF BONDS OR NOTES TO FINANCE SUCH APPROPRIATION

WHEREAS, the Borough of Woodcliff Lake, in the County of Bergen, New Jersey, as a result of a case brought before the Tax Court of New Jersey, presently owes the sum of \$3,950,000 to BMW of North America, LLC for taxes levied by the Borough for the years 2006 to 2013, inclusive; and

WHEREAS, the Borough Council of said Borough has determined that it is in the best interest of the Borough to finance the cost of said tax refund, pursuant to the provisions of N.J.S. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, including expenses, appropriating the sum of \$4,000,000 to pay the cost thereof and authorizing the issuance of \$4,000,000 of bonds or notes of said Borough to finance said appropriation;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough of Woodcliff Lake, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to refund the sum of \$3,950,000 resulting from a case brought before the Tax Court of New Jersey presently owing by the Borough to BMW of North America, LLC for taxes levied by the Borough for the years 2006 to 2013, inclusive.

Section 2. The Borough Council of the Borough hereby determines that the Borough is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the sum set forth in Section 1 hereof.

Section 3. The sum of \$4,000,000 is hereby appropriated to (a) pay or fund the amount of \$3,950,000 set forth in Section 1 of this ordinance, and (b) pay an amount not exceeding \$50,000, being the cost of the issuance of refunding bonds or notes and expenses in connection with the tax appeals, including printing, advertising, accounting and financial and legal

expenses therefor permitted by Section 51(b) of the Local Bond Law (collectively, hereinafter referred to as "purpose").

Section 4. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$4,000,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. The Refunding Bonds shall be direct and general obligations of said Borough and said Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within said Borough for the payment of the principal of the Refunding Bonds and the interest thereon without limitation as to rate or amount. The full faith and credit of said Borough shall be and are hereby pledged for the punctual payment of the principal of and interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that it is issued pursuant to the Local Bond Law and shall also recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of said bond exist, have happened and have been performed, and that said bond, together with all other indebtedness of said Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$4,000,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said

bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law and the Local Finance Board. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$4,000,000, but said \$4,000,000 shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed by said Director and signed by the chief financial officer of the Borough as to the outstanding tax

refund amount to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

**RESOLUTION APPROVING APPRAISAL OF BLOCK 1402, LOT 7 AND AUTHORIZING
THE BOROUGH ATTORNEY TO MAKE AN OFFER TO PURCHASE THE PROPERTY AND TO OBTAIN A PHASE
ENVIRONMENTAL SITE ASSESSMENT**

**RESOLUTION NO. 14-47
February 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

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 the Act, 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, the property is identified on the Tax Map of the Borough of Woodcliff Lake as Block 1402, Lot 7 and known as "Galaxy Gardens" (the "Property"); 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 "bona fide" 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, on December 20, 2013, Robert McNerney inspected the Property on notice to the property owner in order to survey the Property for a fair market value appraisal; and

WHEREAS, McNerney & Associates, Inc. has appraised the fair market value of the property, at \$1,350,000.00, as set forth in the appraisal dated January 16, 2014, which is incorporated herein as if fully set forth in this resolution; and

WHEREAS, the Governing Body has reviewed the appraisal and agrees with the fair market value set forth therein; and

WHEREAS, prior to condemning a property under the Act, a public entity must offer to purchase the property from the property owner at not less than the fair market value as set forth in the appraisal requisitioned by the public entity; and

WHEREAS, the Governing Body is desirous of authorizing the Borough Attorney to make an offer, pursuant to N.J.S.A. 20:3-6, to the owner of the Property to purchase same at the fair market value set forth in the appraisal; and

WHEREAS, any such offer shall be subject to an inspection to determine the environmental condition of the Property; and

WHEREAS, following the making of the offer, the Borough is desirous of obtaining a Phase I Environmental Site Assessment prior to the commencement of any eminent domain proceedings; and

WHEREAS, it is in the best interests of the Borough to obtain a Phase I Environmental Site Inspection; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake hereby approves the fair market value in the appraisal of the Property and directs the Borough Attorney to make an offer on its behalf to the property owner to purchase the Property at the fair market value in the appraisal subject to obtaining a Phase I Environmental Site Assessment.

BE IT FURTHER RESOLVED that the Borough Attorney is authorized and directed to engage an environmental engineer, at a cost not to exceed \$3,500.00, to perform a Phase I Environmental Site Assessment.

BE IT FURTHER RESOLVED that the Governing Body has determined funds to pay for the appraisal are available by way of the budget.

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 17, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**February 17, 2014
Resolution No. 14-40**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

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

Payroll Released 1/31/2014 - \$166,773.10
Payroll Released 2/14/2014 - \$216,110.46

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund:	\$	87,460.48
Animal Control:	\$	360.00
Capital:	\$	32,728.57
Escrow:	\$	1,815.00

CERTIFICATION OF FUNDS

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

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 TO
D&L PAVING, INC. FOR THE 2013 COOPERATIVE
ROAD PAVING PROGRAM PASCACK VALLEY**

Resolution No. 14-41

February 17, 2014

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, D&L Paving performed work for the Borough of Woodcliff Lake for the 2013 Pascack Valley Road Program; and

WHEREAS, Neglia Engineering takes no exception to authorize Change Order No. 2 in the amount of \$11,329.08

BE IT RESOLVED BY, the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING MAYOR AND COUNCIL
TO ENTER INTO A GRANT AGREEMENT WITH COUNTY OF BERGEN FOR
USING \$3,274.00 in 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT –
SENIOR CITIZEN ACTIVITIES**

Resolution No. 14-42

February 17, 2014

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

BE IT RESOLVED, that the Mayor and Council wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$3,274.00 in 2013-2014 Community Development Block Grant funds for Senior Citizen Activities in the Borough of Woodcliff Lake; and

BE IT FURTHER RESOLVED, the Mayor and Council hereby authorizes Mayor Jeffrey Goldsmith to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Jeffrey Goldsmith to sign all County vouchers submitted in connection with the aforesaid project;

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that Woodcliff Lake is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK

**RESOLUTION FOR WOODCLIFF LAKE TO CONFIRM ENDORSEMENT OF COMMUNITY
DEVELOPMENT PROJECTS
Resolution No. 14-43
February 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, a Bergen County Community Development grant of \$3,274.00 has been proposed by the Borough of Woodcliff Lake for the purpose of using \$3,274.00 in 2013-2014 Community Development Block Grant funds for Senior Activities; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Woodcliff Lake;
and

WHEREAS, this Resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK

**RESOLUTION FOR MAYOR AND COUNCIL TO ENTER INTO A SERVICE AGREEMENT FOR A
CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO PREPARE THE ANNUAL RECYCLING TONNAGE REPORT**

**February 17, 2014
Resolution No. 14-44**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, the Bergen County Utilities Authority, a public body politic and corporate of the State of New Jersey, having its principal offices for the performance of essential governmental functions and services located at the Foot of Mehrhof Road, Little Ferry, New Jersey;

WHEREAS, commencing in 2012, New Jersey municipalities are required by the New Jersey Recycling Enhancement Act ("REA") P.L. 2008, Chapter 6, to have the mandatory Annual Recycling Tonnage Reports approved and signed by a Certified Recycling Professional (CRP);

WEHREAS, the Annual Recycling Tonnage Reports must be submitted via e-mail to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet provided by the NJDEP on or before April 30th of each year; and

WHEREAS, Woodcliff Lake designated Edward Barboni as the preparer to the report. The report's designated prepared shall be responsible should the NJDEP audit the report submittal.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize Mayor Jeffrey Goldsmith to execute an agreement with the Bergen County Utilities Authority for the period of January 1, 2014 through December 31, 2014.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING EMERGENCY PURCHASE OF REPLACEMENT GENERATOR
FOR THE BOROUGH OF WOODCLIFF LAKE POLICE DEPARTMENT**

**RESOLUTION NO. 14-45
FEBRUARY 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, on or around January 4, 2014, the Woodcliff Lake Police Department discovered that its backup generator had failed and was in disrepair and that the Police Department's fire alarm control system needed repairs, as set forth in the January 4, 2014 police report of Police Chief Janicelli and Sergeant Graves; and

WHEREAS, on January 6, 2014, the Police Department received a quote for repair of the fire alarm control system of \$7,062.38; and

WHEREAS, on January 27, 2014, the Police Department received a quote for replacement of its backup generator of \$115,627.38; and

WHEREAS, the cost of a temporary, portable generator will be \$3,370 per month; and

WHEREAS, the purchase and installation of a new generator will take approximately three (3) months; and

WHEREAS, without a new generator, the Police Department would have no power in the event of a power failure; and

WHEREAS, the cost of purchasing and installing a new generator exceeds the bid threshold in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Police Chief Jannicelli and Borough Administrator Richards have recommended to the Borough of Woodcliff Lake Governing Body that the purchase and installation of a new generator is an emergency affecting the safety, health, and welfare of Woodcliff Lake; and

WHEREAS, Police Chief Jannicelli and Borough Administrator Richards have submitted documentation to the Governing Body on the emergency and the cost to alleviate it; and

WHEREAS, the Local Public Contracts Law contains an "emergency exception," N.J.S.A. 40A:11-6, permitting a contracting unit, such as the Governing Body, to purchase goods or service without public bidding;

WHEREAS, the Governing Body is satisfied that an "emergency exists" under N.J.S.A. 40A:11-6; and

NOW THEREFORE BE IT RESOLVED that Borough Administrator Richards is authorized to: (1) contract for immediate repair of the fire alarm control system, if not already done; (2) rent a portable generator for the Police Department; and (3) make an emergency purchase under the Local Public Contracts Law for a new generator in an amount not to exceed \$120,000 without further Governing Body approval.

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 17, 2014.

DEBORAH DAKIN, ACTING BOROUGH CLERK

**RESOLUTION AUTHORIZING THE MAYOR OF THE BOROUGH OF WOODCLIFF LAKE
TO SIGN PROFESSIONAL SERVICES AGREEMENTS FOR THE YEAR 2014**

RESOLUTION No. 14-46
February 17, 2014

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, on January 6, 2014, the Borough of Woodcliff Lake appointed the professionals listed herein pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Governing Body has reviewed the professional services agreement for each of the professionals set forth in this Resolution; and

WHEREAS, it is in the best interests of the Borough to enter into Professional Services Agreements with the appointed professionals.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Mayor is hereby authorized to sign and deliver Professional Services Agreements, as follows:

Borough Attorney:	Paul Kaufman, Esq. of Kaufman, Semeraro & Leibman, LLP
Borough Engineer:	Michale Neglia of Neglia Engineering
Borough Auditor:	Paul Lerch of Lerch, Vinci & Higgins
Labor Counsel:	Eric Bernstein, Esq.
Bond Attorney:	Steven Rogut, Esq. of Rogut McCarthy, LLC
Special Counsel for Passaic Valley Regional High School District (PVRHS):	Porzio, Bromberg & Newman

Commercial Tax Appeal Attorney:

Steven Muhlstock, Esq. of Gittleman, Muhlstock
& Chewcaskie, LLP

Residential Tax Appeal Attorney:

Crystal Calabrese, Esq. of Diktas Gillen, P.C.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE
TO APPOINT A PLUMBING SUBCODE OFFICIAL**

RESOLUTION No. 14-48
February 17, 2014

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor						

WHEREAS, it is deemed necessary for the Borough of Woodcliff Lake to engage the professional services of a Plumbing Subcode Official pursuant to N.J.S.A. 52:27D-126, to provide services for administering the Plumbing Subcode of the State Uniform Construction Code within the Borough of Woodcliff Lake and to inspect and supervise plumbing work in construction projects within the Borough; and

WHEREAS, funds to pay said professional persons are available by way of budget to compensate a Plumbing Subcode Official; and

WHEREAS, the Borough has determined that it is in the best interest to qualify and appoint the professional set forth in this Resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the Borough Plumbing Subcode Official is hereby designated as Canio N. Saluzzi for a term of four years as required by N.J.S.A. 52:27D-126; and

BE IT FURTHER RESOLVED, that Canio N. Saluzzi is hereby qualified to provide Plumbing Subcode Official services to the Borough;

BE IT FURTHER RESOLVED, that the compensation for said position shall be \$7,500.00 per calendar year.

CERTIFICATION

I, Deborah Dakin, Acting Borough 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

TONNAGE GRANT APPLICATION RESOLUTION

RESOLUTION No. 14-49

February 17, 2014

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2013 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Woodcliff Lake to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the Borough of Woodcliff Lake hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Edward Barboni to ensure that the application is properly filed for the calendar year 2013; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant is deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE
TO APPROVE AND PAY FOR THE CONSTRUCTION OF BASEBALL PARK SHEDS AT OLD MILL PARK**

**RESOLUTION NO. 14-50
February 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, in or about June, 2013 the former Borough Administrator of Woodcliff Lake contracted with The Home Depot for the purchase, delivery and on-site construction of baseball park sheds at Old Mill Park; and

WHEREAS, in or about July, 2013 The Home Depot did deliver and construct the baseball park sheds at Old Mill Park; and

WHEREAS, The Home Depot has submitted invoice number 0904-528059 (the "invoice") in the amount of \$8,073.03 for payment; and

WHEREAS, the Borough has determined that the baseball park sheds are for the benefit, use and enjoyment of the Borough of Woodcliff Lake residents and therefore it is in the best interest of the Borough to authorize the purchase, delivery and construction of the baseball park sheds and the payment of the invoice, nun pro tunc;

NOW THEREFORE BE IT RESOLVED that the Woodcliff Lake Governing Body approves the purchase, delivery and on-site construction of the baseball park sheds and authorizes the payment to The Home Depot of Invoice Number 0904-428059 in the amount of \$8,073.03, nun pro tunc.

BE IT FURTHER RESOLVED that the CFO of the Borough of Woodcliff Lake has certified the availability of funds.

CERTIFICATION

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 17, 2014.

DEBORAH DAKIN, ACTING BOROUGH CLERK

**RESOLUTION AUTHORIZING STEVEN MULHSTOCK, ESQ. TO DEFEND
THE BOROUGH OF WOODCLIFF LAKE AGAINST CLAIM FILED
BY RICHARD K. PURCELL AND ELIZABETH A. PURCELL**

**RESOLUTION NO. 14-51
February 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, the Borough of Woodcliff Lake has been served with a Verified Complaint (the "Complaint") in the matter captioned Richard K. Purcell and Elizabeth A. Purcell v. The Borough of Woodcliff Lake in the Tax Court of New Jersey (the "Litigation"); and

WHEREAS, the Complaint alleges Plaintiffs, (Mr. Purcell being a veteran), are entitled to retroactive tax refunds for the years 1984 to the present; and

WHEREAS, the Borough believes it is in the best interests of the Borough to defend the Litigation.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Woodcliff Lake that special tax appeal counsel, Steven Muhlstock, Esq. be and the same is hereby authorized and directed to defend the Litigation and otherwise protect the Borough's interests therein.

CERTIFICATION

I, Deborah Dakin, Acting 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**

**RESOLUTION OF THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF
BERGEN, STATE OF NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:2-55**

**RESOLUTION NO. 14-52
FEBRUARY 17, 2014**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Abene						
Belgiovine						
Bloom						
Gadaleta						
Rendo						
Rosenblatt						
Mayor Goldsmith						

WHEREAS, the Borough Council of the Borough of Woodcliff Lake desires to make application to the Local Finance Board for its review and/or approval of a proposed refunding bond ordinance authorizing the Borough's issuance of obligations for the purpose of paying amounts owing to others for taxes levied, as permitted by N.J.S.A. 40A:2-51(a); and

WHEREAS, the Borough Council of the Borough of Woodcliff Lake believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare and convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey as follows:

Section 1. The application to the Local Finance Board is hereby approved, and Lerch, Vinci & Higgins, LLP, Borough Auditor, and Rogut McCarthy LLC, Bond Counsel, along with other representatives of the Borough of Woodcliff Lake, are hereby authorized to prepare such application and to represent the Borough of Woodcliff Lake in matters pertaining thereto.

Section 2. The Acting Borough Clerk of the Borough of Woodcliff Lake is hereby directed to prepare and file a copy of the proposed refunding bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

CERTIFICATION

I, Deborah Dakin, Acting Borough 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 February 17, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**